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Trafficking in Persons Report 2017 - Country Narratives - Armenia

ARMENIA: Tier 1

The Government of Armenia fully meets the minimum standards for the elimination of trafficking. The government continued to demonstrate serious and sustained efforts during the reporting period; therefore, Armenia remained on Tier 1. The government demonstrated serious and sustained efforts by identifying more victims, adopting a national action plan, and establishing and allocating funds for a compensation fund for trafficking victims. Although the government meets the minimum standards, it did not have established procedures to repatriate victims to Armenia, decreased funding to NGO-run shelters, and continued to lack a formal victim-witness protection program. The government continued to suspend the majority of Labor Inspectorate functions, hindering regular inspections that had the potential to identify indications of forced labor.

RECOMMENDATIONS FOR ARMENIA

Vigorously investigate, prosecute, and convict traffickers under articles 132 and 132-2; proactively investigate all potential trafficking offenses, even those complaints filed by victims that do not specifically mention trafficking; improve efforts to identify victims of forced labor, including by strengthening victim identification training for officials; allow labor inspectors to conduct regular inspections and identify victims through unannounced visits; establish formal procedures for repatriating trafficking victims from abroad, including measures to cover logistical costs; maintain adequate funding for NGO-run shelters; train rural police officers on protection and assistance available to victims and local investigators on proper interviewing techniques, especially for children; work with Russian authorities to identify Armenian forced labor victims and prosecute labor traffickers; work with NGOs to find ways to identify and assist Armenian victims in Turkey and reintegrate victims; provide sensitivity training to judges and lawyers to improve treatment of victims; license, regulate, and educate local employment agencies and agents so they can help prevent the forced labor of Armenians abroad; approve legislation to establish victim-witness protection measures; and conduct awareness-raising campaigns to rural and border communities and to children leaving child care institutions.

PROSECUTION

The government maintained law enforcement efforts. Articles 132 and 132-2 of the criminal code prohibit both sex and labor trafficking and prescribe penalties of five to 15 years imprisonment; these are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. The government investigated 16 trafficking cases, compared to 14 in 2015; of these, five cases were sex trafficking, 10 cases were labor trafficking, and one case was both sex and labor trafficking, compared to four labor trafficking cases and 10 sex trafficking cases investigated in 2015. Authorities prosecuted one defendant, compared to two in 2015. Courts

convicted three sex traffickers, the same as in 2015. Two traffickers received sentences of eight years imprisonment and one received five years imprisonment. Prosecution of labor trafficking remained a challenge as many cases occurred in Russia, 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 that country.

Observers reported law enforcement investigated only formal criminal complaints filed by victims that specifically alleged trafficking and did not proactively investigate criminal activity that potentially involved trafficking. The government trained 334 investigators from the Investigative Committee and 83 police officers on trafficking issues. The Border Control Training Center trained staff working at border checkpoints on issues of labor trafficking, child trafficking, and victim identification. The government, in cooperation with INTERPOL, coordinated investigations with four foreign governments. The government did not report any investigations, prosecutions, or convictions of government employees complicit in human trafficking.

PROTECTION

The government maintained protection efforts. The government identified 22 victims, compared to nine in 2015. Nineteen were subjected to forced labor and three to sex trafficking. Authorities notified all victims of their right to services and 19 victims accepted NGO-run shelter assistance, compared to five in 2015. The government allocated 18.8 million drams (\$39,260) for victim protection efforts, including operational costs for an NGO-run shelter, compared to 18.3 million drams (\$38,100) in 2015. The government established and allocated 1.8 million drams (\$3,650) to a compensation fund through which a one-time monetary compensation of 250,000 drams (\$520) is provided to trafficking victims. The Law on Identification and Assistance to Victims of Human Trafficking and Exploitation establishes a national referral mechanism and outlines actions for the Victim Identification Commission consisting of national and local government bodies, NGOs, international organizations, and civil society to identify and support trafficking victims. The law also ensures victim assistance is not linked to their cooperation with law enforcement and affords foreign trafficking victims the same rights and services as Armenian citizens.

The government and local NGOs jointly provided victims legal, medical, and psychological assistance; housing; and access to social, educational, and employment projects. The government offered free health care; one victim received this service in the reporting period. The government maintained cooperation agreements with two specialized NGO-run shelters to provide services to victims; however, one NGO-run shelter closed at the end of February 2017 due to the completion of their donor-funded project. NGO-run shelters required adult victims to notify staff when they left shelters unescorted, but victims were free to leave if they no longer wanted assistance. Services were available to female and male victims. Shelters did not provide specialized services for child victims, who could be housed in an adult trafficking shelter or referred to a child care institution. NGOs reported law enforcement officers in remote areas lacked information and training to inform victims of their rights to protection or assistance. 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 law designates the Ministry of Foreign Affairs to coordinate repatriation of Armenian trafficking victims from abroad; however, observers reported difficulties in such repatriations due to a lack of established procedures and funds to cover logistical costs. The government, in cooperation with NGOs, repatriated 11 labor trafficking victims from Russia through ad hoc procedures and funds from different sources including government, NGOs, and churches. During the last several years, victims reported greater trust in law enforcement when assisting investigations and prosecutions; however, observers reported that for various reasons, including fear of retaliation from their traffickers, victims were reluctant to assist in prosecutions. Observers reported local investigators lacked the skills to interview victims properly, especially children. The government continued to lack a formal victim-witness protection program. In 2014, a draft law establishing victim-witness protection was submitted to parliament; the law remained pending at the close of the reporting period. There were no reports in 2016 that authorities inappropriately detained identified trafficking victims; the law exempts victims from criminal prosecution for crimes they were forced to commit as a result of being subjected to trafficking. The law entitles victims to obtain restitution during criminal proceedings or through a separate civil suit. Victims did not file any civil suits; however, 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 allows investigators to place defendants' property in custody to ensure civil claims can be paid.

PREVENTION

The government increased trafficking prevention efforts. The government developed and adopted the 2016-2018 national action plan (NAP), in cooperation with all major government agencies, NGOs, and international organizations. The NAP prioritizes the implementation of measures that prevent trafficking of children and labor trafficking. The Inter-Agency Working Group against Trafficking in Persons met regularly and published semi-annual and annual reports of its activities. Government agencies conducted a variety of prevention projects and activities, although the government reported some observers believe it did not reference trafficking in public awareness campaigns frequently enough. Police transmitted videos and participated in television programs

devoted to trafficking issues. Police held awareness-raising discussion at schools, and the Ministry of Diaspora 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 Education together with the Ministry of Health conducted awareness raising campaigns for students and teachers. The Ministry of Sports and Youth Affairs financed several awareness campaigns targeting vulnerable populations. Government agencies posted trafficking information on their websites, including information on hotlines operated by police and NGOs; hotline calls led to preventive measures and investigations. There was no mechanism for oversight and regulation of labor recruitment agencies. The government did not make efforts to reduce the demand for commercial sex acts or forced labor. The government provided anti-trafficking training and guidance for its diplomatic personnel.

TRAFFICKING PROFILE

As reported over the past five years, Armenia is a source and, to a lesser extent, destination country for men, women, and children subjected to sex and labor trafficking. Armenians are subjected increasingly to labor trafficking in Russia, the United Arab Emirates (UAE), and Turkey; 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. Chinese women have been subjected to sex trafficking in Armenia. 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 and children staying in child care institutions remain highly vulnerable to trafficking. Conflict-displaced persons, including Syrian Armenians, living in Armenia are at risk of exploitation and have been subjected to bonded labor.

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