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2024 Trafficking in Persons Report: Armenia

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; therefore Armenia remained on Tier 2. These efforts included investigating and prosecuting more suspected traffickers and identifying more victims. The government increased resources for victim protection, including to the NGO-run shelter. The Ministry of Labor and Social Affairs (MOLSA) published a guide for social workers to identify victims and developed leaflets to inform victims on available state resources. The government increased resources to prevention efforts and sought input from survivors on the gaps in victim services. However, the government did not meet the minimum standards in several key areas. First responders did not consistently screen vulnerable populations for trafficking indicators. Prosecutors dropped or reclassified cases due to a lack of evidence or a high reliance on victim testimony without corroborating evidence. Law enforcement officials did not always take victim-centered approach in criminal proceedings, and the government did not implement victim-centered policies and victim-witness assistance measure. The government continued to fund victim assistance reintegration programs, which, at times, was not sufficient to fully meet victim needs.

PRIORITIZED RECOMMENDATIONS:

Vigorously investigate and prosecute, trafficking crimes and seek adequate penalties for convicted traffickers, which should involve significant prison terms. * Increase proactive identification efforts, including implementing SOPs for screening trafficking victims and training officials on screening for trafficking among individuals in commercial sex, migrants, refugees, and other at-risk populations. * Provide advanced training to investigators and prosecutors on trafficking investigations and prosecutions, including evidence collection and victim-centered approaches. * Increase victim-witness assistance during court proceedings, such as establishing victim-centered policies to reduce re-traumatization and strengthening measure to ensure confidentiality. * Seek and implement recommendations from civil society, NGOs, and members of the Victim Identification Commission (VIC) on decrees standardizing victim protection. * Increase resources for reintegration services for victims. * Implement legal authorities for labor inspectors to conduct regular inspections, including non-legal employers, and identify victims through unannounced visits. * License, regulate, and educate local employment agencies and agents so they can help prevent the labor trafficking of Armenians abroad, and take steps to eliminate recruitment fees charged to workers. * Establish and implement preventative measures for labor violations and child labor and potential child trafficking in state childcare institutions. * Train prosecutors and judges on issuing 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 188 and 189 of the criminal code criminalized sex trafficking and labor trafficking and prescribed penalties of five to eight years' imprisonment for crimes involving adult victims and seven to 10 years' imprisonment for crimes involving child victims. These penalties were sufficiently stringent and, with respect to sex trafficking, commensurate with those prescribed for other grave crimes, such as rape. The government adopted an amendment to the Labor Code in October 2022, which included a definition of forced labor. The government investigated 27 cases (four for sex trafficking and 23 for labor trafficking), compared with eight cases in 2022. The government continued to investigate three sex

trafficking cases and three labor trafficking cases from previous years. The government prosecuted eight defendants (five for sex trafficking and three for labor trafficking), compared with four defendants in 2022. The government continued to prosecute two defendants for sex trafficking and two for labor trafficking from previous years. Courts convicted two labor traffickers in 2023, the same number as in 2022. Judges sentenced one trafficker to 10 years' imprisonment and the other to a suspended sentence of five years with three years of probation, which did not serve to deter the crime or adequately reflect the nature of the crime. The government did not report any investigations, prosecutions, or convictions of government employees complicit in human trafficking crimes, compared with two convictions of complicit government employees in 2022.

The Police of the Ministry of Internal Affairs (MOIA) maintained an Anti-Trafficking Unit; however, the July 2022 criminal procedural code required police to transfer only findings and reports to the Investigative Committee (IC), which was responsible for starting an official investigation. Investigators in the IC's General Department of Investigation of Particularly Important Cases investigated trafficking cases, and the Office of the Prosecutor General's (OPG) Department of Combating Crimes Against the Person maintained several specialized prosecutors. Local police units designated an officer as the main point of contact for trafficking within their jurisdiction, but officers also investigated other crimes, such as domestic violence and sex crimes. The IC and the OPG continued to dismiss or reclassify trafficking cases referred by local police because of a lack of evidence or a high reliance on victim testimony without corroborating evidence. Additionally, GRETA reported high turnover among law enforcement created obstacles in maintaining specialized knowledge. The Educational Complex of MOIA and Justice Academy maintained classes on trafficking for police, prosecutors, and investigators. The Ministry of Defense trained military police officers on anti-trafficking issues. The government did not report information on international cooperation with foreign law enforcement authorities.

PROTECTION

The government increased protection efforts. The government identified 25 victims, compared with six victims in 2022. Of the 25 victims identified, traffickers exploited seven in sex trafficking and 18 in labor trafficking; 10 were women, nine were men, three were girls, and three were boys; three were persons with disabilities; and all were Armenian. The 2014 Law on Identification and Assistance to Victims of Human Trafficking and Exploitation prescribed identification, referral, and assistance procedures for relevant actors. Police reported inspecting businesses involved in commercial sex, using checklists to screen individuals in commercial sex, and training officers on trafficking indicators; the government did not report the number of inspections. MOLSA published a guide for social workers to identify victims, including screening indicators when working with vulnerable populations, and also developed leaflets in three languages to help inform victims on available state resources. The Migration and Citizenship Service of MOIA continued implement screening procedures to identify victims in migration flows. Experts continued to report officials did not proactively identify victims and instead relied on victims to self-identify. First responders did not consistently screen vulnerable populations for trafficking indicators, particularly individuals in commercial sex and foreign migrant workers. Additionally, the July 2022 criminal procedural amendments decreased the police's involvement in investigations, contributing to the lack of proactive efforts to identify victims. The government trained victim service providers on victim identification and referral and government services available to 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 VIC, which consisted of representatives from MOLSA, OPG, police, and NGOs, officially recognized victims based on information collected during the "pre-identification stage;" the VIC met eight times (three in 2022). The government issued a circular with standardized indicators in October 2022 for the VIC to assess potential victims. Experts reported establishing standardized indicators was a positive step, but the government did not consult VIC civil society members in the process, which resulted in some unrealistic indicators. In 2022, the government also amended procedures to allow all governmental organizations and NGOs to refer potential victims to the VIC. Civil society reported

the referral procedures functioned well in 2023, and they had positive cooperation with the government.

The government allocated approximately 34.7 million drams (\$86,750) for victim protection efforts, including operation costs for an NGO-run shelter, compared with approximately 28 million drams (\$70,000) in 2022. In 2022, the government issued a decree that provided minimum standards for victim assistance but did not solicit input from civil society on many of the standards. Experts reported the standards were reasonable, but some were not always applicable to trafficking victims. For example, minimum standards required a mandatory medical evaluation for victims upon arrival at the shelter, but some victims would not be ready to undergo such examinations. The government and local NGOs jointly provided legal, medical, and psycho-social support; housing; a one-time monetary compensation of 250,000 drams (\$625); and access to social, educational, and employment projects. The government allowed legal guardians of child victims to receive the one-time monetary compensation. The government maintained a cooperation agreement and fully funded one specialized NGO-run shelter to provide services to victims. The government and the partner NGO provided support to 23 victims, including accommodation for 10 victims, psycho-social support for 13 victims, food and clothes for 12 victims, and the one-time monetary compensation for seven victims. The NGO-run shelter allowed victims to leave the shelter at will but required victims to notify staff when they left shelter unescorted. In addition, the NGO-run shelter provided male victims with separate rooms or rented apartments. In 2023, three male victims stayed at the shelter. The government provided assistance in job placement and vocational training classes for victims. In addition, the government did not include trafficking victims in the list of vulnerable people eligible for state housing. The NGO-run shelter and childcare institutions had the capacity to accommodate child victims. The government provided foreign victims the same services as Armenian victims, and the law entitled foreign victims to a 30-day reflection period in which victims could recover before deciding whether to participate in criminal justice proceedings. The law also entitled foreign victims to receive a permanent residence permit.

According to experts, law enforcement officers in some remote areas may have lacked information and training to inform victims of their rights to protection or assistance. Observers continued to report investigations did not incorporate gender-sensitive approaches, such as the use of female medical professionals for forensics examinations with female victims. Guidelines restricted interviews to four hours for adults and restricted interviews for children to 90 minutes in the presence of a psychologist. Observers reported victims hesitated to participate in criminal justice proceedings due to an absence of confidentiality in public testimonies, creating a fear of retaliation from traffickers and stigmatization from their families and communities. Authorities lacked victim-centered approaches during court proceedings, and victims, including children, appeared in front of the traffickers in court, which may have caused re-traumatization. The government continued to lack a formal victim-witness assistance program. The Criminal Procedure Code and a 2016 decree mandated some victim-witness assistance measures, but none were used in 2023. Prosecutors did not request restitution in criminal proceedings and recommended victims file civil suits for compensation; one victim filed a civil suit for compensation. In previous years, judges did not issue compensation in civil suits, asserting 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 slightly 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 2022), and IWGTP held two meetings (six in 2022). In January 2023, the government drafted and adopted the 2023-2025 NAP and allocated 37 million drams (\$92,500) for its implementation, compared with 40 million drams (\$100,000) for the previous NAP. 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 secure. The government allocated 600,000 drams (\$1,500) for prevention efforts, compared with 450,000 drams (\$1,125) in 2022. The government organized an awareness

campaign targeting the public, and MOLSA sought input from survivors on the gaps of victim services to strengthen victim protection efforts. The government funded a website to make information on trafficking trends available to the public and hosted an annual awards ceremony for journalists publishing trafficking stories. The government did not regulate or monitor labor recruitment agencies or prohibit worker-paid recruitment fees. The Health and Labor Inspection Body conducted labor inspections but did not have jurisdiction to conduct inspections of “non-legal” employers, such as small farms or illegal businesses. MOLSA maintained a 24-hour hotline for social services, including trafficking victim services, and the government funded an NGO-run hotline for trafficking and sexual abuse; neither hotline reported receiving any trafficking-related 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, and traffickers exploit victims from Armenia abroad. Traffickers exploit some Armenian migrants who seek employment in Russia often through recruitment fraud and recruitment fee-related debt bondage by labor brokers. Traffickers exploit Armenian women in sex and labor trafficking, including forced begging, within the country. Traffickers target Iranian and Indian migrants who willingly seek employment in the informal sector for exploitation in forced labor and force children to beg or sell items on the street, such as tissues. Some children work in agriculture, construction, and service provision within the country, where they are vulnerable to labor trafficking. Men in rural areas with little education, children staying in state childcare institutions, and persons with disabilities remain highly vulnerable to labor trafficking. Traffickers increasingly used social media to recruit victims. The more than 100,000 displaced persons and refugees from Nagorno Karabakh experiencing unemployment are vulnerable to trafficking.