

Armenia¹

The phenomenon

Armenia is a source country for women and girls subjected to sex trafficking and men subjected to forced labor, as well as destination country for women subjected to sex trafficking. Armenian women and girls are subjected to sex trafficking in Germany, the United Arab Emirates, and Turkey and to forced labor in Turkey and Russia. While Armenian men are subjected to forced labor in Russia, Armenian boys are subjected to forced labor and Armenian women and girls are found in sex trafficking within the country. Women and men from Russia are subjected to forced labor in Armenia. The age of people has been forced to trafficking deviates from 18 to 50 years.

National anti-trafficking legislation and institutions

Articles specifically establishing the crime of trafficking were incorporated into the Criminal Code in 2003. In 2004 Criminal Code of the Republic of Armenia adopted Article 132 (Human Trafficking or Exploitation) in following years this article has been upgraded.

Article 132² Covers Trafficking or exploitation of a child or a person deprived of the opportunity to realize or control the nature and meaning of his/her deeds because of mental disorder. Article 132³(Use of services of a person who is in the condition of exploitation). Armenia prohibits both sex trafficking and labor trafficking through Articles 132 and 132-2 of its Criminal Code, which prescribe penalties of five to 15 years' imprisonment – penalties that are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. In amendments to the Criminal Code in March 2011, Armenia strengthened its anti-trafficking statutes; the amendments increased the amount of time a trafficking offender

must serve before being eligible for an early release, introduced a separate article specifically prohibiting trafficking of children and persons with mental disabilities.

Addition to existing national laws, Armenia has been signed Palermo Protocol in November 2001 and the European Convention on Action against Trafficking in Human Beings has been signed in 2005 and ratified by the Armenian Parliament on January 08, 2008 and signaled a more comprehensive legislative approach to trafficking through the ratification process.

In 2007 Council on Human Exploitation /Trafficking/ Issues in the Republic of Armenia was established. To provide the effective work of the Council's current activities it was also adhered a Task Force to it.

In 2006 -2007 the UNDP Armenia Anti-Trafficking Program initiated the establishment of NGOs Network to combat human trafficking. The Network comprised from 15 NGOs working in different fields that are related to combating human trafficking including NGOs that are working with refugees, protection of human rights, providing humanitarian and psychological assistance. "Hope and Help" NGO is one among them.

On November 4, 2008, a memorandum of understanding on establishment of Anti-Trafficking Support and Resource Unit was signed between the OSCE Office in Yerevan and the Ministry of Labor and Social Issues of the Republic of Armenia. The overall goal of the Unit is to assist the relevant anti-trafficking actors in establishing an effective operational mechanism for victim protection through improved state-NGO cooperation and a victim-oriented strategy.

National Action Plan against trafficking in human beings - has been developed for 2004-2006, 2007-2009, 2010-2012 time periods by intergovernmental institutions and NGOs.

¹ Written by „Hope and Help“ Armenia

Identification, protection of rights, and referral

In order to assist victims of trafficking has been created National Referral Mechanism that refers them to institutions and organization to receive the assistance. The National Referral Mechanism of Trafficked Persons had been accepted by the Government of Republic of Armenia in November 2008.

Direction of victims of trafficking is realized by the State Governmental Authorized Bodies; Ministry of Labor and Social Issues, Ministry of Foreign Affairs, , Ministry of Health, Ministry of Territorial Administration, National Security Service , Police, Ministry of Education and Sciences.

The Ministry of Labor and Social Issues has assigned the authorized person, who is purely coordinating the social assistance to the victims of trafficking.

The main authorized body combating against the crime of trafficking in the Republic of Armenia is Police.

Identification of the victims is a complex process, which includes range of assistance. For equitable and targeted provision of the scope of assistance, three basic phases of victim identification are distinguished. Preliminary the detection of the victim is considered to be preliminary identification, which is carried out by the responsible bodies independently, or in the result of applying direct and indirect criteria to the "assumed victim" detected by another source.

Intermediate identification of the victim shall be carried out by the investigation body making a decision to recognize the preliminary identified victim as the aggrieved under the criminal cases filed on the basis of respective Articles of the RA Criminal Code.

Final identification of the victim shall be carried out by the court.

Depending on the type of the identification the victims get the corresponding assistance. NGOs cooperating with the authorized bodies

participate in the process of preliminary identification and provision of rehabilitation assistance.

Country, has no official published list of indicators exists for the identification of trafficked persons. Non-governmental organization for identification of victims uses the questionnaire that has been created by IOM. The Police use own measures for identification of victims.

Return of victims to homeland in some cases is paid by means of NGOs or by IOM branches in the country of origin of victims.

Access to justice

"Hope and Help" NGO is one of the organizations that implements assistance to victims of trafficking. Organization offers them shelter, social, medical and psychological support, legal assistance and representation of victims rights in the court, Help-Line advice designed for trafficked persons. As a part of reintegration into society organization organize vocational trainings for beneficiaries. There is a differentiation between long-term and short-term shelters in Armenia. "Hope and Help" provides short-term shelter for all trafficked women, men and children, they are granted access to receive the range of assistance. Another organization that is focused on trafficking issues UMCOR run long-term shelter. There are no specialized shelters for trafficked children or men.

The lawyers of the two organizations who are specialized on providing assistance to victims present the interests of the victims at the court hearings.

According to the Criminal Proceeding Code of RA victims have to personally testify at the court hearings.

Prevention - In Armenia organizations that work in anti-trafficking field organize awareness raising campaign at the schools, for pupils, teachers, among youth and communities. Some organizations regularly hold trainings for police officers and prosecutors that work across the country. Talk Shows with government representatives and NGO's, round tables for

authorities of the communities have been held. Informational materials are disseminated through air ticket offices, in airport, cross border check points.

Monitoring and evaluation system

The Task Force carried out an annual monitoring of the activities planned in the National Plan to combat trafficking in Armenia. According to the results the Ministry of Foreign Affairs prepares and publishes a National Report on Human Trafficking.

Recommendations for Armenia:

- Undertake more vigorous efforts to identify victims of forced labor and to investigate and prosecute labor trafficking offenses;
 - Continue to provide and expand funding for NGOs that provide victim assistance and ensure that all funding allocated for anti-trafficking programs and victim assistance is spent on designated programs;
 - Increase the number of victims referred to NGO service providers for assistance;
 - Consider partnerships with NGOs that would allow them to regularly assist law enforcement with the victim identification process;
 - Improve efforts to protect victims who consent to serve as witnesses in prosecutions;
 - Continue to work to ensure that victims who are unable to assist in prosecutions have access to services and protection;
 - Investigate and prosecute government officials suspected of trafficking-related complicity and convict and punish complicit officials;
 - Continue to ensure that victims are provided with legally mandated assistance (medical, legal, primary needs, and shelter) at all stages of the victim assistance process;
- Continue to ensure a majority of convicted trafficking offenders serve time in prison; and continue efforts to raise public awareness about both sex and labor trafficking.