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 with the previous reporting period, considering the impact of the COVID-19 pandemic, if any, on its anti-trafficking capacity; therefore Armenia remained on Tier 2. These efforts included prosecuting more traffickers and identifying more victims. Courts convicted a labor trafficker for the first time since 2014. The government adopted screening indicators for use by social workers, amended procedures to standardize data collection and information sharing, and provided comprehensive training to relevant staff. However, the government did not meet the minimum standards in several key areas. Police continued to repeatedly interrogate victims for long hours though reportedly within legal limits. First responders did not consistently screen vulnerable populations for trafficking indicators, while police in some remote areas lacked information and training to inform victims of their rights and victims continued to face low access to justice, including an absence of victim-centered procedures and formal victim-witness protection measures. The government maintained its prior year funding level for the implementation of the 2020-2022 national action plan (NAP), but the Ministerial Council did not meet.

PRIORITIZED RECOMMENDATIONS: Vigorously investigate, prosecute, and convict traffickers under Articles 132 and 132-2. * Increase proactive identification efforts, including implementing standard operating procedures for screening trafficking victims and training officials on screening for trafficking among individuals in commercial sex, migrants, refugees, and other at-risk populations. * Implement legal authorities for labor inspectors to conduct regular inspections, including non-legal employers, and identify victims through unannounced visits. * Provide advanced training to investigators and prosecutors on trafficking investigations and prosecutions, including evidence collection and victim-centered interview techniques. * Establish and implement preventative measures for child labor and potential child trafficking in state childcare institutions. * Increase access to justice during court proceedings, such as establishing victim-centered policies to reduce re-traumatization, strengthen confidentiality, and provide victim-witness protection. * Increase resources for reintegration services for victims. * Establish formal procedures for repatriating trafficking victims from abroad. * License, regulate, and educate local employment agencies and agents so they can help prevent the forced labor of Armenians abroad. * Train judges on restitution in criminal cases, establish procedures to seize assets from traffickers, and create effective methods to allocate restitution in a timely manner.

PROSECUTION
The government increased 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 15 cases, compared with 16 cases in 2020; eight were sex trafficking cases, and seven were forced labor cases. The government prosecuted eight defendants, compared with two in 2020; five were prosecuted for sex trafficking, and three were prosecuted for labor trafficking. The government continued to prosecute three defendants from previous years. Courts convicted one sex trafficker and one labor trafficker, the first forced labor conviction since 2014, compared with one sex

trafficker in 2020. Judges sentenced the sex trafficker to 12 years' imprisonment; the labor trafficker received a sentence of seven years' imprisonment, but it was later changed to a two-year suspended sentence after judges used the trafficker's health, age, cooperation, and guilty plea as mitigating circumstances. The government reported an ongoing investigation of a human resource officer and the head of a psychiatric institution that opened an unregistered store in the psychiatric hospital and coerced a patient to work in the store from 2002 to 2018. The government reported some delays in investigations due to pandemic mitigation measures, but courts continued to make virtual and remote trials available.

The Armenian Police (AP) maintained an Anti-Trafficking Unit (ATU) that conducted initial investigations and referred cases to the Investigative Committee (IC) for an in-depth investigation. Local police units designated an officer as the main point of contact for trafficking within their jurisdiction. The government maintained a manual for local police on monitoring businesses that were prone to exploitation and on interviewing vulnerable communities; however, law enforcement did not proactively pursue investigations and relied on victims to self-identify. Observers continued to report an absence of victim-centered approaches within law enforcement procedures, and local investigators in some remote areas lacked the skills to properly interview victims. Guidelines restricted interviews to four hours for adults, and the government adopted a law, which took effect in January 2021, that restricted interviews for children to 90 minutes in the presence of a psychologist. However, observers continued to report police repeatedly interrogated victims for long hours, including children, increasing the risk of re-victimization, though NGO observers noted police complied with legal parameters regarding the length of interrogation. Additionally, investigations did not incorporate gender-sensitive approaches, such as the use of female medical professionals for invasive examinations of female victims. While the IC or PGO continued to drop or reclassify trafficking cases referred by local police due to a lack of evidence, a practice that was not unique to trafficking cases, PGO created a working group to review all trafficking cases from 2018 to 2019 to identify any legal or procedural issues. Authorities did not drop any cases due to a lack of evidence nor reclassify any cases, compared with dropping seven forced labor cases and one sex trafficking case due to a lack of evidence and reclassifying one sex trafficking case in 2020. The Police Academy and Justice Academy maintained classes on trafficking for police, judges, prosecutors, and investigators, and the Ministry of Defense trained military police officers on anti-trafficking issues. The government did not conduct any international investigations or extraditions in 2021 or 2020.

PROTECTION
The government increased protection efforts. The government identified 32 victims, an increase compared with nine victims in 2020. Of these, 24 were victims of sex trafficking and eight were victims of forced labor; there were 23 were women, seven boys, and two girls; and all victims were Armenians. The 2014 Law on Identification and Assistance to Victims of Human Trafficking and Exploitation prescribed identification, referral, and assistance procedures for relevant actors. In 2021, the government developed screening indicators for social workers and adopted procedures to identify child victims among children not enrolled in school. Police reported inspecting businesses involved in commercial sex, using checklists to screen individuals in commercial sex, and training officers on trafficking indicators; however, the government did not report the number of inspections nor did it identify any victims through these efforts.

Experts continued to report that officials did not proactively identify victims and instead relied on victims to self-identify, and observers continued to report first responders did not consistently screen vulnerable populations for trafficking indicators, particularly individuals in commercial sex and foreign migrant workers. The government trained staff from the State Migration Service and child care institutions on identifying trafficking victims.

The government provided temporary shelter, emergency medical services, and psychological aid to potential trafficking victims during the "pre-identification stage," a stage where the government collected information on a potential victim within a maximum of 10 days. The Victim Identification Commission (VIC), which consists of representatives from the Ministry of Labor and Social Affairs (MOLSA), PGO, police, and NGOs, officially recognized victims based on information collected during the "pre-identification stage;" the VIC met six times. The government amended procedures to standardize data collection and information sharing, which allowed the VIC to fully monitor individual cases and share cases with relevant government institutions. In previous years, civil society reported the referral procedures functioned well, and they had positive cooperation with the government. However, NGOs reported one case involving 15 victims that did not fully meet the definition of trafficking, while government representatives on the VIC reported it met the definition and overruled their assessment. The case involved a trafficker that threatened to hurt family members of individuals detained or missing in the 2020 hostilities over Nagorno-Karabakh, unless the victims sent nude photos and videos; a judge convicted the trafficker under the trafficking article but the case was under review by an appeals court.

The government allocated approximately 40 million drams ($82,470) for victim protection efforts, including operational costs for an NGO-run shelter in 2021 and 2020. The government and local NGOs jointly provided legal, medical, and psycho-social support; housing; a one-time monetary compensation of 250,000 drams ($515); and access to social, educational, and employment projects. The government allowed legal guardians of child victims to also receive the one-time monetary compensation. Sixteen victims received free health care (one in 2020), and two victims received the one-time monetary compensation (one in 2020). 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 identified victims (10 in 2020). 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. Additionally, the NGO-run shelter provided male victims with separate rooms or rented apartments, but there were no male victims in need of shelter in 2021, compared with one male victim receiving shelter accommodation in 2020. The NGO-run shelter provided personal protective equipment and COVID-19 tests, and it adopted social distancing measures, including a space for victims to quarantine while waiting for COVID-19 test results. The government provided vocational training classes to victims, but civil society continued to provide the bulk of reintegration and long-term support services without government funding. 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 of accommodation and foster families for children, which resulted in some cases where authorities returned children to family members who were involved in their exploitation. The government allocated funds for repatriation in 2020 for the first time, although no victims

required repatriation in 2021 or 2020. The government provided foreign victims the same services as Armenian victims. The law entitled foreign victims to a 30-day reflection period in which victims could recover before deciding whether to cooperate with law enforcement. The law also entitled foreign victims to receive a permanent residence permit, but applications required evidence of employment; no foreign victim required a permit in 2021 and 2020.

Due to a lack of consistent identification procedures for trafficking indicators, authorities may have detained and deported individuals in commercial sex and foreign migrant workers who were unidentified victims. According to experts, law enforcement officers in some remote areas may lack 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 families and communities. Authorities did not fully protect victims' rights during court proceedings, and victims, including children, appeared in front of their traffickers in court, which may have caused re-traumatization. The government continued to lack a formal victim-witness protection program. The Criminal Procedure Code and a 2016 decree mandated some victim-witness protection measures, but none were used in 2021 and 2020. Judges did not issue restitution during criminal proceedings, and victims did not file civil suits for compensation in 2021 or 2020. In previous years, judges did not issue 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 increased prevention efforts. The Anti-trafficking Ministerial Council and the Inter-Agency Working Group against Trafficking in Persons (IWGTP) monitored and carried out anti-trafficking efforts; the Ministerial Council did not meet (once in 2020) and IWGTP held two virtual meetings in 2021 (once in 2020). The government implemented the NAP and allocated approximately 40 million drams ($82,470) in 2021 and 2020. However, observers reported many of the goals and projects in the NAP depended on funding from donors and international organizations, which the government did not fund. The government did not conduct any new research on trafficking in 2021 and 2020. The government organized a country-wide awareness campaign targeting the public, students, children and their parents, first responders, and asylum seekers. The government funded an anti-trafficking website and hosted an annual award ceremony for journalists publishing trafficking stories. For the first time, MOLSA solicited feedback from trafficking survivors and victims on assistance measures to amend the 2015 law on victim assistance. The government did not regulate or monitor labor recruitment agencies. In 2020, the Health and Labor Inspection Body conducted 28 labor inspections – the first inspections since 2015 – but did not have jurisdiction to conduct inspections of "non-legal" employers such as small farms or illegal businesses. AP and MOLSA both maintained a 24-hour hotline for trafficking, and the Ombudsperson operated a 24-hour hotline for human rights-related issues, including trafficking; hotlines received 202 calls, but the government did not report the number of potential victims identified or investigations resulting from calls. The government did not make efforts to reduce the demand for commercial sex acts.

TRAFFICKING PROFILE: As reported over the past five years, human traffickers exploit domestic and foreign victims in Armenia, as well as victims from Armenia abroad. Traffickers

exploit some of the Armenian migrants who seek employment in Russia, the United Arab Emirates (UAE), and Turkey in forced labor, often through recruitment fraud and exorbitant recruitment fees charged by labor brokers. Armenian women may also be exploited in sex trafficking in the UAE and Turkey. Armenian women may be exploited in 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 Armenian nightclubs are vulnerable to sex trafficking. Traffickers may target Iranian and Indian migrants who willingly seek employment in the informal sector for exploitation in forced labor. Men in rural areas with little education and children staying in state childcare institutions remain highly vulnerable to labor trafficking.