

## **Armenia (Tier 2)**

The Government of Armenia does not fully meet the minimum standards for the elimination of trafficking but is making significant efforts to do so. The government demonstrated overall increasing efforts compared to the previous reporting period; therefore Armenia remained on Tier 2. The government demonstrated overall increasing efforts by providing robust training for law enforcement, organizing various awareness campaigns, hiring and training 64 social workers who will work in part on trafficking issues, and proactively identifying some forced labor victims. However, the government did not meet the minimum standards in several key areas. The government did not convict any traffickers and prosecuted fewer trafficking cases compared to the previous year. The government identified fewer victims for the third consecutive year, and first responders continued to rely on victims to self-identify due to a lack of standard indicators to screen vulnerable populations. Victims faced low access to justice, including an absence of victim-centered procedures and formal victim-witness protection measures. The lack of resources for reintegration, including transitional housing and foster care, resulted in the re-victimization and homelessness of some victims. The government did not conduct a single labor inspection during the reporting period due to the suspension of the majority of Labor Inspectorate functions, hindering its ability to identify, investigate, and prevent forced labor.

### **PRIORITIZED RECOMMENDATIONS:**

Vigorously investigate, prosecute, and convict traffickers under Articles 132 and 132-2. • Develop standard operating procedures for screening trafficking victims and train officials on screening for trafficking among individuals in prostitution, migrants, refugees, and other at-risk populations. • Establish and implement preventative measures for child labor and potential child trafficking in state child care institutions. • Train investigators, prosecutors, and judges on victim-centered approaches to trafficking cases, including for children, and provide advanced training on trafficking investigations and prosecutions. • Establish and implement legal authorities for labor inspectors to conduct regular inspections and identify victims through unannounced visits. • Increase resources for reintegration services for victims. • Establish formal procedures for repatriating trafficking victims from abroad, including measures to cover logistical costs. • Make available to victim-witnesses the protections afforded under the Criminal Procedure Code and the

2016 decree. • License, regulate, and educate local employment agencies and agents so they can help prevent the forced labor of Armenians abroad. • Work with Russian authorities to identify Armenian forced labor victims and prosecute labor traffickers.

## **PROSECUTION**

The government maintained law enforcement efforts. Articles 132 and 132-2 of the criminal code criminalized sex trafficking and labor trafficking and prescribed penalties of five to eight years' imprisonment, which were sufficiently stringent and, with regard to sex trafficking, commensurate with those for serious crimes, such as rape. The government investigated nine cases (six cases in 2017). Of these, five were forced labor and one was both sex trafficking and forced labor (two cases of sex trafficking and four of forced labor in 2017). The government prosecuted one defendant for forced labor (one for sex trafficking, one for forced begging, and one for forced labor in 2017). Courts did not convict any traffickers (one sex trafficker in 2017).

The Armenian Police maintained an Anti-Trafficking Unit (ATU) within the Organized Crime Department that investigated trafficking. ATU conducted the initial investigations and referred cases to the Investigative Committee (IC) for an in-depth investigation. Local police units also designated an officer as the main point of contact for trafficking within their jurisdiction. Local investigators lacked the skills to properly interview victims, especially children. Although guidelines restricted interviews to four hours for adults and two hours for children, observers reported cases where police repeatedly interrogated victims for long hours, including children up to 10 hours. IC set up 20 child-friendly interview rooms in five regional divisions and ATU hired one female investigator during the reporting period but some procedures did not incorporate gender-sensitive approaches, such as the use of female medical professionals for invasive examinations on female victims. Observers continued to report IC or Prosecutor General's Office dropped or reclassified cases categorized as trafficking by local police due to a lack of evidence; two cases were dropped and one was reclassified (one case was dropped and two were reclassified in 2017). Civil society reported good cooperation with ATU and IC investigators.

The government trained 208 police officers, 50 investigators from IC, and 540 employees from penitentiary institutions on trafficking issues. The government

also trained 198 civil servants on fighting official complicity in trafficking. The government did not report any investigations, prosecutions, or convictions of government employees complicit in trafficking. Prosecution of forced labor cases involving Russia remained a challenge, where Armenian investigators continued to face difficulties collaborating with law enforcement. Similarly, the absence of diplomatic relations with Turkey continued to hinder law enforcement and victim protection efforts for cases involving Turkey.

## **PROTECTION**

The government slightly increased protection efforts. The government identified nine victims (13 in 2017). Of these, eight were subjected to forced labor and one to both sex trafficking and forced labor (eight were subjected to sex trafficking and five to forced labor in 2017); two were children in both 2017 and 2018; four were foreign (none in 2017); and eight were males and one female (10 were females and three were males in 2017). The 2014 Law on Identification and Assistance to Victims of Human Trafficking and Exploitation defined identification, referral, and assistance procedures for relevant actors. First responders did not use standard indicators to screen vulnerable populations and experts continued to report a lack of proactive identification and a reliance on victims to self-identify; however, ATU proactively identified four forced labor victims and the Migration Service screened 203 asylum seekers for trafficking indicators. The government provided temporary shelter, emergency medical aid, and psychological aid to potential trafficking victims during the “pre-identification stage,” a stage where the government collected information on the potential victim within a maximum of 10 days. The Victim Identification Commission, which consisted of representatives from the Ministry of Labor and Social Affairs, the Prosecutor General’s office, police, and NGOs, officially recognized victims based on information collected during the “pre-identification stage.” Civil society reported the referral procedures functioned well and they had positive cooperation with the government.

The government allocated 19.07 million drams (\$39,320) in both 2017 and 2018 for victim protection efforts, including operational costs for an NGO-run shelter. The government and local NGOs jointly provided legal, medical, and psychological assistance; housing; a one-time monetary compensation of 250,000 drams (\$515); and access to social, educational, and employment projects. The government offered free health care but relied on NGOs to provide legal assistance, including the cost for attorneys. Three victims received health care (two

in 2017), six victims received the one-time monetary compensation (five in 2017), and five victims received legal assistance from an NGO (nine in 2017). The government maintained a cooperation agreement and partially funded one specialized NGO-run shelter to provide services to victims; the NGO-run shelter assisted three newly identified victims (19 in 2017) and 41 people in total (36 in 2017). The NGO-run shelter required adult victims to notify staff when they left shelters unescorted, but victims were free to leave if they no longer wanted assistance. Authorities afforded foreign victims the same rights and services as Armenian citizens. Male victims did not have access to a shelter and only NGOs rented apartments; four victims were accommodated in rented apartments. The government hired and trained 64 new social workers on trafficking issues and provided vocational training classes to victims. Despite these efforts, civil society continued to provide the bulk of reintegration and long-term support services. Experts reported cases of re-victimization or homelessness due to the lack of transitional housing and reintegration opportunities for victims. Additionally, the government did not include trafficking victims in the list of vulnerable people eligible for state housing. The NGO-run shelter and childcare institutions accommodated child victims but experts reported a shortage in accommodation and foster families for children, which resulted in some cases where authorities returned children to family members who were involved in their exploitation. GRETA and OSCE reported in 2017 cases of child labor and child abuse in state childcare institutions; staff at state childcare institutions considered child labor to be normal. The law designated the Ministry of Foreign Affairs to coordinate repatriation of Armenian victims from abroad, but an absence of established procedures and funds to cover logistical costs created obstacles in repatriation; the government did not repatriate victims in 2018 (three victims in 2017). The law entitled foreign victims to receive a permanent residence permit but applications required evidence of employment.

Observers reported anecdotal accounts of some sex trafficking victims penalized with administrative fines due to inadequate identification. Law enforcement officers in some remote areas lacked information and training to inform victims of their rights to protection or assistance. Victims hesitated to assist in prosecutions due to a lack of confidentiality in public testimonies creating a fear of retaliation from traffickers and stigmatization from their family and community. Authorities did not protect victims' rights during court proceedings and victims, including children, always appeared in front of their traffickers in court, risking re-

traumatization. The government continued to lack a formal victim-witness protection program. The Criminal Procedure Code and a 2016 decree stipulated some victim-witness protection measures but none were used in 2017 and 2018. Victims were legally entitled to obtain restitution during criminal proceedings or through a separate civil suit; no victims filed a civil suit in 2017 and 2018. In previous years, judges had not issued damages in civil suits, asserting that victims did not substantiate the financial damages they had suffered. The law allowed investigators to place defendants' property in custody to fund potential civil claims, but this rarely occurred in practice.

## **PREVENTION**

The government maintained prevention efforts. The Anti-trafficking Ministerial Council and the Inter-Agency Working Group against Trafficking in Persons continued to implement the 2016-2018 national action plan (NAP) and published semi-annual and annual reports of its activities. Civil society reported good cooperation with members of the working group. Observers reported the government did not monitor for progress or assess the impact and outcomes of the NAP. There was no mechanism for oversight and regulation of labor recruitment agencies. As a result of a legal change suspending most Labor Inspectorate functions in July 2015, inspectors were unable to conduct regular inspections and identify indications of forced labor. The Ministry of Health formed the Health Inspection Body (HIB) in 2017, but their mandate was limited to workplace health and safety inspections and did not have authority to conduct unannounced inspections; HIB did not conduct any inspections in 2017 or 2018. The government adopted a regulation requiring all foreigners to obtain a work permit for employment. The government held awareness-raising discussion at schools and campaigns targeting students and teachers. The government distributed informative materials on the risks of trafficking to individuals crossing the border, as well as Armenians residing in the Middle East and European countries. The Ministry of Labor and Social Affairs aired an annual trafficking program on television and government agencies posted trafficking information on their websites, including information on hotlines operated by police and NGOs; the government did not report the number of calls. The government did not make efforts to reduce the demand for commercial sex acts or forced labor.

## **TRAFFICKING PROFILE**

As reported over the past five years, human traffickers exploit domestic and foreign victims in Armenia, and traffickers exploit victims from Armenia abroad. Armenian migrants who seek employment in Russia, the United Arab Emirates (UAE), and Turkey face forced labor, often following recruitment fraud and exorbitant recruitment fees charged by labor brokers; Armenian women and children are subjected to sex trafficking in the UAE and Turkey. Armenian women and children are subjected to sex and labor trafficking and forced begging within the country. Some children work in agriculture, construction, and service provision within the country, where they are vulnerable to labor trafficking. Ukrainian, Belarusian, and Russian women working as dancers in nightclubs are vulnerable to sex trafficking. An increasing number of Indian migrants who willingly seek employment in the informal sector face forced labor. Men in rural areas with little education and children staying in childcare institutions remain highly vulnerable to trafficking.