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**Reply from Armenia**  
**to the Questionnaire for the evaluation of the implementation**  
**of the Council of Europe Convention on Action against**  
**Trafficking in Human Beings by the Parties**

**Second evaluation round**  
**(Reply submitted on 15 June 2015)**

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## Introduction

In accordance with Article 38, paragraph 1, of the Convention on Action against Trafficking in Human Beings, GRETA evaluates the implementation of the Convention following a procedure divided into rounds. At the beginning of each round, GRETA selects the specific provisions on which the evaluation procedure is based.

GRETA has decided that the second evaluation round of the Convention will start on 15 May 2014. For the second evaluation round, GRETA has adopted a questionnaire to be sent to all states parties which have undergone the first round of evaluation, following a timetable approved by GRETA. States parties are requested to transmit to GRETA a reply to this questionnaire within five months from the date it was sent.

Following a first round of monitoring, which provided an overview of the implementation of the Convention by each state party, GRETA has decided to examine during the second evaluation round the impact of legislative, policy and practical measures on the prevention of trafficking, the protection of the rights of victims of trafficking, and the prosecution of traffickers. The adoption of a human rights-based approach to action against trafficking in human beings remains at the centre of this new evaluation round. In addition, particular attention is paid to measures taken to address new trends in human trafficking and the vulnerability of children to trafficking. GRETA has selected provisions of the Convention which are mainly related to these issues.

The reply to the questionnaire should be submitted in one of the official languages of the Council of Europe (English and French), and preferably also in the original language. The reply to the questionnaire should contain all the relevant information on the implementation of the Convention since GRETA's first evaluation report. Particular emphasis should be put on the practice and impact of legislative and other measures taken. Where appropriate, in order to avoid unnecessary repetition, the reply may refer to information contained in the report submitted by the national authorities on measures taken to comply with the Committee of the Parties' recommendation concerning the implementation of the proposals made in GRETA's first evaluation report.

States parties should provide copies or extracts of relevant legislation, regulations and case law mentioned in the reply to the questionnaire (as an appendix to the reply). These copies/extracts should be supplied in the original language and, wherever possible, also in one of the official languages of the Council of Europe.

A variety of stakeholders and civil society representatives should be effectively consulted in the preparation of the reply to the questionnaire, to ensure that the information provided is as comprehensive as possible.

**GRETA Group of Experts Questionnaire**  
**Second round of the evaluation of the implementation of**  
**Council of Europe Convention on Action against Trafficking in Human Beings**

**A. Follow-up questions**

1. *Please provide information on developments since GRETA's first evaluation report on your country in the following areas:*
  - *The main forms of trafficking in human beings (THB) and emerging trends observed in your country (for example, any new types or sectors of exploitation, recruitment methods, countries of origin or destination of the victims, etc.);*

**Response:** Analysis shows that Armenia, in most of the cases, is a country of origin for trafficking in human beings. For Armenia, countries of destination for sexual exploitation remain UAE and Turkey and Russian Federation - for labour trafficking. Presently internal trafficking cases also continue being placed on record in Armenia. There is a newly emerged country of origin for Armenia, the People's Republic of China, from where women have been deceitfully recruited and transported to the Republic of Armenia and subjected to sexual exploitation (the criminal case is at a pre-investigation stage, a criminal case has been filed on 10 December 2014, under points 1 and 2 of part 2, Article 132 of the Criminal Code of Armenia, PRC citizens Vang Chuan and Lien Fyng Van Chun Chyu have been charged under points 1 and 2, part 2 of Article 132 of the Criminal Code of Armenia (sexual exploitation of two and more persons by a group of persons upon preliminary consent), arrest has been applied as a pre-trial measure and Shu Mey Qin has been declared wanted).

- *Any changes in your country's laws and regulations relevant to action against THB*

**Response:** In order to bring Armenia's legislation in conformity with the requirements of the Council of Europe Convention on Action against Trafficking in Human Beings, draft laws on making amendments and supplements to the laws on "Identification and Support to Persons Subjected to Trafficking in Human Beings and Exploitation"; Code of Administrative Violations, as well as "Law on Foreigners" have been proposed in 2013 by the Police of the Republic of Armenia, which were adopted by the National Assembly on 17 December 2014. It will enter into force in June 2015. Currently relevant activities are underway by all respective agencies in Armenia towards the development of numerous legal acts and by-laws, ensuring implementation of the above-mentioned law. They will be entirely adopted in 2015, as per the planned schedule. These laws regulate procedures for identifying and supporting persons subjected to trafficking or exploitation, including foreigners and stateless persons, providing them with relevant residence status and safe return. According to the provisions of the laws, the identification of persons subjected to trafficking or exploitation and the assistance provided to them is not conditioned by their cooperation with the law enforcement. The assistance includes also a lump-sum monetary compensation provided by State.

National Assembly of Armenia adopted the "Law on the Investigative Committee" on 19 May 2014 (entered into force on 28 June 2014), based on which a new structure – the Investigative Committee of Armenia has been established. Its functions include organization and implementation of the pre-investigation of alleged crimes (including those involving Articles 132, 132.2, 132.3, 168, 261, 262 and other articles), in line with its authority vested under Criminal Procedure Code of Armenia. Currently, draft legal acts on making amendments and supplements to the Law on "Identification and Support to Persons Subjected to Trafficking in Human Beings and Exploitation", Prime Minister's Decree of December 7, 2007 "On the Establishment of a Council on the issues of exploitation of human beings (trafficking) in the Republic of Armenia, Prime Minister's Decree

N816-U from October 14, 2002, recognizing Decree N591-U as invalid, as well as Prime Minister's Decree No. N210-U from 18 March 2015 on approving the list of activities ensuring implementation of Armenia's law on "Identification and Support to Persons Subjected to Trafficking in Human Beings and Exploitation" are in circulation at the Investigative Committee. These drafts will clarify the Investigative Committee's involvement in activities implemented in this area.

- *The institutional framework for action against THB, in particular: any changes in respect of the composition and functions of the bodies responsible for co-ordinating national action against THB, the involvement of NGOs in co-ordinating bodies, the entities specialised in the fight against THB, and the establishment of a national Rapporteur or other mechanism for monitoring the implementation of anti-trafficking strategies, policies and activities;*

**Response:** Activities aimed at fighting human trafficking in Armenia are coordinated by the Council on the issues of exploitation of human beings (trafficking) of the Republic of Armenia, which meets at least twice a year. Council is headed by the Deputy Prime Minister. With an aim to organize the Council's works, the inter-agency working group on combating trafficking in human beings (IAWG CTHB) carries out day-to-day activities, as well as prepares required documentation for the Council's approval. The WG is headed by the Director of International Organizations Department of the Ministry of Foreign Affairs of the RA (holding the rank of Extraordinary and Plenipotentiary Ambassador). Apart from the governmental ministries and agencies, representatives of all non-governmental and international organizations and social partners<sup>1</sup> involved in the anti-trafficking activities, actively participate in the works of the Council and Working Group.

The Working Group submits semi-annual and annual reports to the Council on the implemented activities. After the adoption by the Council, the reports are approved by the Government, then posted on the official webpage of the Government. As necessary, special sub-groups are being established with a view to discussing urgent issues or those requiring detailed examination.

With an aim of improving effectiveness of the cooperation with the regional units of the Police, Decree No. 890-U, dating 22.03.2013, by the Chief of the Police has been developed and approved, according to which the implementation of activities aimed at the pre-prevention, prevention and disclosure of crimes envisaged under Articles 132, 132.2, 132.3, 166, 168, 261, 262 and 263 of the Republic of Armenia Criminal Code, has been entrusted to one experienced officer from a criminal investigation sub-division from territorial bodies, as a key function.

- *An overview of the current national strategy and/or action plan to combat trafficking in human beings (duration, objectives and main activities, bodies responsible for its implementation, budget, monitoring and evaluation of results).*

**Response:** The Government of the Republic of Armenia approved on 28 February 2013 the Fourth National Action Plan on Fighting Exploitation (Trafficking) of Human Beings in the Republic of Armenia for the period of 2013-2015. It was developed by the inter-agency working group on combating trafficking in human beings in the Republic of Armenia and includes the main directions of the previous Action Plan, at the same time being more victim-oriented in terms of its activities and goals.

The Fourth Action Plan particularly pursues the aim of focusing state efforts on the improvement of the identification and support to the victims of the exploitation of human beings (trafficking), by implementing relevant sub-legal reforms, as well as by creating financial basis and strengthening the capacities of the players in the field. As in all previous Action Plans, the Fourth AP as well, pays significant attention particularly to the implementation of measures aimed at the prevention of labour exploitation (trafficking) among the population, especially within the vulnerable groups.

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<sup>1</sup> The representatives of the Investigative Committee and State Health Inspection of the Ministry of Health were also included in the Anti-Trafficking Working Group in 2014.

One of the key directions is also the development of cooperation with mass media in terms of covering cases of exploitation (trafficking) in human beings, ways of providing information on the victims, as well as ensuring victim data secrecy.

With an aim to evaluate the effectiveness of the envisaged activities, it is planned to conduct final monitoring of the implementation of Action Plan by the end of 2015.

*Annex 2* presents the expenditures related with fighting trafficking in 2015, as per separate programs.

### *B. Cross-cutting questions*

#### **Gender equality** (Articles 1.1.b, 5.3 and 17)

*2. What specific measures are taken in your country to address the gender dimension of THB and incorporate gender equality into the policies to prevent and combat THB and to protect and promote the rights of victims, including through providing privileges to women and girls?*

**Response:** Armenian Law on “Identification and Support to Persons Subjected to Trafficking in Human Beings and Exploitation” does not single out women and girls as a separate social group. According to the law, Armenian citizens and foreign citizens having the right to reside (residence status) in Armenia, stateless persons and persons having refugee status, irrespective of gender and age, upon availability of grounds specified by the law, shall have right for assistance. No special shelters are envisaged as well for juvenile victims or men. Nevertheless the two shelters functioning in the country, as well as child-protection and child-care institutions solve the problems that may occur.

According to Armenia’s legislation, including provisions of the Law on “Identification and Support to Persons Subjected to Trafficking in Human Beings and Exploitation”:

- The law’s scope covers those persons having been subjected to trafficking in human beings and (or) exploitation of any form and nature, who:
  - a) are citizens of the Republic of Armenia or have refugee status in the Republic of Armenia and are in the Republic of Armenia at the moment of being detected;
  - b) are foreign citizens or stateless persons (hereinafter - foreigner) and are in the Republic of Armenia at the moment of being detected;
  - c) are citizens of the Republic of Armenia or are stateless persons with residence status in the Republic of Armenia or have a refugee status in the Republic of Armenia, and are in a foreign state at the time of being detected.

The provisions specified by Law are based on the principles of humaneness, protection of human rights and freedoms, respect for dignity and honour, legality, impartiality and are subject to realization exclusively upon the person’s agreement, ensuring confidentiality of their personal data and private life and if it does not stem from their interests, by excluding any leakage or publication of information that may in any manner endanger human life and dignity.

As per the grounds specified by law, a person having been subjected to trafficking or exploitation, shall be exempted from criminal and administrative liability for breaches of the law, where he/she has been involved forcefully, while being subjected to trafficking or exploitation.

Victims who are foreigners; special category victims who are foreigners or the legal representative of the special category victim can also be provided with temporary residence status in the Republic of Armenia and (or) a right to work in the Republic of Armenia, as per procedure set forth by law.

The protection of the rights of the victims of trafficking in human beings and exploitation, their identification and assistance provided to them is implemented regardless of their race, nationality, religion and gender.

As a body conducting pre-investigation, the Investigative Committee of the Armenia is guided by part 2 of Article 8 of the Criminal Procedural Code, according to which discrimination of rights, freedoms and responsibilities based on gender, race, skin colour, ethnic or social origin, genetic features, language, religion, ideology, political and other views, national minority belonging, property situation, birth, disability, age or other circumstances of personal or social nature is forbidden.

Special procedure for women and girls is envisaged during investigation actions. For instance, according to part 3 of Article 220 of the Criminal Procedural Code, when necessary, examination is carried out with participation of a forensic medical specialist or a doctor. The examination involves removal of the clothing of a person under examination and is carried out in the presence of same sex assistants. According to part 4 of the same Article, an investigator does not have the right to be present when examining an opposite sex person, if the examination implies removal of that person's clothing. In such cases, upon the investigator's instruction, examination is carried out by the medical forensic specialist or doctor. According to part 3 of Article 229 of the Criminal Procedural Code, personal examination can be carried out by the investigator, with the participation of assistants who are of the same sex as the one being examined, and a specialist.

### **Non-discrimination (Article 3)**

3. *What measures are taken to ensure that trafficked persons who are members of ethnic minorities have access to the rights specified in the Convention?*

See response to 2<sup>nd</sup> question

4. *What specific measures are taken to ensure that trafficked persons who are irregular migrants or migrant workers are identified as victims of THB and have access to the rights provided for in the Convention?*

See response to 2<sup>nd</sup> question

5. *What measures exist to ensure that male victims of trafficking are identified and provided with assistance and protection, including safe accommodation, as provided by the Convention?*

See response to 2<sup>nd</sup> question

### **Training of relevant professionals (Articles 10 and 29)**

6. *Please describe how the needs for training of professionals in the area of action against THB are identified and met, with an indication of the categories of staff that receive such training, whether the training is obligatory or optional, the content and focus of the training, and the funding provided for training activities. If the impact of training has been assessed, please provide details.*

**Response:** Training activities are conducted in accordance with the ongoing National Action Plan (2013-2015).

#### Ministry of Labour and Social Issues

Training is organized in two ways:

Taking into account that trafficking is a violation of human rights, contains gender discrimination elements, as well as that the victims of trafficking are often those who have been subjected to violence, in 2010 the topics and schedule under programs "Human Rights" and "Gender Issues" have been reviewed as per the decision No. 567-Ն of the Civil Service Council, dated 09 July 2008 and the afore-mentioned topic has been included in the mandatory training program for civil servants (high level, senior, advanced and junior level positions) conducted by the National Institute for Labour and Social Research of the Ministry of Labour and Social Issues. The "Human

Rights” program comprises the topics “Main issues of the exploitation (trafficking) in human beings”, “National and international legislation on the protection of human rights”, “State social policy conducted towards trafficking victims, assistance and protection mechanisms”. The “Gender Issues” programme includes the topics: “Violence as a social phenomenon and gender problem”, “Exploitation (trafficking) in human beings from gender perspective”. Civil servants from the Ministries of Labour and Social Issues, Culture, Education and Science, Emergency Situations and Territorial Administration and other ministries and separate sub-divisions are trained at the Institute. 300 servants per year are trained. The program is financed from the country's state budget.

The training principle is as follows: each civil servant should undergo training every three years, within the framework of the approved topics. The list of topics is preliminarily provided to the civil servant for selection. This serves as a basis for developing thematic groups and for inviting relevant experts for lectures.

In Yerevan and in marzes (regions), for different professional groups (Regional Administrations, Regional Police Divisions, personnel from child-care institutions) meetings in various formats were organized, including training, lectures, exercises, round table discussions, at which current issues and specific cases were presented, referral related issues were discussed.

#### Ministry of Defence of the Republic of Armenia

Within the framework of six four-day human rights courses, held with the support of the OSCE Office in Yerevan, awareness raising lectures on the exploitation (trafficking) in human beings were held for the law-enforcement bodies under the Ministry of Defence (Military Police), Deputies in charge of activities conducted with commander staff, assistants to commanders on social-legal activities.

#### Police of the Republic of Armenia

Courses on the issues of trafficking and exploitation of human beings were held at the Police Education Centre for various groups of police officers in 2012-2014. In total about 1300 officers, including also officers with middle rank positions at pre-investigation bodies have participated in those courses.

In order to conduct training courses for police officers working with minors, the Police developed the modules “Juvenile Justice in the Republic of Armenia” in 2014, based on which training courses were organized and conducted at the Police Education Centre.

Specialized Police subdivision officers have participated in numerous courses organized by “UMCOR Armenia” and “Hope and Help” NGOs, including joint seminar-discussions on the disclosure of crimes related to trafficking and money laundering, investigation and criminal prosecution, as well as disclosure and prevention of labour trafficking cases.

#### National Security Agency of the Republic of Armenia

Topics on forced labour, trafficking, illegal border-crossing by migrants, as well as statistics on the victims subjected to trafficking and detected in various countries presented in the manuals “Safety of your trip” and “Migration Management and Human Rights” were taught at the training centre of the Border Control Detachment of Border Guard Troops of the National Security Service, for 62 newly recruited military servicemen and 56 military servicemen at “Zvartnots” and Karchevan” check-points. In total, 118 persons took part in the courses.

### Ministry of Justice of the Republic of Armenia

720 officers working at the penitentiary institutions and 60 officers from the Service of the Compulsory Execution of Judicial Acts took part in the annual courses on human rights, including study of international documents on trafficking prevention in 2014.

### Investigative Committee of the Republic of Armenia

According to part 1 of Article 36 of the Law “On the Investigative Committee”, officers of the Investigative Committee, with the exception of its Chairman and his/her Deputies must no less than once in two years participate in training. According to the same provision of the Law, about 340 officers from the Investigative Committee will undergo training in the Justice Academy every year. The training program, among other topics includes “Trafficking or exploitation of Human Beings”. The courses are mandatory for officers. They are still at an organizational stage, considering that the Justice Academy and Investigative Committee were established only recently. Investigators of the Investigative Committee were previously involved in the anti-trafficking training courses organized in the Police education complex and Prosecutorial School during their service at the Police and Prosecutor’s Office respectively.

### International Organization for Migration (IOM)

In the reporting period, the IOM Armenia Mission, within the framework of the project “Solidifying Awareness on Trafficking in Persons in Armenia, Azerbaijan and Georgia through Education”, conducted training courses on the topic “Detection and assistance to trafficking victims” for the staff of State Employment Agency of the RA Labour and Social Issues and social services’ territorial centres of the Yerevan municipality.

Within the framework of the same project, courses were organized also for the staff of healthcare institutions in Yerevan and regions.

### UMCOR NGO

In the reporting period the UMCOR, jointly with several governmental agencies, organized courses on the topic “Trafficking and Forced Labour” for the Yerevan Municipality and twelve administrative districts’ social security departments, as well as representatives of guardianship and trusteeship committee, representatives of the State Health Inspection of the Ministry of Health, Ministry of Labour and Social Issues and Armenian Employers Republican Union, NGOs working with vulnerable groups and refugees in Armenia, State Employment Agency of the Ministry of Labour and Social Issues, representatives of the Ministry of Labour and Social Issues Complex Social Services territorial centres and regional centres of the State Health Inspection of the Ministry of Health, as well as territorial centres of the State Employment Agency of the Ministry of Labour and Social Issues. A special course/seminar was organized for the diplomatic/consular representations in Armenia, in cooperation with the Ministry of Foreign Affairs.

Apart from the capital city of Yerevan, courses, trainings and seminars were conducted also in Aragatsotn Regional Administration Office, Lori Regional Administration Office and Tashir Municipality, Gegharkunik Regional Administration Office and staff of Martuni Municipality, as well as for Mayors of villages having high rates of seasonal migration in Armavir, Kotayq, Aragatsotn, Gegharkunik and Lori regions.

Main topics of the above course were:

- Trafficking, forced labour, trafficking of children and adults with a purpose of forced labour. Civil society’s role in fighting trafficking.
- Armenia's policy and legislation on fighting trafficking.
- Assistance provided to trafficking victims in Armenia.
- Human rights protection implementation during trafficking aimed at forced labour; international experience.

- Vulnerability abuse.
- Prevention and preliminary identification.
- Investigation of trafficking cases in Armenia and criminal prosecution.
- Alleged and identified trafficking victims' referral for assistance.
- Victims' protection and reintegration.
- Vertical and horizontal cooperation in the process of victims' referral and reintegration.

### "Hope and Help" NGO

In the reporting period "Hope and Help" NGO organized and implemented 20 courses, in total attended by 383 specialists from various fields. The overwhelming majority of training participants were representatives of the law-enforcement bodies of Armenia (policemen from the regions and Yerevan, investigators, judges and lawyers); 51 were experts from various non-governmental organizations (psychologists, social pedagogues and social workers), 21 were from the State Employment Agency of the Ministry of Labour and Social Issues, 12 – labour inspectors from State Health Inspection of the Ministry of Health, 7 – employees from private security services, 6 – school directors.

### The main directions and topics of the training included:

- Awareness raising of the law-enforcement bodies on the phenomenon of trafficking;
- Specifics of investigative activities conducted with children subjected to sexual violence;
- Capacity building for regional law-enforcement;
- Specifics of investigating trafficking cases and sexual crimes against children;
- Capacity strengthening of the law-enforcement in investigating cases of exploitation (trafficking) of children;
- Capacity building for prevention and revealing trafficking cases.

According to the evaluation of the implemented training courses, on average 20% of the participants in each session were familiar with the presented phenomenon (trafficking) and issues related to it; 40% were not familiar at all with trafficking phenomenon; 40% were familiar only with some of the topics and did not have comprehensive idea about trafficking.

### Common proposals made by training participants included:

- The cooperation between state bodies and non-governmental organizations is on a high level and it is yielding its results; therefore it should be further strengthened;
- It is necessary to introduce international best practice in Armenia and share Armenia's best practices with other countries;
- The courses should be on a regular basis;
- The courses should cover broader scope: representatives of the Human Rights Defender's Office, investigators and various expert working in the children's protection area;
- Courses should be more interactive and held mostly in the form of discussions.

### ***Special measures concerning children (Articles 5, 10, 11, 12, 14, 15, 16, 28 and 30)***

7. *Please describe whether and how trafficking in children is specifically addressed in your country. If there are institutions responsible for taking the lead in combating trafficking in children and a specific national referral mechanism for child victims of trafficking, please provide details.*

**Response.** There is a three level system for the protection of children's rights in Armenia, with trafficking being included amongst statutory issues of structures functional in this framework. The social protection system does not have a specific sub-division dealing with child trafficking. This function is implemented by an authorized body, the Ministry of Labour and Social Issues, represented by the Department for Family, Women and Children Issues. There is no special procedure for the referral of children, however the new Law on "Identification and Support to Persons Subjected to Trafficking in Human Beings and Exploitation" which will enter into force from June 2015, envisages special provisions concerning protection of children's rights.

Taking into account the small numbers, no separate shelters for juvenile victims are envisaged. Upon necessity, juvenile victims stay in shelters or are referred to relevant institutions. Considering the age of the minor and other objective circumstances, a minor can return to the family or referred

to a shelter or to the children's assistance centre ("Zatik" Children Assistance Centre, Fund for Armenian Relief Centre) or other childcare institution. In any case, the children's needs are evaluated and they receive necessary legal, psychological, medical, educational and other assistance, both in the shelter and outside of it.

According to Articles 132.2, 166, 166.1, 168 and 262 of the Criminal Code, activities related to pre-prevention, prevention, detection and disclosure of crimes related to child trafficking or exploitation, involving a child in prostitution or in activities related with preparation of materials and objects of pornographic nature, involving a child in the use of alcoholic drinks, in the non-medical use of strong and other narcotic drugs, vagrancy or beggary, purchase of the child with an aim of assuming custody or selling a child to transfer him/her to someone's custody, promoting child's engagement in prostitution, are implemented by the Police. All of these activities are coordinated by the Anti-Trafficking Desk of the General Department of Fight against Organized Crime of the Police of the Republic of Armenia.

Other activities directed at the pre-prevention, prevention and disclosure of other crimes by and towards children are coordinated by the Police's Department for Juvenile Rights Protection and Fight against Domestic Violence functioning within the General Department of Criminal Investigation of the Police.

According to the provisions of the Law on "Identification and Support to Persons Subjected to Trafficking in Human Beings and Exploitation", a person who has been subjected to trafficking and (or) exploitation and was a child at the moment of detection, is a special category victim. A person who is under 18 years of age shall be considered a child, as well as a person, whose age is unknown but there are reasonable assumptions that he/she is not 18 years-old. The status of special category victims is recognized by the Commission for the identification of victims of exploitation and trafficking in human beings, which is the only body vested with the authority to recognize a person as a victim or a special category victim. Any special category victim has the right to receive assistance and protection as per the procedure set forth by law. The same law also regulates the detection of persons subjected to trafficking or exploitation, including children, referral to the relevant agencies and transfer of information:

**"Article 13. Detection of persons subjected to trafficking in human beings or exploitation, their referral to competent bodies, and transfer of information**

1. International and non-governmental organizations, mass media, the civil society and all those who are interested in countering, preventing trafficking in human beings and exploitation, in supporting, protecting and social reintegration of persons subjected to trafficking in human beings or exploitation, shall be encouraged to promptly inform any competent body about the persons subjected to trafficking in human beings or exploitation, as well as about related criminal cases that are known to them.

2. In case of any doubt that the person in contact with them within the field of their competence may have been subjected to trafficking in human beings or exploitation, state government and local self-government bodies shall promptly transfer the information on the latter or, upon the written consent of the person, shall refer him/her to the Ministry of Labour and Social Affairs of the Republic of Armenia. The self-identified victims, who have directly applied to the Identification Commission, shall also be directed to the Ministry of Labour and Social Affairs of the Republic of Armenia.

3. The competent bodies shall within one day transfer the information on known instances of crime related to trafficking in human beings or exploitation to the Police of the Republic of Armenia.

**Article 14. Identification of persons subjected to trafficking in human beings or exploitation**

1. The identification of persons subjected to trafficking in human beings or exploitation is a comprehensive process, which consists of a pre-identification stage, where facts confirming or

refuting a person being a victim are collected, and identification, which is a procedure for recognizing a person as a victim or a victim of special category.

2. A person shall be considered a victim or a victim of special category only after he or she has been recognized as such by the decision of the Identification Commission.

3. Identifying a person as a victim or a victim of special category and recognizing him or her as a victim in accordance with criminal-procedural norms are processes pursuing different objectives and may in no way derive from each other; however, the information serving as a ground for these may interchangeably be used, provided that the use of such information is not prohibited by law.

#### **Article 15. Pre-Identification stage**

1. The pre-identification stage is a preparatory stage for presenting potential victims for identification, during which the competent bodies shall collect as complete and credible information as possible, confirming or refuting that the person was subjected to trafficking in human beings or exploitation.

2. During the pre-identification stage, the competent bodies shall take all feasible measures in order to clarify the identity, citizenship, age, and the existence of mental disorder of the potential victim, as well as to ensure the integrity of the information about the potential victim and actions of trafficking in human beings or exploitation committed against him or her, for that purpose actively cooperating with each other, as well as with other bodies and organizations.

3. Based on the peculiarities of the activities, competent bodies shall independently decide upon the forms and methods for obtaining information in the pre-identification stage that are not prohibited by law. Such information may be obtained through interviews with the detected person, other persons (including the use of various designated questionnaires), through examination, clarification of documents and other evidence confirming or refuting the circumstances provided by the person concerned, or through other means.

4. The pre-identification of the citizens of the Republic of Armenia within the territory of foreign states shall be carried out by the assistance of the diplomatic missions of the Republic of Armenia, international, non-governmental and other organizations, as well as the law enforcement authorities of the state concerned.

#### **Article 16. Transfer of information in the pre-identification stage**

1. No later than within 24 hours after receiving the detected person, the competent body shall orally, then in writing inform the Chairperson of the Identification Commission about the person concerned.

2. In cases where the potential victim is a citizen of the Republic of Armenia or has a refugee status in the Republic of Armenia, but at the time of his or her detection was within the territory of a foreign state, or where he or she is a foreign citizen, but at the time of his or her detection was in the Republic of Armenia, the competent bodies having received information about such persons shall immediately inform thereon also to the Ministry of Foreign Affairs of the Republic of Armenia and to the Police of the Republic of Armenia.

#### **Article 17. Pre-identification periods**

1. The pre-identification period shall be calculated from the moment when the competent body receives information about detection of a potential victim until he or she is presented for identification, and it shall not exceed ten days.

2. In exceptional circumstances, when it was not possible within the set time period to obtain sufficient information confirming that the detected person was a victim or a victim of special

category, or to raising reasonable doubts to the opposite, the pre-identification period upon the decision of the Identification Commission may be extended once and for up to ten days.

3. In cases related to a foreign citizen potential victim, where due his or her mental state or circumstances stemming from the acts of trafficking in human beings or exploitation against him or her it is not possible to take an objective decision based on the information collected within the time periods specified in parts 1 and 2 of this Article, the pre-identification period upon the decision of the Identification Commission may be extended until the end of the reflection period granted to the person concerned.

4. It shall be prohibited for the competent body to unreasonably delay the presentation of the potential victim for identification.

### **Article 18. Identification procedure**

1. Immediately after the expiry of the pre-identification period or prior to that once the sufficient grounds confirming or refuting that the person is a victim or a victim of special category are collected, the competent body shall give a written notice to the Chairperson of the Identification Commission on the need to present the potential victim for identification, and submits a motion to hold an identification session.

2. Within 2 days after receipt of the notice, the Chairperson of the Commission shall convene an identification session ensuring the participation of its members and the representative of a competent body which conducted pre-identification, as well as, where necessary, the participation of psychologists, pedagogues and other specialists in the capacity of consultants.

3. The participation, without a voting right, of a legal representative and relevant specialists in the Commission's activities related to identification of potential victims of special category and conducted with their participation shall be mandatory.

4. Presenting a potential victim for identification shall not mean ensuring his or her physical participation in the sessions of the Identification Commission. The potential victim may physically participate in or be present at the session of the Identification Commission related to him or her only upon his or her own initiative or if required to do so by the Identification Commission.

5. During the session, the competent body shall submit to the Commission for discussion the information, facts and evidence about the potential victim collected during the pre-identification stage, and, based on the aforementioned, the substantiated written opinion of the competent body on confirming or refuting that the person is a victim or a victim of special category, which shall also include the logical sequence of available information that led to such an opinion.

6. Where, after examining and discussing the submitted materials, these are assessed as not sufficient to reach a decision, the Identification Commission may, where necessary, require additional information, as well as holding an interview with the potential victim. The officials or other persons, who have detected the person, may also be involved.

7. As a result of the identification session, one of the following decisions shall be made:

1. consider it a reliable fact that the person was subjected to trafficking in human beings and/or exploitation, and recognize the person as a victim or a victim of special category;
2. consider it an unreliable fact that the person was subjected to trafficking in human beings and/or exploitation;
3. extend the pre-identification stage until the end of the time period set by this Law for pre-identification.

8. Upon the decision of the Identification Commission on considering the fact that the person was subjected to trafficking in human beings or exploitation as reliable, he or she shall be

given a status of a victim or a victim of special category and a right to receive support and protection envisaged by this Law for victims or victims of special category.

9. Upon the decision of the Identification Commission about the unreliability of the fact that the person was subjected to trafficking in human beings or exploitation, the pre-identification of the person concerned and the provision of support and protection provided for by this Law for potential victims shall be terminated.

10. The decisions of the Identification Commission shall be signed by the members of the Commission who are participating in the session. The person presented for identification and the competent body which conducted the pre-identification shall each be provided with one copy of the decision taken in the identification session. The minutes of the session shall reflect any statements on objections and suggestions if those are made by the participants of the identification session.

11. The decisions of the Identification Commission may be appealed in the manner prescribed by law.

### **Article 19. Reflection period**

1. The reflection period is the period whereby the foreigner potential victim, victim and victim of special category, while staying within the territory of the Republic of Armenia, regardless of the legality of his or her residence status, is granted the right and opportunity to get rid of the influence of the persons who have committed trafficking in human beings or exploitation, to recover from the consequences of the physical injuries inflicted, as well as to take sober minded and deliberate decisions.

2. All foreigner potential victims, victims or victims of special category shall be entitled to a reflection period. This right shall be given at the same time when the pre-identification stage commences.

3. The reflection period shall be calculated from the moment when the foreigner potential victim is received by the competent body, and it shall be set for 30 days. The reflection period may be extended by a maximum period of 30 days upon the decision of the Identification Commission taken based on a substantiated motion by the competent body conducting the pre-identification of the person concerned.

4. Upon the decision of the Identification Commission, the reflection period may be terminated before the expiry of the specified time periods only when new facts appear to the effect that the person may not be recognized as a victim or a victim of special category, or upon the initiative of a potential victim.

5. During the reflection period, it shall be prohibited to deport a foreigner from the Republic of Armenia or to hold him or her liable for spending the specified time period in the Republic of Armenia without a valid visa or a residence status or with void documents.

6. The provisions envisaged for the reflection period shall be without prejudice to the fulfilment by law enforcement authorities of the functions defined by the legislation of the Republic of Armenia aimed at discovering offences”.

According to Article 207 of the Criminal Procedure Code, a juvenile witness or juvenile victim, regardless of age can be interrogated on the condition that they can provide information relevant to the case. Interrogation of a witness or victim who is under sixteen years of age is conducted with participation of a pedagogue. The legal representative of a juvenile witness or victim also has the right to be present at the interrogation. Prior to commencing the interrogation, the legal representative is explained his/her rights in being present at the interrogation, presenting his/her observations and asking questions with the investigator’s permission, as well as responsibilities. The investigator shall have the right not to accept the questions but these will have to be included in

the protocols. A witness or victim under 16 years of age is explained about their responsibility to tell everything concerning the case truthfully but they will not be warned about liability for refusing to give evidence or avoiding it or providing obviously false evidence.

According to Article 205.1 of the Criminal Procedural Code, the interrogation of a juvenile or a person suffering from severe mental or other illness cannot last more than two hours uninterruptedly. It is allowed to continue interrogation after providing the interrogated person with at least one hour break for taking rest and food. The total duration per day for interrogating a minor as well as a person suffering mental and other severe illnesses cannot exceed six hours per day. Amendments to the Criminal Procedure Code concerning the afore-mentioned issues are envisaged as per a draft in circulation.

*8. What practical measures are taken to reduce children's vulnerability to trafficking and create a protective environment<sup>1</sup> for them, including through:*

*a. ensuring registration of all children at birth, in particular from socially vulnerable groups;*

**Response.** According to the law "On State Duties" of the RA, no duty is envisaged for the registration of children. Article 25 of this Law specifies that at the agencies implementing registration of civic acts, education bodies, commissions dealing with juvenile issues are exempted from duties when being provided with copies of birth certificates for sending parentless children and those without parent care to all kinds of boarding schools and education institutions.

*b. raising awareness of THB through education;*

**Response.** Teaching of trafficking related materials in public schools continues, in particular the books intended for 12<sup>th</sup> grade students at senior school, include the following teaching materials;

- "Social Science" textbook (topic: "The impact of globalization on contemporary Armenian society) includes the material "Exploitation (trafficking) of human beings as a negative phenomenon in contemporary global society".
- "World History" textbook, in its chapter "Main issues in contemporary global development" includes "Fight against international terrorism, drug addiction and trafficking" sub-topic.
- "Trafficking" concept has been included as well in the program for teaching "Social Science" subject for the 9<sup>th</sup> grade students.

The handbook "Trafficking: exploitation of human beings", developed within the framework of the regional Project "Solidifying Awareness on Trafficking in Persons in Armenia, Azerbaijan and Georgia through Education", implemented by the IOM – Armenia Mission, was approved by the decree of the Minister of Education and Science as a teaching manual for students and professors in the higher educational institutions of Armenia. The manual has been published in Armenian (5000 copies; English (500 copies) and Russian (500 copies) and distributed to the libraries of pedagogical universities in Armenia, as a teaching manual.

With an aim of preventing cases of vagrancy and beggary amongst minors, disclosing those who involve them in beggary (reducing risks for exploitation and trafficking in minors), as well as in accordance with the requirements of the instruction by the First Deputy Head of Police No. 43 from 10.02.2014, broad scope of activities were organized and held in 2014, including check-up visits, at which preventive activities were implemented with minors.

In order to carry out preventive education works among minors and help them stay away from violence, various meetings and discussions were held by police officers at public schools in their respective administrative districts in April 2015, during which the issue of trafficking and exploitation of minors was addressed.

*c. training professionals working with children.*

**Response.** According to the schedule of the National Plan of Action 2013-2015 on Fighting Exploitation (Trafficking) of Human Beings, courses were organized for specialists in the field of children's rights protection, particularly staff of childcare and child-protection institutions on the prevention of child exploitation (trafficking) cases, victim detection and issues related to assistance provided to them.

In order to conduct training courses for police officers working with minors, training module "Juvenile Justice in the Republic of Armenia" was developed by the Police in 2014, based on which training courses were organized and conducted at the Police Education Centre for 24 officers dealing with juvenile issues.

*9. Please explain what methods are used to verify the age of a presumed victim of trafficking where the age is uncertain and there are reasons to believe that the person is a child. Would such a person be presumed to be a child until the age verification is completed?*

**Response.** In order to find out the age of trafficking or exploitation victim, if relevant documents are missing and it is presumed that the person is a child or as a result of mental illness does not perceive the nature and meaning of his/her action and is not capable to control it, for verifying the person's age, forensic-psychological and forensic-physiological expertise is mandatorily commissioned, as a result of which a decision is made on the afore-mentioned issues.

*10. What steps are taken in your country to ensure that the rights of the child and his/her best interests are duly taken into consideration, in particular when it comes to:*

*a. identification of child victims of trafficking;*

*b. appointing a legal guardian, organisation or authority which shall act in the best interest of unaccompanied minors identified as victims of trafficking;*

*c. locating the child's family;*

*d. ensuring that the identity or details allowing the identification of a child victim of trafficking are not made publicly known through the media or by any other means;*

*e. access to appropriate and secure accommodation, education and health care;*

*f. issuing residence permits for child victims of trafficking;*

*g. providing counselling and information in a language that the child can understand, legal assistance and free legal aid prior, during and after legal proceedings, including to claim compensation;*

*h. carrying out best interests determination, including risk assessment, prior to any decision on the return of child victims to their country of origin, and ensuring the child's safe return in accordance with the best interests of the child;*

*i. special protection measures for children.*

**Response.** No cases of detecting juvenile foreign citizen victims or stateless juvenile victims have been placed on record in Armenia. In theory all national mechanisms for social assistance and protection are applicable for the afore-mentioned groups in their complete scope. The guardianship and trusteeship commissions in all communities of the country have a practical role in the protection of children's rights. The protection of the rights of child trafficking victims is envisaged with the provisions of the Law on "Identification and Support to Persons Subjected to Trafficking in Human Beings and Exploitation", namely:

## **Article 7. Limitation on publications**

1. It shall be prohibited to publish in mass media or any other way such information on a person subjected to trafficking in human beings or exploitation, which would identify the latter, except for the cases that are in their interests and upon the decision of the Commission on Identification of Victims of Trafficking in Human Beings and Exploitation, if the legislation of the Republic of Armenia does not provide otherwise.

## **Article 20. Support and protection**

1. Every victim or victim of special category shall be entitled to receiving support and protection in a manner prescribed by legislation.

2. The forms, types, duration, scale of the protection and support to victims and victims of special category may not in any way be interrelated with or conditioned by their participation in the activities carried out by the law enforcement bodies in a manner prescribed by law of the Republic of Armenia. The provision of support and protection may not pursue an expectation of receiving other services or any compensation in return for the provided services.

3. The provision of support shall be ensured by the Ministry of Labour and Social Affairs of the Republic of Armenia, and the provision of protection shall be ensured by the Police of the Republic of Armenia.

4. During the pre-identification period, the person shall not be considered as a victim or a victim of special category, and no support and protection measure envisaged for victims or victims of special category shall be applied, except for the urgent measures provided for by Article 21 of this Law and necessary for humanitarian reasons.

5. The Ministry of Labour and Social Affairs of the Republic of Armenia shall ensure the provision of the support envisaged by this Law excluding any instances of providing a substantively same type of support to the same person and on the same grounds within the framework of different legal acts unless this Law does not provide otherwise.

## **Article 21. Support in the pre-identification stage**

1. The person who by the assessment of a competent body conducting the pre-identification during the pre-identification stage, or who declares himself or herself to be in an obvious need for urgent support shall, if necessary, upon his or her own will or written consent, be referred by the competent body conducting the pre-identification of that person to the Ministry of Labour and Social Affairs of the Republic of Armenia. The Ministry of Labour and Social Affairs of the Republic of Armenia shall take all possible measures to ensure the provision of urgent support, for that purpose making use of the capacity of partner or other non-governmental organizations, state government and local self-government bodies.

2. Where necessary the competent authority, through other state government bodies, may also involve in the fulfilment of the required actions the relevant non-governmental and/or other organizations working in foreign states, diplomatic missions of the Republic of Armenia, as well as foreign states' diplomatic units accredited in the Republic of Armenia.

3. Parallel to the commencement of the pre-identification stage, the potential victim shall, in a language understandable for him or her, be informed of his or her rights, as well as the provisions set by this Law.

Support to potential victims may also include the following:

- 1) emergency medical aid;
- 2) provision of temporary domicile for the period of the pre-identification stage, including for his or her legal representative and for children under his or her custody;

- 3) provision of general education;
- 4) in-kind aid of first necessity;
- 5) primary psychological aid;
- 6) general consultation;
- 7) provision of care.

## **Article 22. Support to victims and special category victims**

1. The Ministry of Labour and Social Affairs of the Republic of Armenia shall be a designated state government body in charge for ensuring the support envisaged by this Law for victims and victims of special category, and shall coordinate the activities of institutions and organizations rendering social services (including educational and medical institutions) aimed at the physical, psychological and social rehabilitation and integration of victims.

2. Support to victims and victims of special category shall be aimed at elimination of deviations from their normal lifestyle, caused by the trafficking in human beings and/or exploitation, and at the full value social reintegration of the victims.

Support to victims and victims of special category may include the following:

1. provision of domicile;
2. in-kind aid;
3. provision or restoration of necessary documents;
4. medical aid and service;
5. psychological aid;
6. consultative aid;
7. legal aid;
8. provision of care, including in a relevant institution;
9. provision of translation services;
10. provision of general education;
11. ensuring the accessibility of secondary education and primary special (vocational) education;
12. provision of employment;
13. arrangement for a safe return;
14. lump sum monetary compensation.

1) **Provision of domicile** is the allocation of a living space to victims and victims of special category, as well as to their legal representative and children under their custody, where necessary and upon their consent. Such domicile may include the safe havens of the partner non-governmental organizations, other institutions capable to provide care, protection and shelter, and the living spaces provided the state.

2) **In-kind aid** is the provision of food, clothing, shoes, hygiene items, child care items and other first necessity goods to victims and victims of special category, as well as to persons under their custody.

3) **Provision or restoration of necessary documents** is aimed at restoring and, where these are missing at all, providing in the manner defined by the legislation of the Republic of Armenia those missing or void documents of the victim or victim of special category, which are necessary for ensuring the provision of other types of support as provided for by this Article. Such documents may include passports, attestation documents, diplomas, driver licenses, employment record books, birth certificates and other necessary documents.

4) **Medical aid and service** is the type of support, the provision of which is aimed at detecting and curing injuries and diseases of victims and victims of special category caused as a result of being subjected to trafficking in human beings and/or exploitation.

5) **Psychological aid** includes psycho-diagnosis, psychological rehabilitation, psychotherapy, psychological consultation, professional orientation and other forms, the primary purpose of which is to exercise targeted influence on the victim or victim of special category by making use of the information obtained through the analysis of psychological state, psychological peculiarities and behaviour of a visitor in different situations for the purpose of regulating their psychological life, adaptation to social environment and facing stressful situations.

6) **Consultative aid** is the provision of information to victims, victims of special category and their legal representatives about overcoming situations created as a result of being subjected to trafficking in human beings and/or exploitation, about advice and recommendations aimed at means for finding ways and methods for solving social problems and for social reintegration, as well as about receiving appropriate services.

7) **Legal aid** is legal consultation, as well as the arrangement of attorney's support for the purpose of protecting the rights and legal interests of the person concerned.

8) **Provision of care (including in a relevant institution)** is meant for victims of special category, as well as for elderly or disabled persons. Care may be provided for twenty-four hours or only during daytime, at home, at the accommodation, in social protection institutions for the public and in social rehabilitation centres or in appropriate specialized institutions, as necessary. Within the framework of care provision, children left without parental care shall be provided with social and living conditions mostly resembling family conditions, and the elderly, disabled victims shall be given the opportunity to live in a social environment familiar to them. Care shall be provided through diet food, medical, sanitary- hygienic service, special means of transportation, technical means for the recovery of disabled persons, organization of social psychological, cultural, educational, leisure, and whenever necessary - through hospitalization and arrangement of other measures. The victims and victims of special category who are at the point of death shall be provided with hospice care during the last months, days of their life, in order, for alleviating their physical and psychological sufferings.

9) **Translation services** shall be provided upon necessity, in the form of written translation of different documents, as well as in the form of interpretation during procedures related to victims and victims of special category, in their preferred language.

10) Child victims of special category, before terminating the support, shall be provided with **general education**. As expedient, this education may be provided both in the form of private lessons, and in the form of attendance to public or special schools.

11) **Ensuring the accessibility of secondary education and primary special (vocational) education** shall be aimed at providing victims and victims of special category with the opportunity to revise or acquire such vocational skills, which will later allow them to find corresponding jobs.

12) **Provision of employment** is the provision of victims and, where expedient, of victims of special category in a prioritized order with such an employment, which is preferable for them and is not prohibited by the legislation of the Republic of Armenia.

13) As a type of support, **arrangement for a safe return** shall be provided to those victims and victims of special category, who are foreigners in the Republic of Armenia, or are citizens of the Republic of Armenia or have a refugee status in the Republic of Armenia but are in a foreign state. Within the framework of this Law, return shall be arranged upon the voluntary, deliberate decision of the victim or the legal representative of victim of special category, only after the necessary security measures have been taken. Arrangement for a safe return shall be coordinated by the Ministry of Foreign Affairs of the Republic of Armenia. The safe return of a foreigner victim or victim of special category shall in cases provided for by Article 23, paragraph 1, clause 1, of this Law, be arranged upon his or her consent to the state of his or her citizenship or legal residence. The return of a victim of special category shall be accompanied by his or her legal representative,

psychologist or a police officer. Expenses related to the return shall be covered from the funds specified by Article 25 of this Law. The procedure for arranging a safe return shall be defined by the decision of the Government of the Republic of Armenia.

14) In cases provided for by Article 23, paragraph 1, clause 1 and clause 2, of this Law, by the decision of the Commission on termination of the support, all the victims shall be given an opportunity to receive a **lump-sum monetary compensation. Provision of the** monetary compensation is aimed to partially compensate the damages suffered during the trafficking in human beings and/or exploitation and in no way can substitute or restrict the right of the victim to receive compensation from the perpetrator, in the manner prescribed by law.

15) Upon the initiative of the Police of the Republic of Armenia, in the manner prescribed by law, a foreigner victim, foreigner victim of special category or a legal representative of a foreigner victim of special category may also be given a temporary residence permit in the Republic of Armenia and/or a work permit in the Republic of Armenia.

#### **Article 24. Specifics of support and termination of support to potential victims and victims of special category**

1. Potential victims and victims of special category shall be provided with appropriate support in the manner defined by Articles 21 and 22 of this Law, as well as with additional support related to the peculiarities deriving from their special state.

2. Competent bodies shall take every possible measure to find the legal representatives of potential victims of special category and of victims. Where it is impossible, as well as in cases where the involvement of legal representatives of potential victims of special category and of victims is not in the interest of potential victims of special category and of victims, the potential victims of special category and victims shall, in a manner defined by law, be provided with a different legal representative from the start of the pre-identification until the termination of the support.

3. For the purpose of receiving support, the referral of potential victims of special category and victims shall be carried out upon the written consent of the legal representative.

4. The accessibility of support to child victims of special category shall be provided up until they attain the age of majority. Upon attaining the age of majority, the person shall not be considered a victim of special category on a ground of being a child and the process of provision of support to him or her is carried out in accordance with the general principles provided for victims.

5. Termination of support to victims of special category who due to a mental disorder are devoid of the ability to fully or partially realize the nature and meaning of their actions or to control those shall be carried out in a general manner as prescribed by Article 23 of this Law.

#### **Article 25. Funds necessary for compensation and support to victims**

1. Support to potential victims, victims and victims of special category shall be guaranteed by the State and carried out in the manner defined by the legislation of the Republic of Armenia.

2. Funding necessary for the lump sum monetary compensation to victims and victims of special category, for the types of support which are defined by this Law and are outside the regulatory domain of other legal acts, as well as for those not guaranteed by the State, shall be covered by the Ministry of Labour and Social Affairs from the State Budget of the Republic of Armenia, charity and donations by legal and natural persons, as well as from other sources not prohibited by the legislation of the Republic of Armenia.

3. The procedure for and amount of support to be provided to the potential victims, victims and victims of special category, as envisaged by this Law, shall be defined by the Government of the Republic of Armenia.

### **Article 27. Provision of the protection**

1. Potential victims, victims and victims of special category, and their legal representatives may be provided with additional security in cases when available information and circumstances directly make the necessity of such protection obvious.

2. Protection of potential victims, victims and victims of special category shall be ensured by the Police of the Republic of Armenia, based on a substantiated motion of the competent body. Actions provided for by this Law which are taken with persons under protection shall be agreed upon with the Police of the Republic of Armenia.

3. For purposes of protection the competent body shall, in the manner defined by law, take necessary measures in order to immediately transfer a victim of special category or a potential victim of special category to a safe environment and to decide on the issue of custody or a trusteeship, if there are reasonable doubts that:

- 1) the legal representative of a victim of special category or of a potential victim of special category has in some way taken part in the trafficking in human beings or exploitation against him or her;
- 2) the legal representative may take actions endangering the life or health of the victim of special category or those of a potential victim of special category;
- 3) the representative may negatively affect or hamper the assistance and rehabilitation process.

4. The manner of providing protection to potential victims, victims and victims of special category, and their legal representatives shall be defined by the decision of the Government of the Republic of Armenia.

5. Protection of potential victims, victims and victims of special category who participate in criminal proceedings shall be carried out in a general manner prescribed by law.

Protection of privacy is achieved also by taking as a basis Article 179 of the Criminal Procedure Code, according to which each person shall have a right to protect one's personal and family life from illegal interventions and one's honour and dignity from any assaults.

During procedural activities no information concerning a person's family and personal life, as well as other data of personal nature may be collected, maintained, used and disseminated. At the request of the court, investigation body, investigator, prosecutor, the participants of investigative and judicial activities must not publish the above-mentioned information, for which signature is collected from them. Evidences concerning intimate aspects of family and personal life are examined in a close-door court session, upon the request of persons participating in the criminal procedure for whom publication of family or personal secret is a threat.

Provision of free legal assistance to the victim by state is not envisaged by law, however when the victim, in case of a minor - his/her legal representative, expresses wish to appear at the body in charge of the legal procedure together with a lawyer, they use that right in its full scope. In practice a trafficking case victim's right to use lawyer services is ensured on the account of the resources of relevant non-governmental organizations.

In case the victim does not know the language of the court procedure, a free interpreter is provided to them (all documents that are presented to them for familiarization are also translated), in line with Article 15 of the Criminal Procedural Code. This process is organized by the body conducting

legal procedure through the state procurement agency.

*11. What practical measures are taken in your country to identify victims of trafficking among unaccompanied foreign minors, including asylum seekers? What measures are taken to prevent their disappearance? Have there been cases of non-voluntary return of child victims of trafficking?*

**Response:** Upon individual applications, the procedure for providing asylum to foreign citizens and stateless persons in Armenia is functional since 2000. During previous years about 3500 applications have been received from the above-said persons among whom there were no unaccompanied foreign minors seeking asylum.

The Law “On Refugees and Asylum” includes provisions about unaccompanied children or those who are separated from family and are seeking asylum. In particular, according to the law, through an intervention by the State Migration Service the Ministry of Labour and Social Issues must ensure the appointment of a guardian/trustee for such persons. The State Migration Service must undertake measures towards finding their family members.

Armenian Government approved and submitted to the National Assembly, draft law on making amendments and supplements to the law “On Refugees and Asylum” on 5 February 2015, defining that additional rights and guarantees for exercising these rights shall be given to unaccompanied children or children separated from their families who are seeking asylum (appointment of a representative when discussing request for asylum, giving priority in terms of providing accommodation etc.).

The National Assembly adopted amendments to the Law on Citizenship on 7 May 2015. It will enter into force upon being signed by the President. These amendments will further improve the Law on Citizenship, making it fully compatible with the country’s international legal obligations, in particular, through ensuring Armenian nationality for all stateless children born on the Armenian territory and a number of other measures aimed at prevention of child statelessness. The adopted amendments in the Law on Citizenship are related to the definition of a stateless person, provisions attributing citizenship to ethnic Armenians, specific provisions for facilitation of naturalization of refugees and stateless persons; safeguards against rejection of citizenship application or termination of citizenship; and safeguards against statelessness for children born in Armenia and for those individuals who renounce their Armenian citizenship.

No cases of non-voluntary return of child victims have been recorded by the Police in the period of 2010-2014.

*12. What programmes and services exist in your country for the (re)integration of child victims of trafficking? What solutions are provided if the reintegration of the child into his/her family is not in the child’s best interests?*

**Response:** If the return of the child in his/her family is not in the child’s best interests, the child is accommodated at an institution taking care of custody and protection. An individual rehabilitation program is then elaborated and implemented by a multi-professional group for each child through which the child is able to return to normal life.

According to the provisions of the law “On Identification and support to the persons subjected to trafficking and exploitation”, the authorized bodies undertake all possible measures to find the legal representatives of special category person. When this is impossible or in cases when the involvement of the latter one is not in the best interests of the special category person, the special category person, from the moment of identification till termination of the assistance, is provided by another legal representative, as per procedure set forth by law. For protection considerations, the

authorized body, as per procedure defined by law, undertakes prompt measures to transfer the special category victim or the alleged special category victim to a safe environment and to solve the issue of their guardianship or trusteeship if there are reasonable presumptions that:

- 1) The legal representative of the latter has in any manner participated in their trafficking and exploitation;
- 2) Actions endangering the life or health of the special category victim or potential special category victim are possible from the side of that representative;
- 3) The representative can have negative impact on or hamper assistance and rehabilitation process.

### **C. Questions related to specific articles**

#### **Definitions (Article 4)**

*13. Have any difficulties been experienced in your country in identifying and prosecuting cases on the ground of trafficking for the purpose of forced labour or services, slavery and practices similar to slavery or servitude? If so, please provide details.*

**Response:** The term forced or compulsory labour is applied with a meaning as defined in the Article 2 of the ILO Convention on “Forced or Compulsory Labour” (Armenia ratified this Convention on 25 October 2004 and it entered into force on 17 December 2005). The notion slavery or practices similar to slavery are not defined in the national legislation since Armenia has not ratified yet the 1926 “Slavery Convention” nor the 1956 UN Supplementary Convention “On the Abolition of Slavery, the Slave Trade and Institutions and Practices Similar to Slavery”. With respect to children, these two notions are applied based on their definitions in the ILO Convention “On the worst forms of child labour”, as one of the worst forms of child labour (Armenia ratified the ILO Convention “On the worst forms of child labour on 22 March 2005).

*14. How does your country’s law define “abuse of a position of vulnerability” and what are the criteria for evaluating the vulnerability of a person subjected to THB? Please provide any relevant examples where the means used in THB offences involved an abuse of a position of vulnerability.*

**Response:** Armenia’s legislation does not define the concept “abuse of position of vulnerability” and this is determined based on the circumstances of a specific criminal case, by combining several facts. “Abuse of position of vulnerability” is the situation where a person has no other real or acceptable alternative than to obey to the abuse exhorted to him/her.

*15. To what extent does your country’s law recognise the relevance of forced marriage and illegal adoption to THB offences? Please provide any examples from case law where forced marriage and illegal adoption were considered in the context of THB.*

**Response:** The term “forced marriage” is not envisaged in the Armenian Criminal Code and in case of illegal adoption, depending on the purpose, the definition of the action modifies. According to the legislation, forced labour and illegal adoption are not trafficking evidences. These actions are classified amongst evidences related to trafficking in human beings and exploitation, for which criminal liability is envisaged in the Criminal Code. In particular:

**“Article 168. Purchase of a child with an aim of assuming his/her custody or selling a child with an aim to transfer him/her to the custody of the one who assumed it.**

1. Purchase of a child with an aim of assuming his/her custody or selling a child with an aim to transfer him/her to the custody of the one who assumed it shall be punished with imprisonment from two to five years.
2. The same action which has been committed:

- 1) By abusing official position;
- 2) In relation to two or more children;
- 3) By crossing the state border of the Republic of Armenia and organizing a person's transfer;
- 4) By making false adoption,

shall be punished with an imprisonment from four to eight years, by deprivation of the right to occupy certain posts or practice certain activities for a maximum of three years, or without it.

**Article 169. Divulging the secret of adoption or disposing or forcing to give consent for adoption.**

Divulging the secret of adoption against the will of the adopter by a person who was obliged to protect the secret of the adoption as an official or professional secret or by other person for mercenary or other dishonest motives, or getting the disposition of or forcing the legal representative of adoptee against his/her will to give consent for adoption for mercenary and other dishonest purposes, is punished with a fine in the amount of up to 200 minimal salaries, or arrest for the term of up to two months, by deprivation of the right to occupy certain posts or practice certain activities for a maximum of three years, or without it”.

Besides, part 1 of Article 10 of the Family Code stipulates that for the conclusion of the marriage, the mutual and voluntary consent of the marrying woman and man is necessary.

According to Article 24 of the Law “On Civic Status Acts Registration”, a joint application of marrying persons is considered as a basis for state registration of a marriage. Part 1 of Article 26 of the Law defines that marrying persons must submit joint application to the Civic Status Acts Registration body and part 2 of the same Article stipulates that the application for marriage should confirm the mutual and voluntary consent for marriage.

*16. Can forced begging be considered as a purpose of THB according to your country's law? Have there been any cases of child trafficking for forced begging with the involvement of the child's family or legal guardian?*

**Response:** According to Armenia's legislation, forcing a child to begging is considered child trafficking or labour exploitation. In 2008-2014, in total 7 cases have been filed for subjecting children to labour exploitation by involving them in begging, out of which 2 cases were in connection with subjecting children to labour exploitation by a family member (5 children were detected and recognized as victims, in 1 case the person having committed the crime has been imprisoned for the term of 10 years and six months; court procedure of the other case is ongoing).

For instance, in the criminal case ՄԴ/0082/01/13, charges were made against A.N. who, by entering into an agreement with his wife, A.O., with an aim to subject the minors of his sister residing together with them in the same place, by using violence towards them and threatening to use it, forced them to engage in begging, thereby exploited them, received the amounts from begging and used these for covering the needs of their family.

Involving a child into begging without any features of exploitation is also subject to criminal liability (Article 166.1 of the Criminal Code), which reads as follows:

“Article 166.1. Involving a child in the use of alcoholic drinks, in the non-medical use of strong and other narcotic drugs, vagrancy or beggary

1. Involving a child in the use of alcoholic drinks, in the non-medical use of strong and other narcotic drugs, vagrancy or beggary by a person having the age of 18 and more, if features envisaged under Article 132.2 of this Code are missing, shall be punished with a

- fine in the amount of two hundreds to four hundreds of minimum salary, arrest from one to three months or imprisonment for the term of maximum five years.
2. Same action committed by a parent, teacher or another person responsible for rearing the minor, shall be punished with a fine in the amount of three hundred to five hundreds of minimum salary, with the deprivation of the right to occupy certain posts or practice certain activities for maximum three years or without it.
  3. Actions envisaged under part one or two of this Article which have been committed:
    - 1) By two or more persons;
    - 2) Were accompanied by violence or threat of violence, shall be punished with imprisonment from two to six years, with the deprivation of the right to occupy certain posts or practice certain activities for maximum three years or without it”.

*17. Can the exploitation of criminal activities be considered as a purpose of THB according to your country's law? Please provide any examples from case law.*

**Response:** Involving a person in criminal activities is regulated in different ways in the Armenian legislation, depending on the person's age. If an adult is involved in criminal activities and together they commit crime, then there is complicity and if a minor is involved in a crime, then depending on whether or not he/she has reached the age of criminal liability for the crime he/she is involved in, the case will be either under the Article 165 of the Criminal Code of Armenia or it will be a mediated committal and the child will not be subjected to liability.

“Article 165. Involving a minor into committal of crime

1. Involvement, by a person who reached 18 years, of a minor who reached the age of criminal liability for the given crime under this Code, into committal of a crime through promises, deception or other ways, is punished with imprisonment for the term of from one to five years.
2. The same action which was committed by a parent, teacher or other person in charge of rearing the minor, is punished with imprisonment for a maximum of five year term with the deprivation of the right to occupy certain positions or practice certain activities for maximum three years or without it.
3. Actions envisaged under part one or two of this Article which have been committed by the use of violence or threat of violence, shall be punished with imprisonment for three to seven years, with the deprivation of the right to occupy certain posts or practice certain activities for maximum three years or without it.
4. Actions envisaged in parts 1, 2, or 3 of this Article, accompanied with involvement of the minor into an organized group or criminal association or into the committal of a grave or particularly grave crime, are punished with imprisonment for the term of five to ten years, with the deprivation of the right to occupy certain posts or practice certain activities for maximum three years or without it”.

If the involvement of a child in crime is committed for mercenary purposes then this amounts to child trafficking or exploitation, with the following justification: Armenia has ratified the ILO Convention “On the worst forms of child labour”, thereby making it an integral part of the national legislation. According to point c) of Article 3 of this Convention, one of the worst forms of child labour is also using, recruiting a child or offering engagement in illegal activities, in particular for the production and selling of narcotics, as they are defined in international agreements. That is, the crime, by being an illegal activity, is considered as the worst form of child labour.

An example of a trafficking case through engaging in criminal activity is ԵՄԴ/0148/01/13 criminal case. Under this case, it was found out that A.G. forced A.K. and M.B. who were in a state of exploitation by him, to commit theft of someone else's significant property in a significant size.

Taking into account that A.K. and M.B. committed crime while being under exploitation, they were exempted from criminal liability, with the application of the part 5 of Article 132 of the RA Criminal Code.

***Prevention of THB (Article 5)***

*18. Is the impact of awareness-raising campaigns and other measures to prevent THB evaluated and how are the results taken into account? Please provide copies of any impact evaluation reports.*

For the third time consecutively the Council on the issues of the exploitation (trafficking) of human beings in Armenian announced a competition in 2014, on the best coverage of the trafficking phenomenon, in order to acknowledge the efforts of journalists and authors who address this phenomenon in their works, inform the public about its negative impact and indicate ways out of challenging situations. The annual award ceremony on the best coverage of trafficking and fight against it was held on 6 June, 2014, at the UN Office in Armenia.

The award ceremony is organized by the Freedom of Information Centre of Armenia NGO. The best journalistic works are selected by a jury, which includes trafficking experts and journalists. According to the professional jury's decision, in 2014 Anna Hayrapetyan, a journalist working for "Free Zone" Program of the Public Television of Armenia, was awarded with second place in the category of "Television and Radio", for the program "21th century slavery". In the same category the third place went to Gohar Aramyan from "Armnews" TV Company for the report "Trafficking term: dead-end of life". In the "Print and Online Media" category, the third place went to Yeranuhi Sogoyan, a journalist working for "Hetq" resource, for her publication "They want to expel Nelly from the village". The professional jury did not award the first places under both categories. The second place remained vacant in the "Print and Online Media" category. A monetary prize was defined as well – 300, 200 and 100 thousands Armenian drams for the first, second and third places respectively.

2015 Annual competition will be announced shortly, at the semi-annual meeting of the Council on the issues of the exploitation (trafficking) of human beings in Armenian

Announcements on topics related with trafficking prevention, including a hot-line phone number, were placed in the newspapers "Gind", "Yeter", "TV Mall", "TV Aliq", as well as a running line on "Shant" TV company's satellite channel. Information materials were distributed in air-ticket agencies, bus stations, elevators in Yerevan buildings, in the environment of women providing sexual services (WPSS).

At the initiative of UMCOR NGO, information leaflets on forced labour and trafficking were placed in 30 metro wagons, as well as announcements with hotline phone numbers were placed in Yerevan city's four administrative districts, in 810 elevators of 346 buildings.

With UMCOR's initiative, seminars were held on forced labour and trafficking prevention for community members in 38 villages (7 in Ararat, 11 in Armavir, 4 in Kotayq, 6 in Lori, 3 in Aragatsotn, 7 in Gegharkunik marzes),

The distribution of leaflets entitled "How to reduce the risk of becoming trafficking victim" and "Beware of trafficking" continued at air-ticket agencies, hostels intended for foreign students, truck drivers, libraries of schools and cultural centres, as well as during events organized by other NGOs.

The page "Information platform on the fight against trafficking in Armenia" was created on Facebook social network. The mission of the page is to create joint platform for all journalists addressing trafficking issue in Armenia, thereby trying to help avoiding mistakes when covering

trafficking issues and to increase the journalists' legal awareness. Within the framework of "Development of Information Platform for Fighting Trafficking in Armenia", the "Audio-visual Journalists' Association" NGO completed the [www.antitrafficking.am](http://www.antitrafficking.am) website, presenting it in a new design, with new functional modern features and an updated content. Considering the website's new features and requirements in terms of the information platform's development, the website is bilingual – Armenian and English, with a plan to add Russian as well in the future. The website is inclusive of both relevant information materials and videos. Information about court verdicts is also being regularly published. In order to raise public awareness on the flight against trafficking, the "Audio-visual Journalists' Association" NGO produced four more PSAs. The PSAs present several trafficking forms, from forcing minors to engage in begging, to sexual exploitation and provide advice on how to avoid such situations or find a way out.

### Republic of Armenia Police

Officers from the Department for Fight against Organized Crime of the RA Police, Passport and Visa Department and territorial subdivisions made several check-up visits in 2014 to residence and working addresses of foreign citizens living in Armenia, as well as persons without citizenship, to find out the probability of their being subjected to trafficking.

As a result of cooperation with the "Audio-visual Journalists' Association" NGO and with an aim to increase public awareness, several PSAs on trafficking in human beings have been shown on "02" and "Duty Desk" TV programs. Within the framework of these programs, relevant thematic programs have also been broadcast, commenting also on the PSAs on human trafficking. There has been active participation in various trafficking related programs broadcast by a number of TV companies. Uploading of relevant materials on trafficking continues on [www.police.am](http://www.police.am) website, under a separate link.

With a view to conducting preventive educational works amongst minors and help them guard themselves from violence against minors, with the efforts of police officers from various subdivisions, several meetings and talks have been conducted at schools in the respective administrative districts of Yerevan in April 2015, addressing trafficking in minors and their exploitation.

### Ministry of Health of the Republic of Armenia

The Ministry of Health provided for dissemination amongst out-patient clinics/polyclinics in the regions and in Yerevan, 200 copies each of the "International Organization for Migration data protection manual", "IOM manual on the direct assistance to trafficking victims", "Care of trafficking victims" trainer guide, as well as 1500 copies of the booklet "Safety of your journey" published within the framework of the project "Solidifying Awareness on Trafficking in Persons in Armenia, Azerbaijan and Georgia through Education", and provided by the IOM.

### Ministry of Sports and Youth Issues of the Republic of Armenia

Within the framework of fighting exploitation (trafficking) in human beings, the Ministry of Sports and Youth Issues implemented the project in town of Sisian, Syunik region of the Republic of Armenia from 20 July 2014 to 20 November 2014, entitled "Young people of Sisian, the youth city of the Republic Armenia of 2014 against trafficking: knowledge campaign against trafficking". The Project aimed at increasing the knowledge of the young people in Sisian city, recognized as youth city of Armenia in 2014, on the issues of preventing exploitation (trafficking) in human beings, through training courses and interactive games (brain ring principle). 130 young specialists working in various fields in Sisian city (state and non-governmental organizations, business companies) took

part in the Project.

#### Ministry of Diaspora of the Republic of Armenia

The practice of providing information materials and leaflets to various Diaspora structures and organizations on the exploitation (trafficking) in human beings continued. During the first six months of 2014, nine information materials on the human trafficking were sent to Diaspora structures in CIS, Middle East and European countries for dissemination amongst the Armenian citizens.

#### Ministry of Foreign Affairs of the Republic of Armenia

With the initiative of the MFA of Armenia and with the assistance of UMCOR NGO, a conference entitled “Trafficking for the purpose of labour exploitation; situation in Armenia and international perspectives”, was organized on 12 December, 2014 for the Consuls and/or diplomats accredited in Armenia and performing consular functions. The participants were presented with the activities aimed at fighting trafficking in Armenia, definitions from international Conventions and other documents, as well as examples of other countries' experiences in fighting the human trafficking.

*How does your country promote and fund research on THB and use its results in the development of anti-trafficking policy? Please provide examples of recent research.*

**Response:** With the proposal and funding of the US State Department, the OSCE Office in Yerevan developed the project “Pilot Study on Forced Labour and Labour Trafficking in Armenia”, to be implemented in 2014-2015. Within the framework of the project surveys will be conducted in five regions of Armenia and in Yerevan, to find out the level of forced labour, labour trafficking and child trafficking in these regions.

It is envisaged to conduct monitoring of 2013-2015 Anti-Trafficking Action Plan in the end of 2015, beginning of 2016. To this end, a sub-group has been established within IAWG CTHB.

The Investigative Committee provides relevant state bodies, international structures and non-governmental organizations with information and statistical data on ongoing and previously investigated criminal cases, for the purpose of trafficking research, conducting necessary studies and elaborating anti-trafficking policies based on their results. For instance, within the framework of “Pilot Study on Forced Labour and Labour Trafficking in Armenia” conducted by the OSCE Office in Yerevan recently, the Investigative Committee provided with the necessary statistical data concerning 2012-2014 criminal cases.

*20. How do your country's migration legislation and policies seek to prevent THB by enabling lawful migration?*

**Response:** Armenia's “Law on Foreigners” defining conditions for legal entry and stay in the Republic of Armenia is available in Armenian and in Russian at the following link of the website of the State Migration Service of the Ministry of Territorial Administration and Emergency Situations: <http://smsmta.am/?id=37>.

In addition to this, there is also a section “Foreigners in Armenia” under the following link on the same website: [http://smsmta.am/?menu\\_id=40](http://smsmta.am/?menu_id=40), where information is available in Q&A format on the following issues:

- Entry of foreigners to Armenia;
- Stay of the foreigners;

- Work permission;
- Providing asylum;
- Dual citizenship.

Criminal Code was supplemented with a new 329.1 Article on 21 June 2014, according to which organizing of illegal migration has been criminalized. According to the law, criminally punishable are both organizing of foreign citizens' and stateless persons' entry to and stay in the Republic of Armenia, transportation through the Republic of Armenia for mercenary purposes, by breaching the procedure set forth by the law of the Republic of Armenia for entry to, stay in and transit through the Republic of Armenia or presenting false documents or false information for receiving permission for entry, stay and transit and organizing the exit of Armenian citizens and foreign citizens with permanent residence in Armenia and stateless persons from the Republic of Armenia, their entry to and stay in a foreign state for mercenary purposes, by breaching the procedure set forth by law for exit, entry or stay or presenting false documents or false information for receiving permission for exit, entry or stay. This step is also preventive in terms of human trafficking or exploitation.

*21. Please describe the measures taken in your country to prevent THB for the purpose of the removal of organs, and in particular:*

- a. the legislation and regulations on organ transplantation and removal of organs, including requirements for the living donation procedure (information/consent, evaluation/selection, follow-up and registry) and criteria for authorising centres for living donation;*
- b. the institution(s) in charge of overseeing and monitoring the medical care and recovery of donors and recipients and managing or supervising any waiting lists for organ transplantations;*
- c. the guidance and training provided to relevant professionals to prevent this form of THB, to report cases and to identify and assist victims.*

**Response:** According to part 4 of Article 132 of the Criminal Code, removal of human organs or tissues is considered as an exploitation form. Part 4 of Article 132:

4. "In this Article, as well as in the part 2 of Article 132.2 "a person's exploitation for prostitution or other forms of sexual exploitation, forced labour or services, involving into slavery or practices similar to slavery, purchase or sale, removal of organs and tissues are considered as exploitation".

At the same time, Article 125 of the Criminal Code, envisages liability for violating transplantation rules, namely:

"Article 125. Breach of rules for transplantation operations

1. Breach of procedure and conditions envisaged by law for removal or transplantation of parts of human body or tissues, which through negligence caused grave or medium-gravity damage to the donor of the parts of the body or tissues or to the recipient, is punished with a fine in the amount of 300 to 500 minimal salaries, or with imprisonment for the term of up to 2 years, or deprivation of the right to hold certain posts and practice certain activities for the term of up to 3 years or without the latter.
2. The same actions which through negligence caused the death of the aggrieved, is punished with imprisonment for the term of up to 5 years, deprivation of the right to hold certain posts and practice certain activities for the term of up to 3 years".
  - a/ Issues concerning transplantation, removal, introduction, preservation of organs and other issues similar to these are regulated by:
    - Law on "Transplantation of organs and (or) tissues to a human being": <http://www.arlis.am/DocumentView.aspx?DocID=71622> (adopted on 16.04.2002);
    - Government Decrees N 502-Ն and N 551-Ն from 26.04.2007 on "Defining the list of organs and (or) tissues subject to transplantation": <http://www.arlis.am/DocumentView.aspx?DocID=29890> and "On Defining procedure for introducing donor organs and (or) tissues for transplantation purposes;

- Government Decrees N 131-Ն and N 132-Ն from 07.02.2008, “On Providing medical expertise for the necessity of transplantation”: <http://www.arlis.am/DocumentView.aspx?DocID=66006>; and “On Providing expertise on the possibility to take organs and (or) tissues from living donor”;
- Government Decree N 1260-Ն and its annexes on “Approving the rules for removing and processing transplantation organs and (or) tissues, as well as procedure for transplantation: <http://www.arlis.am/DocumentView.aspx?DocID=61201>;
- Governmental Decrees N 1465-Ն and N 1495-Ն from 11.11.2010, “On approving procedure for activity, information registration and use of organs and tissue donors: <http://www.arlis.am/DocumentView.aspx?DocID=62753>; and “On approving procedure and terms for taking organs and (or) tissues from dead body: <http://www.arlis.am/DocumentView.aspx?DocID=63128>;
- Government Decree and its annexes N 1450-Ն from 15.11.2012 on “Approving conditions for removing organs and/or tissues from persons in places of detention, as well as terms for providing medical assistance and healthcare after removal of organs and (or) tissues: <http://www.arlis.am/DocumentView.aspx?DocID=79490>;

### **Measures to discourage the demand (Article 6)**

22. *What preventive measures to discourage demand that fosters different forms of exploitation has your country adopted, in particular in the areas of:*

*a. educational programmes*

**Response:** Teacher’s manual “Trafficking or exploitation of human beings” was introduced in 2013 for pilot use in 6 universities: Khachatur Abovyan State Pedagogical Institute in Yerevan; Valeri Bryusov State Linguistic University; Armenian Open University; M. Nalbandyan State Pedagogical University in Gyumri and Gavar State University, for about 550 students. 4 topics covered under the manual were taught to students. After pilot use, the manual has been amended based on comments and recommendations from students and professors.

“Armenian Caritas” charitable non-governmental organization, within the framework of its project “Regional campaign against illegal migration and trafficking” organized trafficking courses for various educational institutions, such as schools, vocational schools, colleges, universities, etc. Besides, courses were organized on the same topic with NGOs working with socially insecure beneficiaries and those with disabilities.

UMCOR organized courses on the topic “Trafficking and forced labour” for the representatives of the State Labour Inspection, State Employment Agency and Armenian Employers Republican Union.

*b. information campaigns and involvement of the media;*

Within the framework of the fourth three-year Anti-Trafficking National Action Plan 2013-2015, numerous activities were organized both in Yerevan and in the regions, towards covering trafficking related issues and increasing public awareness. TV programmes were prepared with the participation of structural and separate institutions of the Ministry of Labour and Social Issues, General Prosecutor’s Office, NGO representatives. Posters and leaflets were distributed. The projects were implemented both on the account of state resources and on the resources of non-governmental organizations, namely the UMCOR and “People in Need” NGOs.

*c. legislation*

On the issue of trafficking in human beings, including prevention of child trafficking or exploitation, as well as reduction of demand for exploitation, Armenia's Labour Code defines the employment age and terms:

**“Article 17. Employee**

1. Employee is the capable citizen that has reached the age defined by this Code who performs certain work for the benefit of employer by certain specialty, qualification or position.
2. Fourteen to sixteen years old citizens that have not reached their legal age who are working under a labour contract with the consent of one of the parents, adopter or guardian are considered as working citizens.
3. Persons from fourteen to sixteen years of age can be included only in temporary works which cause no harm to their health, security, education and morality, in line with Articles 101, point one of part 1 of Article 140 and Article 155.
4. Persons of fourteen to sixteen years of age cannot be employed on weekends, non-working days: holidays and commemoration days, with the exception of cases involving participation in sports and cultural activities.
5. With persons from fourteen to sixteen years of age, temporary labour agreements shall be concluded.

**Article 140: Shorter Working Hours**

1. Shorter working hours shall be set as follows:
  - 1) 24 hours per week for persons aged 14-16;
  - 2) 36 hours per week for persons aged 16-18 ;
  - 3) employees, who work in an environment where it is not possible to reduce the allowed threshold level of harmful factors to the level defined by legal acts on safety and health of employees due to technical or other reasons. In this case the working hours shall not exceed 36 hours.
2. Shorter working time for employees performing work involving heavy mental and emotional strain shall be established by the law, collective or employment contracts.

**Article 257. Ban on the work of persons below 18 years of age.**

It is prohibited to involve persons below 18 years of age in heavy, harmful and particularly heavy and particularly harmful jobs, as well as other cases stipulated by law”.

- Government Decree N 2308-Ն from 29.12.2005 “On approving the list of jobs that are heavy and harmful for persons under 18 years of age, pregnant women and women nursing children below one year-old”, defines the list of heavy and harmful jobs, where employment of children and pregnant women is forbidden.
- At the same time the Code of Administrative Violations defines liability for engaging in prostitution, as well as for breaching the Labour Code, namely:

**“Article 179.1: Engagement in prostitution**

Engagement in prostitution is subject to a fine in the amount of twenty times of the minimum salary. Same actions which were repeatedly committed within one year following the administrative fine shall be subject to a fine in the amount of forty times of the minimum salary.

**Article 41. Breaching the requirements of labour legislation and other normative acts containing norms of labour law**

Breaching the requirements of labour legislation and other normative acts containing norms of labour law (with the exception of Articles 411, 412, 961 of the Labour Code, part 17 of Article 158 and cases defined under Articles 169.5, 169.8), is subject to a warning issued against the person having breached the norms.

Breaching the requirements of labour legislation and other normative acts containing norms of labour law within one year following the administrative penalty measures, is subject to a fine towards the employer in the amount of fifty times of the minimum salary”.

**Criminal Code Article 132.3 “Using the services of a person in a state of exploitation”**

Using services of a person being in a state of exploitation, if being in a state of exploitation is obvious for the user of the service and if crime features envisaged in Articles 132 and 132.2 of this Code are missing in the action of the person committing the crime.

*d. involvement of the private sector*

Considering poverty and unemployment as important factors conducive to the exploitation (trafficking) of human beings in Armenia, a series of preventive measures are being applied to reduce the demand for exploitation.

Every year the Ministry of Economy elaborates “Support to small and medium enterprises” state assistance annual program, which is approved by the Armenian Government.

The program envisages the following activities aimed at development of small and medium entrepreneurship: maintenance and strengthening of infrastructures for assisting small and medium entrepreneurship, training, informative, consultative, financial and investment assistance to small and medium enterprises, local economic development, assistance to businesses in specific fields, women entrepreneurship assistance, support to the export of local production, and ensuring enlargement of the international cooperation of small and medium enterprises, as well as elaboration and implementation of joint (co-funding principle) small and medium entrepreneurship development projects together with international and foreign donor organizations.

The financial component of the “Assistance to small and medium entrepreneurship” state assistance program is aimed at supporting small and medium enterprises in remote and border-zone regions. Priority is given to supporting women's and Syrian Armenian refugees' entrepreneurship.

It is worth mentioning that about 6.200 newly-founded and functioning small and medium-size enterprises have used these tools in 2014, who have received 14688 assistances through various tools.

The program “Assistance to beginning businesses” includes training and professional consultation, components of informative as well as financial assistance. In 2014, 211 of the training participants (35% women) engaged in activities, out of which 146 were participants in projects implemented in 2014 and 65 – in 2013. Out of 211 small and medium-size enterprises that participated in the program, 198 received state registration and established own businesses as a result of participating in the program, 13 improved their performance. The overwhelming majority of 211 small and medium enterprises, i.e. 181 were registered as private entrepreneurs and 30 – as a commercial legal entity.

In the reporting period the distribution of beginning businesses having received state registration and started their activities is as follows, according to activity areas: in the production field – 67%, services field – 28%, in the trade field – 5.0%.

As a result of program implementation, according to monitoring, about 190 new workplaces have been created. Since the financing of about 50 program participants will be carried out as a result of 2015, according to assessments 50 more workplaces will be created.

*See also response to point 18*

*23. Please describe the measures taken in your country to prevent trafficking for forced labour or services, inter alia, by means of labour inspection and labour administration, monitoring of recruitment and temporary work agencies, and monitoring of supply chains.*

**Response:** In 2014, officers from the Police Department for Fight against Organized Crime, Passport and Visa Department and territorial subdivisions made several check-up visits to residence and working addresses of foreign citizens living in Armenia, as well as persons without citizenship, to find out if there was any probability of them being subjected to trafficking.

With an aim to prevent cases of vagrancy and beggary amongst minors, disclosing those who involve them in begging (reducing risks for trafficking in minors and their exploitation), as well as in accordance with the requirements of the instruction No. 48 from 10.02.2014 of the First Deputy Head of Police, broad scope of activities were organized and held in 2014, including check-up visits, during which preventive activities were implemented with minors.

In order to carry out preventive education work among minors and safeguard them from violence, meetings and discussions were held by police divisions officers in April 2015 at public schools in their administrative districts, during which the issue of trafficking and exploitation of minors was addressed.

The relevant specialised division of the Police (Division for fighting crimes in the area of high technologies, General Department of the Police) regularly conducts monitoring of the internet, including announcements placed by various physical and legal persons, *inter alia* (in addition to fighting cybercrimes) aiming at gathering information concerning illegal circulation of human organs and tissues, possible cases of trafficking in human beings, specifically children, with an aim of sexual or labour exploitation.

Article 32 of the Constitution of the Republic of Armenia defines that forced labour is forbidden. Labour legislation principles are defined in Article 3 of the Labour Code which are the fundamental principles of the legal regulation of working relations and stand on the basis of all legal norms regulating working relations. One of these principles also is the ban on any form of forced labour and violence against workers. In fighting exploitation (trafficking) of human beings and forced labour, the participation of labour inspectors is important in the processes of preventing and disclosing the crime.

During check-ups, surveys and administrative procedures conducted by the State Health Inspection of the Ministry of Health of Armenia, there has been control and oversight towards the application of labour inspection and other legal acts containing labour right norms, studying and analysing cases which involve work accidents and reasons for professional diseases and written notices have been submitted to the employers about the prevention of these.

As a result of check-ups and administrative procedures, three cases of violating the rights of employees below 18 years of age defined under Labour laws were detected, administrative fines were applied, in line with Article 41 of the Code of Administrative Violations and the employers were provided with instructions to fix these violations.

#### **Border measures (Article 7)**

24. Please describe the specific measures taken in your country to strengthen the capacities of border guards to prevent and combat THB, in particular as regards:

- a. identification of possible victims of THB in the context of border control;
- b. identification of possible perpetrators of THB offences;
- c. gathering of first-line information from victims and perpetrators;
- d. identification of vulnerable persons in need of international protection among possible victims of trafficking.

**Response:** 1980 leaflets were provided by “Hope and Help” NGO for distribution amongst persons in the risk groups crossing the border, at the check-points of “Zvartnots”, “Bagratashen”, “Bavra”, “Gyumri”, “Ayrum”, “Gogavan” and “Karchevan” of the state border. The IOM-Armenia Office provided 150 copies of the handbooks “On direct assistance for the victims of trafficking” and “Caring for trafficked persons” to the training centres of the Border Control Detachment of Border Guard Troops, for courses with servicemen at the border check-points, as well as with the newly recruited staff. 1500 copies of the booklet “Safety of your journey” published within the framework of the project “Solidifying Awareness on Trafficking in Persons in Armenia, Azerbaijan and Georgia through Education” implemented by the IOM Mission in Armenia, were provided to the National Security Service for distributing among passengers at the border control checking. Topics on forced labour, trafficking, illegal border-crossing by migrants, as well as statistics on the victims subjected to trafficking and detected in various countries presented in the manuals “Safety of your trip” and “Migration Management and Human Rights” were taught at the training centre of the Border Control Detachment of Border Guard Troops of the National Security Service, for 62 newly recruited military servicemen and 56 military servicemen at “Zvartnots” and Karchevan” check points. In total, 118 persons took part in the courses. In the reporting period courses were also held with border guards on the topics of “Providing support to trafficking victims and psychological and medical assistance”.

25. *What measures have been taken to ensure that the personnel employed by commercial carriers, including airline attendants and staff working on other means of transportation by land and sea, are able to detect possible victims of THB and inform relevant bodies in due course?*

**See response to question 18**

26. *What measures have been taken to promote co-operation between border control agencies as regards the establishment and maintenance of direct channels of communication? How have these channels been used for detecting transnational THB? Please provide examples of cases in which these channels were used and any difficulties encountered by border control agencies in this context.*

**Response:** Upon detection of alleged victims of exploitation (trafficking) of human beings at the check-points of the state border, the border guards hold interviews with them, provide consultation, if necessary primary medical and psychological assistance, urgent materials support (food, clothing, products for hygiene), following which the respective information is passed to relevant bodies.

The national law on Refugees and Asylum clearly assigns the role and responsibilities of border guards in reception of asylum seekers and refugees, among whom there may be potential victims of trafficking. In this regard, UNHCR, jointly with the State Migration Service and its NGO partner - Armenian Red Cross Society (ARCS), is regularly conducting monitoring visits to border crossing points and training sessions for entry officials, including border guards and Passport and Visa Department officials, to sensitize them on refugee and asylum issues. In addition, to address the practical issue of access to information on the asylum procedures, information materials for persons seeking asylum in the Republic of Armenia are placed at the border crossing points.

Within the frame of the BSIBM project (*Provision of Equipment and Infrastructure for the Bagratashen-Sadakhlo Border Crossing Point between Armenia and Georgia and enhancement of their capacities*) funded by EU, UNDP jointly with ICMPD organized two bilateral workshops on treatment of refugees and asylum seekers at borders for border guards standing on the Armenian-Georgian border (Spring 2013 and November 2014). The workshop provided a good opportunity for entry officials of Georgia and Armenia present at the border, as well as agencies engaged in refugee protection in these countries to exchange experience and best practices. The workshop was also attended by representatives of UNHCR Georgia and UNHCR Armenia, who presented basic principles on refugee protection and the role of border guards, as well as border related activities implemented by the UNHCR Offices in Georgia and in Armenia.

To further support the development of a national mechanism for the identification and referral of asylum seekers, the inter-agency working group on protection-sensitive entry systems, including the NSS, Border Guards, SMS, UNHCR and ARCS was formed in 2014, which will focus on the following:

- i) further enhancement of inter-agency cooperation on matters relating to borders and the identification and referral of asylum-seekers and other persons with specific protection needs and,
- ii) development of draft instructions and practical tools for the identification and referral of asylum-seekers and other persons with specific protection needs and making recommendations to relevant authorities on adoption of such documents and tools.

**Identification of the victims (Article 10)**

27. *Is there a national referral mechanism (NRM) or an equivalent system for identification and referral to assistance of victims of trafficking, both nationals and foreigners, for any form of exploitation? If so, please specify the bodies involved in it and their responsibilities. If an NRM existed in your country at the time of the first evaluation, please indicate any changes that have been made to it in the meantime.*

**Response:** According to the provisions of the law on “Identification and Support to Persons Subjected to Trafficking in Human Beings and Exploitation”, the National Referral Procedure for the

persons subjected to exploitation (trafficking) in the RA, approved by the Government Decree N1385-A will become legally void from 17 June 2015, following which all issues related with the detection, referral, identification and assistance of the persons subjected to trafficking or exploitation will be regulated by the afore-said law on "Identification and Support to Persons Subjected to Trafficking in Human Beings and Exploitation".

*28. Are there any formalised indicators for the identification of victims of THB for different forms of exploitation and how is their use by different professionals ensured in practice in your country?*

**Response.** No formalized indicators for the identification of victims have been developed.

*29. What is considered as "sufficient grounds" to believe that a person is a victim of THB and which bodies have competence to identify victims upon sufficient grounds? Please provide examples from practice.*

**Response.** According to the provisions of the law on "Identification and Support to Persons Subjected to Trafficking in Human Beings and Exploitation", the only body vested with the authority to identify a person who has been subjected to trafficking or exploitation as a victim or victim of special category, is the Commission on Identification of victims of trafficking in human beings and exploitation, which is being approached by relevant bodies presenting the potential victim for identification:

**Article 11. Commission on Identification of Victims of Trafficking in Human Beings and Exploitation**

1. The Commission on Identification of Victims of Trafficking in Human Beings and Exploitation (hereinafter referred to as "the Identification Commission") shall be the sole body vested with the authority to recognize a person as a victim or a victim of special category. For the purpose of providing appropriate support and protection defined by this law, a person may be recognized as a victim or a victim of special category solely by the Identification Commission, by open ballot and by majority vote. In a case of equal number of votes cast, the positions of the representatives of non-governmental organizations shall be given a priority if they coincide, or, if they do not, the vote of the Chairperson of the Identification Commission shall be decisive.

2. The Identification Commission shall be comprised of representatives from non-governmental organizations experienced in identifying victims of trafficking in human beings or exploitation, representatives from the Prosecutor General's Office of the Republic of Armenia, the Ministry of Labour and Social Affairs of the Republic of Armenia, the Police of the Republic of Armenia, who shall take up equal rights in the Identification Commission. Non-governmental organizations and state bodies shall be equally represented in the Identification Commission. The representative of the Ministry of Labour and Social Affairs of the Republic of Armenia shall be the Chairperson of the Identification Commission. The rules of procedure of the Identification Commission shall be set by the decision of the Government of the Republic of Armenia.

3. The Commission shall have members in reserve, who, where necessary, shall substitute absent permanent members during the sessions. By the recommendation of the Council, the permanent and reserve composition of the Identification Commission shall be approved by the decision of the Prime Minister of the Republic of Armenia.

4. The procedure of the selection of the representative of non-governmental organizations to the Identification Commission shall be set by the decision of the Government of the Republic of Armenia.

**Article 12. Bodies competent to conduct pre-identification and to present the detected persons to the Identification Commission for the purpose identification**

1. Bodies competent to conduct pre-identification and to present the potential victims for identification shall include partner non-governmental organizations, the Ministry of Labour and Social Affairs of the Republic of Armenia, and the Police of the Republic of Armenia (hereinafter

referred to as "the competent bodies").

2. The competent bodies shall receive information on persons subjected to trafficking in human beings or exploitation or cases of crimes in relation thereto as a result of independently held activities, as well as from the state government and local self-government bodies, from international, non-governmental organizations, from the mass media, from individual citizens, in any possible manner — in writing, through electronic correspondence, hot-lines, etc.

3. For the purpose of effectively solving the issues defined by this Law, the competent bodies shall actively cooperate and make use of each other's capacities.

4. For the purpose of ensuring the operative nature of the implementation of the provisions defined by this Law, the Ministry of Labour and Social Affairs of the Republic of Armenia and the Police of the Republic of Armenia shall be authorized to act and cooperate with each other as well as with partner non-governmental organizations through appropriate specialized or designated units.

5. Within the scope of their competencies, state government and local self-governing bodies shall provide maximum support to the competent body and, in the manner defined by the legislation of the Republic of Armenia, shall provide the latter with necessary information under their disposal about the person or circumstances related to him or her.

6. In line with the principles of human rights and protection of personal data, the competent bodies shall, in the manner defined by law strictly adhere to the rules of confidentiality of personal and other information made known to them.

During the implementation of their functions to determine the availability of "sufficient grounds" about each case, the Police Officers are guided by the Law on Police and Criminal Procedural Code.

*31. What measures are taken in your country to encourage self-identification of victims of THB?*

The broad-scale assistance provided to the victims or special category victims of trafficking or exploitation, as envisaged by the Law on "Identification and Support to Persons Subjected to Trafficking in Human Beings and Exploitation" can be regarded amongst measures encouraging self-identification of victims of THB and exploitation, namely, that under the provisions of this law, cooperation with the law-enforcement is not mandatory, as well as the inevitability of liability of the person having committed the crime, defined by the RA legislation.

*31. What measures are taken in your country to identify victims of THB during the examination of asylum applications and during return of persons whose applications are rejected? How is communication ensured between the authorities responsible for identification of victims of trafficking and migration and asylum authorities when there are reasonable grounds to believe that a person who is irregularly staying in the country is a victim of trafficking?*

**Response:** The State Migration Service of the Ministry of Territorial Administration and Emergency Situations, in line with the Law "On Refugees and Asylum" conducts interviews with persons seeking asylum in Armenia to find out the reasons for leaving their country. The interviewer would ask if the asylum-seeker had been subjected to trafficking before entering the Republic of Armenia. It has to be mentioned that not a single such case has been recorded, among foreigners, both those who have received asylum and those who have been rejected in asylum,

Cooperation between agencies responsible for trafficking victims and migration and asylum authorities in Armenia will be implemented in accordance with Article 13 of the Law on "Identification and Support to Persons Subjected to Trafficking in Human Beings and Exploitation".

***Protection of private life (Article 11)***

*32. What measures are taken by relevant professionals to protect the confidentiality of information and protect the personal life and identity of victims of THB, including as regards storing of their*

*personal data? Are there any conflicts of interest between professional ethics, on the one hand, and the obligation to report an offence, on the other hand? If so, how are these conflicts resolved in practice?*

**Response:** According to current legislation this issue is regulated as follows:

**a) In terms of financing**

As a vulnerable group, the persons subjected to trafficking have a right to:

- Free medical assistance (regulated by the RA Government Decree N1003-Ն from 03.09.09, on “Making amendments to the Government Decree N318-Ն, dated 04.03.200 )
- Additional employment guarantees (regulated by the Law on Employment).

The programs are financed from the State budget.

**b) In terms of assistance criteria and their practical implementation**

According to the National Referral Procedure for persons subjected to exploitation (trafficking), the assistance scope depends on the three stages of trafficking victim identification and the criteria are the needs of the victim, which are assessed by specialists.

**c) In terms of access to medical and psychological assistance, providing consultation and information**

**d) When necessary, in terms of ensuring translation**

The Ministry of Labour and Social Issues and UMCOR, implement the Project “Social-physiological rehabilitation of trafficking victims” with co-funding. Funds are allocated from the state budget for renting accommodation and staff remuneration. In 2014 and 2015, allocations as a mid-term expense program amounted to 17.179.600 AMD and 18.290.800 AMD respectively; the amount earmarked for 2016 is 19.679.600 AMD. Other expenses intended for being covered from state budget include organizing medical assistance and employment programs.

New procedures will be introduced from the second half of 2015, after the Law on “Identification and Support to Persons Subjected to Trafficking in Human Beings and Exploitation” enters into force.

Protection of the personal data of the victims of THB and exploitation is envisaged by the provisions of the Law on “Identification and Support to Persons Subjected to Trafficking in Human Beings and Exploitation”, namely:

**“Article 7. Limitation on publications**

1. It shall be prohibited to publish in mass media or any other way such information on a person subjected to trafficking in human beings or exploitation, which would identify the latter, except for the cases that are in their interests and upon the decision of the Commission on Identification of Victims of Trafficking in Human Beings and Exploitation, if the legislation of the Republic of Armenia does not provide otherwise.

**Article 12. Bodies competent to conduct pre-identification and to present the detected persons to the Identification Commission for the purpose identification. Point 6:**

In line with the principles of human rights and protection of personal data, the competent bodies shall, in the manner defined by law strictly adhere to the rules of confidentiality of personal and other information made known to them”.

With view to protecting the personal data of the victims THB and exploitation, the correspondence on the latter between the Police, state bodies other than the law-enforcement, local self-government bodies and non-governmental organizations is carried out by using the seal “personal attention”. Besides, in the reports published by the Police, press-releases for the media or information made available in various other documents, no personal data of the victims of THB and exploitation shall be mentioned.

The Investigative Committee of the Republic of Armenia does not publish the personal data of the victims of trafficking in human beings or exploitation. Furthermore, within the frames of a filed criminal case the pre-investigation secret is strictly kept confidential and any such info is not subject to publication, in accordance with the law.

According to part 1 of Article 201 of the RA Criminal Procedural Code, pre-investigation data are subject to publication only upon permission of the body conducting the proceedings of the case.

In its decision ՄՂՈ– 1008 from January 24, 2012, the Constitutional Court of the Republic of Armenia addressed the issue of constitutionality of Article 201 of the Criminal Procedural Code. According to that decision, the principle of the confidentiality of pre-investigation is not an end in itself. The legal requirement for conducting comprehensive, complete and objective examination of a case cannot be completed effectively and pre-investigation issues cannot find effective solutions without ensuring pre-investigation data confidentiality. As far as maintaining the principle of publicity in a pre-investigation stage is concerned, according to Article 16 on “Publicity of Court Examination” of the Criminal Procedural Code of Armenia, the principle of publicity concerns the stage of court examination and is applicable for that stage of criminal procedure.

Part 1 of Article 201 of the Criminal Procedural Code, by defining a general rule for pre-investigation confidentiality, at the same time vests the body conducting the proceedings of a case with the discretion to allow publication of pre-investigation data. According to that provision the pre-investigation data are subject to publication only by the permission of the body conducting proceedings of a case.

The decision of the relevant person in the body conducting case proceedings on providing or rejecting provision of this or that document from among materials of a criminal case to an interested person should be grounded, in the order set forth in the Article 102 of the Criminal Procedural Code. The main approach with this regard should be that the discretion of the body conducting case proceedings on providing permission for pre-investigation data publication should not be absolute. A decision taken in this regard should pursue the purpose of real protection of pre-investigation interests.

Article 188 of the Draft Criminal Procedural Code envisages the non-permissibility of the publication of pre-investigation secret, according to which, participants to a proceeding, the witness and their lawyers shall have a right to publish pre-investigation data that became known to them within the frames of proper legal procedures, if the investigator has not prohibited their publication in writing, in line with one of the grounds defined under part 2 of the same Article:

1. Publication of pre-investigation data shall be prohibited, if it can:
  - 1) Hamper the smooth course of pre-trial proceedings;
  - 2) Become reason for committing a crime;
  - 3) Endanger the rights and legal interests of the participants in a proceeding or other persons;
  - 4) Lead to publication of a secret maintained by law.

Besides, according to Article 170 of the Criminal Procedural Code, each person shall have a right to protect one’s personal and family life from illegal interventions, as well as honour and dignity from any assaults. When conducting procedural activities, without necessity, no information concerning a person’s family and personal life, as well as other information of personal nature should be collected, maintained, used and disseminated. At the request of the court, as well as investigation body, investigator, prosecutor the participants of investigative and judicial activities must not publish the afore-said data, for which signatures are taken from them.

Evidences concerning intimate aspects of family and personal life are examined in a close-door court session, upon the request of persons participating in the criminal procedure for whom publication of family or personal secret is a threat.

## **IOM Mission in Armenia**

Within the framework of the project “Solidifying Awareness on Trafficking in Persons in Armenia, Azerbaijan and Georgia through Education”, implemented by the IOM Armenia Mission, the “IOM data protection handbook” was published, presenting the international criteria for collecting and processing personal data. 1500 copies of the book were published and distributed to state bodies and non-governmental institutions.

## **UMCOR NGO**

The NGOs providing assistance to victims maintain the information concerning provision of support to victims strictly confidential. Some information is provided to the Ministry of Labour and Social Issues for updating the general database and for providing state guaranteed assistance to victims. A special questionnaire has been elaborated by the NGOs supporting victims and the Ministry of Labour and Social Issues, which includes information about victims, some personal data, forms of recruitment and exploitation, about referral for assistance and stepping out of the situation, as well as needs of the victims and scope of assistance. The mentioned information is included in the information database concerning victims of exploitation/trafficking in human beings, which is updated and maintained at the relevant department of the Ministry of Labour and Social issues, with a strict secrecy of personal data (access to database is available only to the relevant persons).

### ***Assistance to victims (Article 12)***

33. *When assistance to victims is provided by non-state actors, how do your country’s authorities ensure compliance with the obligations under Article 12 of the Convention, in particular when it comes to:*

- a. funding;*
- b. victim’s safety and protection;*
- c. standards of assistance and their implementation in practice;*
- d. access to medical treatment, psychological assistance, counselling and information;*
- e. translation and interpretation, where appropriate?*

**Response:** Assistance to trafficking victims is provided both by professional NGOs and by the state management body (Ministry of Labour and Social Issues). The Ministry implements the state program “Social-psychological assistance to trafficking victims” jointly with UMCOR – Armenia NGO. The program is funded by two sources: state budget and donor organizations. The program is equally available both to Armenian citizens and persons without citizenship and foreigners. According to the existing procedure, after the assessment of victims’ needs by specialists, the victims are provided with the package of necessary assistance. The package, both for local and foreign victims of trafficking includes general assistance, medical assistance, physiological, psychological and legal counselling, inclusion in various social programs, providing of accommodation. Services, without any discrimination, are equally available both to women and men. When necessary, foreign Embassies cooperate with organizations providing services in protecting the rights of the citizens of their countries.

There are two organizations in Armenia working in the area of trafficking victim assistance – “Hope and Help” and UMCOR. Both organizations are intended only for trafficking victims. The “Hope and Help” NGO provides beneficiaries with temporary accommodation, legal counselling, psychological assistance, medical services, rehabilitation assistance. The NGO also conducts professional training and provides tools for employment opportunities.

The package of assistance is quite extensive and is based on identification stages; it is inclusive of relevant scope of support – medical, psychological, legal, social. In general, the effectiveness of the assistance largely depends on individual person’s readiness for integration (as a final goal of the assistance) and individual capacities.

In order to assess the quality of the assistance, currently the anti-trafficking working group is elaborating criteria for the quality of services, the introduction of which will increase the effectiveness of fighting trafficking in Armenia, will identify shortcomings and drawbacks in this field.

The assistance and protection provided to the potential victims of trafficking or exploitation, victims and special category victims, as well as its termination is guaranteed and regulated in accordance with the provisions of Chapter 4 of "Identification and Support to Persons Subjected to Trafficking in Human Beings and Exploitation".

*34. What specific measures are taken to ensure that the provision of assistance to victims of THB who have been issued a residence permit for the purpose of their co-operation in the investigation or criminal proceedings is not made conditional on their willingness to act as a witness?*

**Response:** The assistance is provided in accordance with the order defined under National Referral Procedure for the victims of exploitation (trafficking) in human beings. A trafficking victim's referral for the purpose of receiving assistance is implemented only upon his/her consent. According to part 2 of Article 20 of the Law on "Identification and Support to Persons Subjected to Trafficking in Human Beings and Exploitation":

"2. According to the forms, types, duration, scale of the protection and support to victims and victims of special category may not in any way be interrelated with or conditioned by their participation in the activities carried out by the law enforcement bodies in a manner prescribed by law of the Republic of Armenia. The provision of support and protection may not pursue an expectation of receiving other services or any compensation in return for the provided services".

*35. What accommodation is available for victims of THB (women, men and children) and how is it adapted to the victims' needs?*

**Answer.** Adult victims in shelters can upon their wish leave the premises without escort, by informing shelter management. Services are available equally to women and men. However, based on reality (according to statistics victims are mostly women and children), there are no special shelters for men.

See also answer to question 33

*36. What measures are taken to ensure that services are provided to victims on a consensual and informed basis?*

All victims who are referred to UMCOR prior to receiving assistance are informed about possible available package of assistance. Upon agreement, victims also sign agreement on volunteering. All further steps, victim needs, counselling, forms of assistance and scope, are discussed with the victim and implemented after agreement with them.

See also answer to question 33

*37. Is there any follow-up provided after the termination of assistance programmes? Can victims continue to receive assistance, where necessary and taking into account their specific needs resulting from the type of exploitation (including the removal of organs), after the termination of criminal proceedings, and if so what type of assistance?*

**Response:** Assistance programs and integration of a trafficking victim are different processes and may not coincide in terms of time. As a rule, trafficking victims need long-term patronage. In such cases the work is continued by the UMCOR, a partner organization of the Ministry by informing and cooperating with the Ministry.

Upon the victim's consent, the UMCOR continues to remain in contact with him/her, even after the termination of the program. The psychologist and social worker regularly contact the victim and

their family on the phone and if necessary, also visit them. This mainly concerns work related training and employment, provision of accommodation/apartment, as well as health deterioration, if the latter is a consequence of trafficking.

**Recovery and reflection period (Article 13)**

38. Please specify in which cases a recovery and reflection period can be granted and who is entitled to it (nationals, foreign nationals). Please describe the procedure for granting a recovery and reflection period, the assistance and protection provided during this period, and any difficulties encountered in practice.

**Response:** The reflection period is intended in the Law on “Identification and Support to Persons Subjected to Trafficking in Human Beings and Exploitation”. It is intended for foreign potential victims, victims and special category victims, regardless of the legality of their status and makes 30 days, which can be further extended for another 30 days.

As far as assistance is concerned, it is limited to the types and scope of assistance intended for three identification stages (presented in the previous report).

According to the new law, the assistance includes accommodation, psychological, medical, legal consultation, counselling, provision of translation services, organizing safe return.

Provision of rehabilitation and reflection period to potential victims, victims and special category victims of THB or exploitation is guaranteed in Article 19, of the Law on “Identification and Support to Persons Subjected to Trafficking in Human Beings and Exploitation”, namely:

**Article 19. Reflection period**

1. The reflection period is the period whereby the foreigner potential victim, victim and victim of special category, while staying within the territory of the Republic of Armenia, regardless of the legality of his or her residence status, is granted the right and opportunity to get rid of the influence of the persons who have committed trafficking in human beings or exploitation, to recover from the consequences of the physical injuries inflicted, as well as to take sober minded and deliberate decisions.

2. All foreigner potential victims, victims or victims of special category shall be entitled to a reflection period. This right shall be given at the same time when the pre-identification stage commences.

3. The reflection period shall be calculated from the moment when the foreigner potential victim is received by the competent body, and it shall be set for 30 days. The reflection period may be extended by a maximum period of 30 days upon the decision of the Identification Commission taken based on a substantiated motion by the competent body conducting the pre-identification of the person concerned.

4. Upon the decision of the Identification Commission, the reflection period may be terminated before the expiry of the specified time periods only when new facts appear to the effect that the person may not be recognized as a victim or a victim of special category, or upon the initiative of a potential victim.

5. During the reflection period, it shall be prohibited to deport a foreigner from the Republic of Armenia or to hold him or her liable for spending the specified time period in the Republic of Armenia without a valid visa or a residence status or with void documents.

6. The provisions envisaged for the reflection period shall be without prejudice to the fulfilment by law enforcement authorities of the functions defined by the legislation of the Republic of Armenia aimed at discovering offences.

- The protection of the persons in above category is carried out on general principles.

**Residence permit (Article 14)**

39. *If there is a provision in your country's law that provides for the possibility of issuing a residence permit owing to the victim's personal situation, how is this interpreted in practice? Please provide examples.*

**Response:** According to point 17 of Article 20 of the Law on "Identification and Support to Persons Subjected to Trafficking in Human Beings and Exploitation": "Upon the initiative of the Police of the Republic of Armenia, in the manner prescribed by law, a foreigner victim, foreigner victim of special category or a legal representative of a foreigner victim of special category may also be given a temporary residence permit in the Republic of Armenia and/or a work permit in the Republic of Armenia". The provision of temporary residence permit in the Republic of Armenia and a work permit in the Republic of Armenia to a foreigner victim, special category victim or the legal representative of the special category victim are types of assistance provided to the persons subjected to trafficking in human beings and exploitation, which, in accordance with point 2 of Article 20 of the Law on "Identification and Support to Persons Subjected to Trafficking in Human Beings and Exploitation" cannot be related with or conditioned by the circumstance of their participation in the law-enforcement activities implemented as per the procedure set forth by the Law.

*When a residence permit is issued for the purpose of co-operation with the competent authorities, how is "co-operation" interpreted and what does it consist of in practice?*

See answer to question 39

41. *What measures are taken to ensure that a residence permit is provided to victims of THB in compliance with the obligation under Article 12.6, which states that the assistance to a victim of trafficking should not be made conditional on his or her willingness to act as a witness?*

See response to question 39

**Compensation and legal redress (Article 15)**

42. *Please indicate any measures taken since the first evaluation report to promote effective compensation of victims of THB, in particular when it comes to:*

- a. *access to information on the relevant judicial and administrative proceedings in a language the victim can understand;*
- b. *access to free legal assistance and legal aid during investigations and court proceedings;*
- c. *compensation from the perpetrator;*
- d. *compensation from the state;*
- e. *compensation for unpaid wages to victims of trafficking.*

**Response.** Regardless of the types of assistance defined in the Law on "Identification and Support to Persons Subjected to Trafficking in Human Beings and Exploitation", according to the provisions of the Criminal Procedure Code, a person recognized as the aggrieved during pre-investigation and trial of a criminal case or his/her representative can receive relevant compensation, which is regulated in the following articles of the Criminal Procedure Code:

**"Article 59. The Rights and Obligations of the Injured**

1. The injured has the right, in the manner prescribed by this Code:
  - 1) to know the essence of the indictment;
  - 2) to give evidences;
  - 3) to give explanations;
  - 4) to present materials for the inclusion into the criminal case and examination;
  - 5) to declare challenges;
  - 6) to declare motions;

7) to object against the actions of the bodies of criminal prosecution and to demand on inclusion of his/her objections into the protocol of the investigatory or other procedure action;

8) to get acquainted with the protocols of the investigatory and other procedure actions, in which he/she participated, and to submit remarks on the correctness and completeness of the records in the protocol; to demand, during the participation in investigatory or other procedure action, the inclusion into the protocol of the mentioned action or the court session the records on the circumstances, which, upon his/her opinion, have to be mentioned; to get acquainted with the protocol of the court session and to submit his/her remarks on it;

9) to get acquainted with all materials of the case, from the moment of accomplishment of the preliminary investigation, make copies from them and to write out from the case any data in any volume;

10) to participate in the sessions of the court of first instance and court of appeal;

11) to receive upon his/her request, free of charge copies of the decisions on the abatement of criminal proceedings, on inclusion into case as an accused, the copy of the indictment or final act, and also the copy of verdict or other final decision of the court;

12) to appeal the actions and decisions of the investigation body, the investigator, prosecutor, the court, including the appeal of the verdict and other final court decision, as established in this Code;

13) to reconcile with the suspect and the accused in cases, prescribed by this Code;

14) to object to the appeals of other participants of the trial regarding the verdict or other final court decision;

15) to receive the compensation, stipulated by law, of the damage caused by unlawful actions;

16) to receive the compensation of expenses incurred during the criminal proceedings back the property, seized by the body conducting criminal proceedings as a material evidence or on other bases, the originals of the documents, belonging to him/her; receives back the property belonging to him/her seized from the person, conducted a deed forbidden by the criminal law;

17) get back the property, seized by the body conducting criminal proceedings as a material evidence or on other bases, the originals of the documents, belonging to him/her;

18) to have a representative and to terminate the powers of representative.

2. The aggrieved has the following obligations:

1) arrives upon the call of the body, conducting criminal proceedings;

2) gives evidences upon the demand of the body, conducting criminal proceedings;

3) presents the items, documents and also samples under his/her discretion for the comparative study upon the demand of the body, conducting criminal proceedings;

4) to be subjected to examination upon demand of the body, conducting criminal proceedings on the crime supposedly committed with respect to him/her;

5) to be subjected, upon the demand of the body conducting criminal proceedings, to the medical investigation in order to check the ability to perceive and to reproduce correctly the circumstances, subject to discovery in criminal case, if forcible arguments are available to suspect the lack of such abilities;

6) comply with the legitimate instructions of the prosecutor, the investigator, the body of inquiry, obeys the legitimate instructions of the presiding person;

7) observe the order at the court session.

3. The injured has also other rights and obligations, prescribed by this Code.

4. The aggrieved enjoys the rights belonging to him/her and executes the obligations imposed on him/her personally or, if it is corresponding to the nature of respective rights and obligations, through a representative. The rights of the juvenile or incapable aggrieved are exercised instead of them, by their legitimate representative, in the manner, prescribed by this Code.

5. A legal entity, to which moral or material damage was caused by the crime, can be recognized as the injured party. In this case the rights and obligations of the aggrieved party are exercised by the representative of the legal entity.

### **Article 60. Civil Plaintiff**

1. A physical or legal entity, which submits a claim during the proceedings of the criminal case, with respect to which sufficient bases are available to assume, that a material damage, subject to compensation in the manner of criminal proceedings, was caused to the latter upon a deed forbidden by Criminal Code, is recognized as civil plaintiff.
2. The decision on recognizing as civil plaintiff, is passed by the body of inquiry, the investigator, the prosecutor or the court.

### **Article 61. The Rights and Obligations of Civil Plaintiff**

1. The civil plaintiff, with a purpose of the support of the claim prosecuted by him/her, has the following rights in the manner prescribed by this Code:

- 1) to know the essence of the indictment;
- 2) to give explanations on the claim submitted by him/her;
- 3) to present materials for the inclusion in the criminal case and examination;
- 4) declare challenges;
- 5) declare motions;
- 6) to object against the actions of the bodies of criminal prosecution and to demand on inclusion of his/her objections into the protocol of the investigatory or other procedure action;
- 7) to get acquainted with the protocols of the investigatory and other procedure actions, in which he/she participated, and to submit remarks on the correctness and completeness of the records in the protocol; to demand, during the participation in investigatory or other procedure action, the inclusion into the protocol of the mentioned action or the court session the records on the circumstances, which, upon his/her opinion, have to be mentioned; to get acquainted with the protocol of the court session and to submit remarks on it;
- 8) to get acquainted with all materials of the case, from the moment of accomplishment of the preliminary investigation, make copies from them and to write out from the case any data in any volume;
- 9) to participate in the sessions of the court of first instance and court of appeals;
- 10) to address the court with a speech and a remark;
- 11) to receive upon his/her request, free of charge copies of the indictment or final act, and also the copy of verdict or other final decision of the court;
- 12) to appeal the actions and decisions of the body of inquiry, the investigator, prosecutor, the court, including the appeal of the verdict and other final court decision;
- 13) to recall any objection given by him/her or his/her representative;
- 14) to issue objections, in the part regarding the claim submitted by him/her, on the appeals of other participants of the trial on verdict or other final decision of the court;
- 15) to express at the court session opinions regarding the motions and proposals of other participants of the trial;
- 16) to protest against illegitimate actions of other parties;
- 17) to object against the actions of the presiding person;
- 18) to have a representative and terminate the powers of representative.

2. The civil plaintiff has also a right in the manner, prescribed by this Code:

- 1) to refuse from the claim at any moment of the conduct of criminal proceedings;
- 2) to receive the compensation of the expenses, incurred during the proceedings of the criminal case;
- 3) to receive back the property, seized by the body, conducting criminal proceedings as a material evidence or on other bases, the originals of the official documents, belonging to him/her.

3. The civil plaintiff has the following obligations:

- 1) to arrive upon the call of the body, conducting criminal proceedings;
- 2) to ensure the presentation to the court of copies of the claim equal to the number of civil defendants;
- 3) to present the items, documents and also samples under his/her discretion for the comparative study upon the demand of the body, conducting criminal proceedings;
- 4) to obey the legitimate instructions of the prosecutor, the investigator, the body of inquiry, to obey the legitimate instructions of the presiding person;
- 5) to observe the order at the court session.

4. The civil plaintiff can be summoned on as a witness.

5. The civil plaintiff has also other rights and bears other obligations, prescribed by this Code.
6. The civil plaintiff enjoys the rights belonging to him/her and executes the obligations imposed on him/her personally or, if it is corresponding to the nature of respective rights and obligations, through a representative. The rights of the juvenile or incapable civic plaintiff are exercised instead of them, by their legitimate representative, in the manner, prescribed by this Code.

#### **Article 155. Meaning of a Decision or Court Decision on Civil Suit**

1. The availability of a functioning court decision on the same civil case, court order about the withdrawal of the claim by a civil plaintiff, court decision about case settlement as well as the availability of an acting court decision which disallows the claim or satisfies the plaintiff partially or in whole, shall exclude further commencement of a civil claim.
2. In case a person has not brought a civil suit during a criminal proceeding, he shall have the right to do so during a civil proceeding.
3. A civil suit commenced during the criminal proceeding and left without consideration of the court may later be brought to a civil proceeding.

#### **Article 157. Exemption of Civil Plaintiff from State Duties**

A civil suit commenced during a criminal proceeding shall be exempt from state duties.

#### **Article 158. Bringing of a Civil Suit**

1. A civil suit in a criminal proceeding may be commenced at any time beginning from the initiation of the case until the retreat of the court for the delivery of the verdict.
2. A civil suit may be brought against the suspect, the accused or a person who can bear property responsibility for the actions of the accused.
3. The claim statement should indicate what criminal crime, who, to whom, on what ground and in what amount the suit is being brought. It should also contain a request about the exact amount of the recovery of damages.

#### **Article 160. Provision of the Compensation on a Civil Suit**

The inquiry body, investigator, prosecutor or the court shall take measures to provide a civil suit upon submission of a petition by a civil plaintiff or his representative as well as by their own initiative.

#### **Article 163. Resolution of a Civil Suit**

Decisions about a civil suit in criminal case shall be made only in court verdict.

#### **Article 164. Compensation of the Property Damages on the Initiative of the Court**

In exclusive cases when a citizen is deprived of an opportunity to represent his property interests in person, the court has the right, on its own initiative, to make a decision about the compensation of damages caused to the injured, as result of a crime.

#### **Article 232. Arrest of property**

1. Arrest of property is practiced as a remedy to secure property in civil claim and to prevent possible seizure and for coverage of court expenses.
2. Arrest of property is imposed on the property of the suspect and the accused as well as those persons on whom financial responsibility can be put for the actions of the suspect and the accused, regardless who possesses and what property.
  - 2.1 According to Article 103.1 of the Republic of Armenia Criminal Code, the arrest of property is imposed on property subject to seizure, irrespective of the circumstance of the property's belonging to or being possessed by the person having committed the crime or any third person.
3. The arrest of property commonly shared by spouses or the family is imposed on the part owned by the accused. In case of sufficient evidence that the commonly shared property increased or was acquired in a criminal way, the arrest can be imposed on the whole property of the spouses or the family or on a larger part of it.
4. Seizure cannot be imposed on the property which according to law cannot be seized".

The provision of compensation to trafficking victims is defined in the point 14, of part 1, Article 22 of the Law on "Identification and Support to Persons Subjected to Trafficking in Human Beings and Exploitation".

According to Article 15 of the Criminal Procedure Code, during court procedure, every person, including the aggrieved one, shall have the right to speak the language he/she knows. The aggrieved who does not know the language of the criminal procedure, upon the decision of the body conducting criminal proceedings, is provided with a possibility to exercise his/her rights with the help of an interpreter, on the account of the state resources. In such cases, copies of the documents that are to be submitted are provided to the aggrieved in the language that he/she knows. Similarly, an aggrieved who does not know the language of the criminal procedure is explained in clear language through an interpreter hired on the account of state resources, his/her rights defined under Article 59 of the Criminal Procedure Code, including the right to receive compensation for the damage caused by an action not permitted by the Criminal Code.

If a victim of trafficking or exploitation recognized as an aggrieved one on the decision of an investigator submits civic claim to the body in charge of proceedings concerning the compensation of property and other damage caused to him/her, then he/she is recognized as a plaintiff on the decision of the body conducting the proceedings. The discussion and solution of this issue is carried out by court, by addressing the issue in the verdict.

Besides, according to Article 167 of the Criminal Procedural Code, the following expenses incurred by the aggrieved are subject for compensation on the account of the state budget:

- 1) Expenses of appearing in the court upon receiving a subpoena of the body which carries out the criminal proceeding cost of the fair for using railroad, boat, automobile (except a taxi) and other means of transportation; and the cost of the plane ticket-upon consent of the body which carries out the criminal proceeding;
- 2) cost of the apartment rent in accordance with established norms of payment for business trips under condition that those expenses are not compensated in any other form.
- 3) Per diem expenses on staying, upon the request of the body which carries out the criminal proceedings, outside the permanent residence under condition that those expenses are not compensated in any other form.
- 4) Average salary which he spent upon the order of the body which carries out the criminal proceeding during the participation in the criminal proceeding, except the cases when they are reimbursed by their work places, i.e., manufactures, institutions, organizations or employers.
- 5) Expenses on renovating, cleaning, reconstructing and purchasing of the property damaged, spoiled or lost as a result of person's involvement in the investigation or other court proceeding actions upon the order of the body which carries out the criminal proceeding.

Under the same article, state bodies and institutions have the responsibility to maintain the average salary of the aggrieved and his/her legal representative for the entire period, which they spent for participating in the criminal procedure, at the request of the body that conducts criminal proceedings.

The above expenses are compensated based on court decision and application by the aggrieved.

*43. What specific measures are taken to make available the assets of traffickers to provide compensation (for example, effective financial investigations resulting in seizure of assets of perpetrators with the view to their confiscation)?*

**Response:** According to Articles 232 and 233 of the Criminal Procedural Code, in order to secure civic application, possible confiscation, seizure of property, upon investigator's decision, arrest of property is imposed on the property of the suspect and the accused as well as those persons on whom financial responsibility can be put for the actions of the suspect and the accused, regardless who possesses and what property.

On the decision of the investigator, arrest is immediately imposed on any property which directly or indirectly occurred or was received as a result of committing the crime, incomes generated from the use of this property or other types of benefits. In this context, property shall be understood as any kind of material wealth, real estate or movables under civic law, including financial (monetary) means, securities and property rights, documents and other means confirming property rights or interests, interests received from a property, shares or other incomes, as well as related and patent rights.

Furthermore, the arrest on property subject to confiscation is imposed regardless of the circumstance of the property's belonging to or being possessed by the person having committed the crime or any third person.

If there are grounds to assume that the property subject to arrest will not be voluntarily handed, then search can be conducted with an aim of finding that property.

*44. Is there a possibility for victims of THB to claim damages and compensation in the country of destination after their return to the country of origin? Please provide any relevant examples.*

See answer to question 34

**Repatriation and return of victims (Article 16)**

*45. What steps are taken to ensure that the return of victims of THB from your country to another country is carried out preferably voluntarily and in full observance of the duty to ensure their rights, safety and dignity, including the obligation not to return a person to a country where his or her human rights are at risk of being violated (non-refoulement principle)? How is risk assessment carried out when deciding upon return and repatriation of victims of THB? What is the procedure and what are the modalities of co-operation with the authorities of the receiving state?*

**Response:** Prior to organizing the return of victims, the victims' agreement has to be acquired. Then, if necessary, victims' documents are recovered, the family of the victim and/or organizations providing assistance in that country are contacted, in order to guarantee the smooth course of the re-integration. If necessary and upon the victim's consent, contact is established with the relevant Embassies or Consulates in Armenia to make the victim's return as safe as possible and take care of the expenses related with transportation.

*46. Has any victim of trafficking who is a citizen or permanent resident of your country been returned against their will? If yes, what steps, if any, were taken to assist them after their return?*

**Response:** No such cases have been recorded by the Police during the past 5 years.

**Corporate liability (Article 22)**

*47. Have there been any developments in your country's law regarding corporate liability for THB offences? Does corporate liability apply to legal persons involved in THB for the purpose of forced labour or services, including by their sub-contractors throughout the supply chain? Please provide examples of any relevant cases and the sanctions imposed.*

**Response:** According to the legislation of the Republic of Armenia, legal entities are not subject to criminal liability in Armenia. According to Article 23 of the Criminal Code, only a capable physical person who, at the time of committing the crime, has reached the age defined in the Criminal Code (in case of Articles 132,132.2 and 132.3, having reached 16 years old) shall be subject to criminal liability.

According to the Criminal Code of Armenia, subjecting a person to trafficking or exploitation by a group of persons on prior agreement is considered a specific type of the mentioned crime and committing the same act by an organized group is a more dangerous type, thus more severe punishments are intended for committing such acts, including imprisonment for up to 14 years (for child trafficking - up to 15 years).

**Aggravating circumstances (Article 24)**

48. *Have there been any prosecutions and convictions for THB with the aggravating circumstance of involvement of public officials in the exercise of their functions? Please provide any relevant examples.*

**Response:** In the past 5 years in Armenia no charges were made based on point 3, part 2, of Articles 132 and 132.2 of the Criminal Code, i.e. THB or exploitation, which has been committed by using the official position.

**Non-punishment provision (Article 26)**

49. *Is the non-punishment provision incorporated in law and/or prosecution guidelines? If so, please provide the relevant texts. Please give details, including references to case law where relevant, of cases where the non-punishment principle has been applied and the outcome of such cases.*

**Response:** According to the provisions of part 5 of Article 132 of the Criminal Code, a victim to crimes envisaged under Articles 132 and 132.2 of the Criminal Code shall be exempted from liability for committing small and medium gravity crimes, which they committed while being trafficked or under exploitation and were forced to commit these crimes.

The above provision has been applied by the General Investigation Department of the Police in the following cases:

- a) In 2012 the cases involved exempting trafficking victim from criminal liability for committing frauds while being in a state of exploitation; and
- b) In 2013 the case was related with exempting a trafficking victim from criminal liability for committing theft while being in a state of exploitation.

For instance: Under the case ԵՊՂ/0148/01/13, A. Givargizov, at the end of January 2013, involved the exploited by him A. Kirakosyan, M. Baseyan and the minor A. Hovhannisyan, who was living together with them in the same house, in committing theft by stealing gas filler necks by dismantling these from cars parked at the technical service centre located on 46<sup>th</sup> Aresh street, 76, Yerevan, during night time. Considering that victims to crimes envisaged under part 5 of Article 132 as well as Article 132.2 of the Criminal Code are exempted from criminal liability for small and medium gravity crimes committed by them, by being involved in these crimes when they were in a state of trafficking or exploitation and were forced to commit these crimes, the minors involved in the crime were not subjected to criminal liability and punishment.

**Ex parte and ex officio applications (Article 27 in conjunction with Article 1.1.b)**

50. *Does your country's law provide for the possibility of investigating a THB case in your country if the offence was committed on your territory, but the complaint was submitted in the country of residence of a foreign victim of THB? Please provide any relevant examples.*

**Response:** According to the Armenian Legislation provision of legal assistance to other countries, implementation of the received enquiries and investigative requests and other similar issues are regulated by multilateral and bilateral agreements and international legislation.

According to part 1 of Article 14 of the Criminal Code, a person having committed crime on the territory of the Republic of Armenia shall be subjected to criminal liability in line with the Criminal Code of the Republic of Armenia.

According to part 2 of the same Article, crimes which

- 1) Started, continued and completed in the territory of the Republic of Armenia;
- 2) Were committed in complicity with persons who engaged in criminal activities in another state;

shall be considered as crimes committed on the territory of the Republic of Armenia.

In cases when the proceedings reveal that some of the aggrieved are on the territory of another state, based on relevant instructions, their interrogation and other investigative activities were implemented in their country of residence and the compiled protocols were presented to Armenia, for the body conducting case proceedings, to attach it to the filed criminal case. One such example is the case of exploitation by the citizens of the Russian Federation (henceforth - RF) V.K. and E.K of 24 RF citizens in Armenia. Since some of the aggrieved were in the RF during pre-investigation, investigative activities concerning them were conducted by cooperating with the relevant bodies in the RD.

*51. Please describe the measures taken in your country to ensure compliance with the obligation of effective investigation into THB cases, in particular as regards:*

- a. setting up specialised investigation units and the number of staff involved;*
- b. exchange of information with, and obtaining evidence from, other parties;*
- c. use of special investigative techniques (such as informants, cover agents, wire-tapping, controlled deliveries), with an indication of how their use is regulated and whether they can also be applied in cases not related to organised crime;*
- d. investigation of THB offences committed through the Internet, including the possibility of blocking websites which are used to facilitate the recruitment of trafficking victims or the dissemination of child pornography;*
- e. financial investigations to disrupt criminal money flows and ensure asset recovery;*
- f. use of joint investigation teams (JITs).*

**Response:** A specialized anti-trafficking department was established within the General Department for Organized Crime (GDOC) of the Police of Armenia in 2005, which coordinates and organizes the activities implemented by the Police and other divisions in this area.

With an aim of improving effectiveness of the cooperation with territorial bodies of the Police, Decree No. 890-U, dated 22.03.2013, by the Chief of Police was approved, according to which the implementation of activities aimed at the pre-prevention, prevention and disclosure of crimes envisaged under Articles 132, 132.2, 132.3, 166, 168, 261, 262 and 263 of the Criminal Code was instructed to one experienced officer from a criminal investigation sub-division from territorial bodies, as a key function. In addition to this, when receiving data concerning cases related to the mentioned crimes, persons involved in or related to these crimes, trafficking victims, persons engaging in prostitution abroad, as well as children who work in conditions damaging their health, security and morality, as well as in other unfavourable conditions and during night hours, and those engaged in prostitution, the Police territorial subdivisions, prior to informing about this in written form, must immediately inform the GDOC and implement all further activities with this regard, as well as referral of the detected trafficking victims and persons who are in danger of becoming subjected to trafficking or exploitation to the relevant rehabilitation centres exclusively through the GDOC.

The disclosure of crimes committed on internet, as well as the monitoring of internet is conducted by the Desk for fighting crimes committed in the area of high technologies functioning within the GDOC of Police, which is closely cooperating with the Anti-Trafficking Desk.

The afore-mentioned Desks, as well as other Police divisions use and implement in their daily work all measures and activities vested to the Police by the Law "On Operative-Investigative Activities", in their full scope.

Cases of trafficking and exploitation are investigated in the Investigative Committee in a centralized manner, in the General Department for Particularly Important Cases, by seven specialized investigators.

According to Article 55 of the Criminal Procedure Code, when investigating criminal cases, including investigation of THB and exploitation, the investigator is authorized to request both from state and local-self-government bodies and private organizations, documents and materials which can contain data about a case and persons related to it. In particular, according to part 4 of Article

55 of the Criminal Procedure Code, an investigator is authorized to provide written instructions on the implementation of operative-investigative activities, that are mandatory for implementation, to the investigation body (Republic of Armenia Police, National Security Service, etc.) dealing with the materials and criminal case prepared by him/her; to receive information from the above-mentioned bodies on the implementation of operative-investigation activities, as well as disclosure of crimes, missing persons and activities towards finding of lost property.

Based on the investigator's instruction, with the Decree of the Head of relevant operative-investigatory body (Police, Military Police, National Security Service, relevant departments in tax and customs agencies and penitentiary service), respective activities are being carried out, as per procedure defined in the Law "On Operative-Investigatory Activities".

Article 14 of the Law "On Operative-Investigatory Activities" defines the types of operative-investigating activities, according to which these are as follows: operative enquiry, obtaining operative information, collecting samples for comparative studies, control procurement, controllable supply and procurement, examination of objects and documents, external examination, internal examination, person's identification, examination of buildings, structures, locations, constructions and transport means, correspondence, oversight of correspondence, correspondence by post, telegraphic and other transmissions, surveillance of telephone conversations, operative investment, operative crime re-enactment, ensuring access to financial data and covert surveillance of financial transactions, imitation of receiving or giving bribe.

According to the same law, the list of special technical means used during operative-investigation activities is approved by the Republic of Armenia Government. At the same time, the law defines a clear condition that the special technical means used during operative-investigation activities should not harm human life and health, as well as the environment.

Besides, the Criminal Procedure Code authorizes the investigator to apply to court, for imposing arrest on correspondence, postal, telegraphic and other transmissions, surveillance of phone conversations, searching the apartment and upon receiving the relevant decision of the court, the investigator instructs its implementation to the relevant investigation body.

*52. Have you had any cases or suspected cases of THB for the purpose of the removal of organs? How did investigations take place in such cases and what special investigation techniques were used?*

**Answer.** As a result of activities undertaken by the Police in 2012, it was found out that from November 2011 to March 2012, Armenian citizen "H", recruited several citizens of the Republic of Armenia in Armenia by using their vulnerability, and transported them to Sri Lanka, where they were one of them had a kidney removed for further transplantation. "H" received 2000 USD for each recruited person from his/her accomplices in Israel. During the pre-investigation of the criminal case 6 persons were detected and recognized as aggrieved and "H" was recognized guilty by court in accordance with Article 132 of the Criminal Code (Human trafficking or exploitation) and was imprisoned for the term of 8 years.

***Protection of victims, witnesses and collaborators with the judicial authorities (Article 28)***

*53. What measures are taken to protect victims, witnesses and NGOs assisting victims during criminal proceedings from potential retaliation or intimidation during the investigation and during and after the criminal proceedings? In how many cases have special protection measures been used in respect of victims and witnesses of THB? Please specify any difficulties in providing victim/witness protection and creating a safe environment for their participation in investigations and court proceedings.*

**Response:** The officers from the Police GDOC, at the request of non-governmental organizations dealing with the issues of trafficking victims, have repeatedly participated in the process of the protection of trafficking victims and the afore-said organisations, mainly with regard to the interrogation of trafficking victims during court hearing.

According to Article 27 of the Law “On Identification and Support to Persons Subjected to Trafficking in Human Beings and Exploitation” (Provision of the protection):

**“Article 27. Provision of the protection**

1. Potential victims, victims and victims of special category, and their legal representatives may be provided with additional security in cases when available information and circumstances directly make the necessity of such protection obvious.
2. Protection of potential victims, victims and victims of special category shall be ensured by the Police of the Republic of Armenia, based on a substantiated motion of the competent body. Actions provided for by this Law which are taken with persons under protection shall be agreed upon with the Police of the Republic of Armenia.
3. For purposes of protection the competent body shall, in the manner defined by law, take necessary measures in order to immediately transfer a victim of special category or a potential victim of special category to a safe environment and to decide on the issue of custody or a trusteeship, if there are reasonable doubts that:
  - (1) the legal representative of a victim of special category or of a potential victim of special category has in some way taken part in the trafficking in human beings or exploitation against him or her;
  - (2) the legal representative may take actions endangering the life or health of the victim of special category or those of a potential victim of special category;
  - (3) the representative may negatively affect or hamper the assistance and rehabilitation process.
4. The manner of providing protection to potential victims, victims and victims of special category, and their legal representatives shall be defined by the decision of the Government of the Republic of Armenia.
5. Protection of potential victims, victims and victims of special category who participate in criminal proceedings shall be carried out in a general manner prescribed by law”.

Chapter 12 of the Criminal Procedure Code regulates the protection of persons participating in the criminal trial. Namely:

**“Article 98: Protection of persons participating in criminal trial**

1. Every person participating in criminal trial, who can impart data that may be significant for disclosing the crime and the one who committed it, which may endanger his/her life, health, property, rights and legal interests or those of his/her family member, close relatives or next-to-kin, has a right for protection.  
In this Chapter “next-to-kin” shall be understood as the person for whose protection the person participating in criminal trial has submitted a written request to the body conducting criminal proceedings.
2. The protection of the person participating in the criminal trial, as well as that of his/her family member, close relative or next-to-kin (in this Chapter hereinafter – the protected person) is carried out by the body conducting criminal proceedings.
3. The body conducting criminal proceedings, upon finding out that the protected person has a need for protection, based on the application of that person or at its own initiative makes a decision to undertake means of protection, which is subject to immediate implementation.
4. The protected person’s application on undertaking protection means is urgently discussed by the body conducting criminal proceedings but not later than within 24 hours following its receipt. The requester is immediately informed about the decision made and a copy of relevant decision is sent to him/her.
5. If the body conducting criminal proceedings has made a decision to reject the request for undertaking protection means, then the person who submitted the request has the right to appeal that decision within 5 days following the receipt of the decision’s copy, in line with appeals procedures set forth in this Code.
6. Receiving rejection of undertaking protection means is not a ban for the protected person to submit new request if they have been subjected to threats or attack or new circumstances occurred which were not mentioned in the previous request.

7. For the protection of arrested, detained or imprisoned persons, the Head of centres for arrested or detailed persons, or of the corrective institution respectively, can apply to the body conducting criminal proceedings, on their own initiative or based on the application of that person.

### **Article 98. 1 Means of protection**

The means of protection are:

- 1) Sending an official admonition to the person, from whom violence danger and commitment of other crime is expected towards the protected person;
- 2) Protection of the identification data of the proceed person;
- 3) Ensuring the protected person's security, protection of his/her apartment and other property;
- 4) Providing means of personal protection to the protected person and informing about any danger;
- 5) Using technical means of surveillance and secret surveillance of telephone conversations and other transmissions.
- 6) Ensuring safety of the protected person when appearing at the body conducting criminal proceedings;
- 7) Selection of a precautionary measure against the suspected or the accused which would exclude the possibility of exhorting violence or other crime by them towards the protected person;
- 8) Transferring the protected persons to another place of residence;
- 9) Replacement of the identification documents of the protected person or changing the external look;
- 10) Changing the places of work, service or education of the protected person;
- 11) Asking specific persons out of the court room or holding a close-door court session;
- 12) Interrogating the protected person in the court room without publishing their identification data.

If necessary several protections means can be applied at a time.

The order and terms of implementing protection means is defined by the legislation of the Republic of Armenia.

The protection of persons subject to protection can be implemented also in the territory of foreign states, in line with the procedures defined in the international agreements of the Republic of Armenia.

### **Article 98.2. Admonition about possibility for subjecting to criminal liability**

In cases when facts are available that the life or health of the protected person is endangered but which are not sufficient for filing criminal prosecution against the person from whom violence or danger for committing violence is expected, that person shall be warned by the body conducting criminal proceedings about probability of becoming subject to criminal liability. The admonition is submitted without taking signature.

### **Article 98.3 Protection of the identification data of the protected person**

The protection of the identification data of the protected person shall be performed:

1) By putting limitations on the use of identification data in the criminal case materials and other documents or devices containing information, as well as in the protocols of the investigative activities or court sessions replacing the person's name, surname, father's name with pseudonyms in the criminal case's protocol data, on the decision of the body conducting criminal proceedings.

The decision of the body conducting criminal proceedings concerning data limitation and the related materials shall be kept separate from other materials of the criminal case and kept with the body conducting criminal proceedings.

The decision kept separately from the main proceedings as well as related materials are available only to court and the body conducting criminal proceedings and other trial participants can familiarize with it only on the permission of the body conducting criminal proceedings, if this is necessary for implementing the protection of the suspected or the accused or for finding out any significant circumstances for the examination of the criminal case.

2) By imposing temporary ban on providing information about the protected person.

### **Article 98.4: Ensuring personal safety, protection of apartment and other property**

The body conducting criminal proceeding, by cooperating with other bodies, implements the personal protection of the protected person, as well as of this/her apartment and property.

3. The apartment or property of the protected person are equipped with fire or technical alarms systems, the home phone numbers, personal phone numbers or the state serial numbers of transport mean(s) belonging to him/her are changed.

**Article 98.5 Provision of personal protection means and informing about danger**

In order to ensure security of the protected person, he or she shall be provided with individual protection means, as well as be informed about imminent danger.

**Article 98.6 Use of technical means of surveillance, or surveillance of telephone conversation and other transmissions**

The body conducting criminal proceedings, based on the written request of the protected person or on his/her written consent and as per the order defined in this Code conducts surveillance of telephone or other conversations' secret surveillance. The telephone conversations under surveillance might be recorded.

**Article 98.7: Ensuring the safety of the protected persons when appearing at the body conducting criminal proceedings**

If necessary, the safety of the transportation of the protected person when appearing at the body conducting criminal proceedings based on the latter's subpoena shall be ensured by the body conducting criminal proceedings.

**Article 98.8. Selection of precautionary measures against the suspected or the accused**

The body conducting criminal proceedings, as per the order defined by law, selects a precautionary measure against the suspected or the accused, which would exclude the possibility of committing violence or other crime, on which a justified decision is taken. The protected person shall be informed about the decision made.

**Article 98.9 Transfer to another place of residence**

1. The protected person shall be temporarily or permanently transferred to another place of residence.
2. The transfer to another place of residence is made based on the protected person's written consent, if there is such a situation that the personal security of the protected person cannot be ensured with the use of other means.

**Article 98.10 Replacement of the identification documents or changing the looks of the protected person**

1. If necessary, the identification documents of the protected person as well as his/her looks can be changed.
2. The replacement of documents, changing one's looks, including plastic surgery, shall be made based on the protected person's written consent, if there is such a situation when the personal security of the protected person cannot be ensured through the use of other means.

**Article 98.11: Changing the place of work, service or education**

1. If for the purposes of eliminating the danger for the protected person's security it is necessary for that person to leave his/her place of work, service or education, the body conducting criminal proceedings, with the mediation or agreement of that person, shall help them find a new job or education place.
2. The period of the protected person's compulsory inactivity shall be included under his/her work experience and compensation shall be paid for this period, which cannot be lower than the salary paid for the previous employment or service. In case the salary is lower in the new place of work or service, the difference of salaries shall be compensated as per the order defined in the Republic of Armenia legislation.
3. When arranging the protected person's transfer to another place of education, the conditions in the previous education place should be taken into account.

**Article 98.12: Removing specific persons from the court-room and holding close-door court sessions**

1. For the safety of the protected person, the Chairperson of the court session is authorized to remove specific persons out of the court room.
2. In order to ensure security of the protected person, the Chairperson of the session then proceeds with a close-door session, on which justified decision is made.

**Article 98.13: Interrogation of the protected person by court**

1. The interrogation of the protected person by court without the publication of his/her identification data, can be conducted with the use of pseudonyms. The interrogation of the protected person can be conducted after sending the accused and the representatives of his protection out of the court room.
2. When necessary, the interrogation of the protected person can be conducted in such conditions, which exclude the recognition of the person's identity. For such purposes a mask, make-up, equipment which changes the voice of the protected person and other means not contradicting the law can be used.
3. The interrogation of the protected person, without his/her visibility to other trial participants, can be also conducted with the use of audio-visual and other technical means (cover, protecting screen, film), with the participation of limited number of trial participants, by informing about the maintenance of secrecy.
4. In exclusive cases the court may exempt the protected person from responsibility to participate in court session, in case of availability of his/her written evidence provided previously.
5. If necessary, the Chair of the court session can prohibit the audio and video recording of the interrogation during trial.

**Article 99: The rights and responsibilities of the protected person**

1. The protected person shall have the right;
  - 1) Submit mediation for undertaking additional protection means or terminating these;
  - 2) Know about protection mean or means towards him/her, their types, implementation, terms and termination;
  - 3) Appeal in court the decisions, actions or non-action of the body conducting criminal proceedings, as well as its officials;
  - 4) Refuse receiving protection means.
2. The protected person must;
  - 1) Implement the legal demands of officials in the body conducting criminal proceedings;
  - 2) Inform the body conducting criminal proceedings immediately about any danger or illegal activity threatening to him/her, any change in his/her personal life or activity related with the protection of the protected person.
  - 3) Avoid any activity which can hamper the effective application of protection means;
  - 4) Protect the property and documents handed over to him/her by the body conducting criminal proceedings for temporary use;
3. After taking decision on undertaking protection means, the body conducting criminal proceedings must immediately explain the protected person about their rights and responsibilities, as well as support the protected person in the implementation of these rights and responsibilities.

**Article 99.1: Grounds and order for terminating protection means**

1. Implementation of protection means can be terminated if the protected person:
  - 1) Has presented written request about it;
  - 2) Has provided false evidence, which has been confirmed by a court verdict, having entered into legal force;
  - 3) Has not implemented his/her responsibilities envisaged under part 2 of Article 99 of this Code;
  - 4) No longer has need for protection because the danger threatening his/her life or security had been eliminated;
  - 5) Has passed away;
2. Termination of implementing protection means is made based on the decision of a body conducting criminal proceedings, and a copy of that decision shall be sent in a three day period to the protected person, who can appeal it in court".

*54. What other measures are taken to promote the participation of victims and witnesses in criminal proceedings and to give testimonies which accurately reflect their experiences and assist courts in establishing the truth? Can a victim of THB be assisted by a social worker, psychologist and/or NGO representative during the investigation and court hearings?*

**Response:** According to the Law "On Identification and Support to Persons Subjected to Trafficking in Human Beings and Exploitation" (as well as provisions of the "Procedure for the National Referral of persons subjected to exploitation (trafficking), approved by the Government Decree No. 1385-U, from 20 November 2008), the potential victims, victims and special category victims of trafficking or exploitation can receive relevant assistance and protection, at any stage of the case.

Besides, according to the provisions of the Law “On Identification and Support to Persons Subjected to Trafficking in Human Beings and Exploitation”, the assistance provided to and protection of the potential victims, victims and special category victims of trafficking or exploitation is not conditioned with their cooperation with the law-enforcement.

***Jurisdiction (Article 31)***

55. Please outline the measures taken by your country to establish and exercise jurisdiction over the offences set out in the Convention, in particular with regard to offences committed outside the jurisdiction of the state (including in cases where your national is a victim of THB committed abroad).

**Response:** The effect of the Criminal Code outside the territory of the state is regulated by the following Articles of the Criminal Code:

**Article 14. The effect of the criminal law with regard to persons who committed crime in the territory of the Republic of Armenia.**

1. The person who committed a crime in the territory of the Republic of Armenia is subject to liability under the Criminal Code of the Republic of Armenia.
2. The crime is considered committed in the territory of the Republic of Armenia when:
  - 1) it started, continued or finished in the territory of the Republic of Armenia;
  - 2) it was committed in complicity with the persons who committed crimes in other countries.
3. In case of crimes committed in the territory of the Republic of Armenia and other states, the person’s liability arises under the Criminal Code of the Republic of Armenia, if the person was subjected to criminal liability in the territory of the Republic of Armenia and unless an international treaty of the Republic of Armenia prescribes otherwise.
4. The person who committed a crime on board of a ship or flying aircraft bearing the flag or the identification of the Republic of Armenia is subject to criminal liability, regardless of their whereabouts, under the Criminal Code of the Republic of Armenia, unless otherwise stipulated in an international treaty of the Republic of Armenia. Also subject to liability under the Criminal Code of the Republic of Armenia, is the person who committed a crime on board of a military ship or aircraft of the Republic of Armenia, regardless of their location
5. The issue of the criminal liability of foreign diplomatic representatives and other persons enjoying diplomatic immunity, in the case of committal of crime by the latter in the territory of the Republic of Armenia, is resolved in accordance with the norms of international law.

**Article 15. Effect of criminal law with regard to persons who committed crimes outside the territory of the Republic of Armenia.**

1. The citizens of the Republic of Armenia who committed crime outside the territory of the Republic of Armenia, as well as stateless persons permanently residing in the Republic of Armenia, are subject to criminal liability under the Criminal Code of the Republic of Armenia, if the act committed by them is recognized as a crime in the legislation of the state where the crime was committed, and if they were not convicted in another state. When convicting the above mentioned persons, the punishment cannot exceed the upper limit for punishment in the state where the crime was committed.
2. The citizens of the Republic of Armenia who committed crime outside the territory of the Republic of Armenia, as well as stateless persons permanently residing in the Republic of Armenia, are subject to criminal liability under Articles 190, 200, 201, 311-313, 384, 386-391, 393-397 of this Criminal Code, regardless whether the act is considered or not considered a crime in the state where the crime was committed.
3. Foreign citizens and stateless persons not permanently residing in the Republic of Armenia, who committed a crime outside the territory of the Republic of Armenia, are subject to criminal liability under the Criminal Code of the Republic of Armenia, if they committed:
  - 1) such crimes which are provided in an international treaty of the Republic of Armenia;
  - 2) such grave and particularly grave crimes which are directed against the interests of the Republic of Armenia or the rights and freedoms of the RA citizens.
4. The rules established in part 3 of this Article are applicable if the foreign citizens and stateless persons not permanently residing in the Republic of Armenia, have not been convicted for this

crime in another state and are subjected to criminal liability in the territory of the Republic of Armenia.

**Article 16. Extradition of persons who committed a crime.**

1. The citizens of the Republic of Armenia who committed a crime in another state are not extradited to that state, with the exception of the cases envisaged in the international agreements ratified by the Republic of Armenia.
2. In accordance with an international treaty of the Republic of Armenia, the foreign citizens and the stateless persons who committed a crime outside the territory of the Republic of Armenia and who find themselves in the Republic of Armenia, can be extradited to a foreign state, for criminal liability or to serve the punishment.
3. The persons specified in part 2 of this Article are not extradited to foreign states if there are serious reasons to believe that the extradition was demanded for their prosecution and punishment for belonging to racial, religious, national, certain social groups and holding certain political views.  
No one should be extradited to a foreign state, where there is serious danger that that person might be subjected to torture or other inhuman and humiliating attitude or punishment.
4. If the legislation of the country seeking extradition of persons who committed a crime envisages death penalty for the given crime, then the extradition of persons who committed a crime can be turned down, unless the party seeking extradition presents satisfying assurances to this country that the death penalty will not be executed.
5. In case of refusal to extradite the person who committed a crime, the prosecution for the crime committed in the territory of a foreign country is done in accordance with the legislation of the Republic of Armenia.

**Article 17. Legal significance of a person's conviction outside the RA**

1. The court ruling in a foreign country can be taken into account, provided the RA citizen, foreign citizen or a stateless person was convicted for a crime committed outside the RA, and committed a repeated crime in the RA.
2. In accordance with part 1 of this article, recidivism, unserved punishment or other legal consequences of a foreign court ruling are taken into account when qualifying the new crime, assigning punishment, and exempting from criminal liability or punishment.

According to part 1 of Article 14 of the Criminal Code, a person having committed crime on the territory of the Republic of Armenia is subject to liability on the basis of the Criminal Code of Armenia. According to point 1 of part 2 of the same article, a crime is considered to have been committed in the territory of the Republic of Armenia when the crime was started, continued or finished in the territory of the Republic of Armenia. Since trafficking in human beings or exploitation consist of several actions proceeding each other – recruitment, transportation, transfer, hiding, receiving, exploitation, putting or keeping in a state of exploitation, then if one of these actions are committed on the territory of the Republic of Armenia, that person shall be brought to liability on the basis of the Criminal Code.

***International co-operation (Article 32)***

*56. Please provide examples of international co-operation initiatives with other states in preventing and combating THB, as well as an assessment of the impact of such initiatives, including any difficulties you have experienced in this area. Please also indicate any bilateral or multilateral agreements concluded by your country concerning mutual legal assistance and how such assistance is provided in the absence of an agreement.*

**Response:** The international cooperation towards fighting trafficking in human beings or exploitation is implemented mainly based on the following international documents or within the framework of the Interpol:

- “European Charter on Transfer of Proceedings in Criminal Matters” (entered into force on 18.03.2005);
- “Second Additional Protocol to the European Convention on Mutual Assistance in Criminal Matters” (entered into force on 01.04.2011);

- CIS Participating States “Convention on Legal Assistance and Legal Relations in Civil, Family and Criminal Matters” (entered into force on 21.12.1994);
- Memorandum of Understanding “On cooperation in fighting exploitation (trafficking) of human beings, between the Council on the issues of exploitation (trafficking) of human beings in the Republic of Armenia and the National Committee on fighting exploitation (trafficking) in human beings of the United Arab Emirates” (signed in 05.12.2009);
- “Agreement between the Government of the Republic of Armenia and Syrian Arab Republic on mutual legal assistance in criminal matters” Treaty (signed on 25.10.2010);
- Agreement “On Legal Assistance in Civil, Family and Criminal Matters between the Republic of Armenia and Republic of Greece” (signed on 21.07.2012);
- Treaty “On legal assistance between the Republic of Armenia and Republic of Bulgaria in criminal matters”;
- Treaty “On legal assistance between the Republic of Armenia and Georgia in criminal matters”.

In the last years, the mutual cooperation in the area of trafficking and exploitation has been more actively implemented with Turkey, United Arab Emirates (UAE) and the National Central Bureau (NCB) of the Belgian Interpol. The Security Attaché of the French Embassy in Armenia, the representative of Interpol's General Secretariat, staff of the Embassy of Argentina in Armenia, have visited the NCB of Interpol in Armenia, discussing activities aimed at increasing the effectiveness of activities towards fighting exploitation and trafficking in human beings. Through the NCB of Interpol, relevant enquiries and information have been sent to the law enforcement agencies of Turkey, UAE and China, concerning the cases of THB and exploitation, as well as persons who are internationally declared as "wanted" on charges for committing the above crimes. Several enquiries and investigative requests were sent to the relevant central and territorial divisions of the Ministry of Internal Affairs of the Russian Federation, within the framework of the materials under preparation and criminal cases investigated in connection with subjecting Armenian citizens to exploitation in the Russian Federation. As a result of the mentioned cooperation, since 2010 till today, two persons that were declared wanted were detected in the UAE and one person – in Turkey. At the same time, in the result of activities undertaken by the officers of the Ministry of Internal Affairs of the RF, two persons who were potentially subjected to work exploitation, were successfully returned to Armenia.

One criminal case has been translated into Turkish and another into Russian in 2010-2012, and were sent to the law-enforcement bodies in Turkey and RF respectively, to conduct investigation and bring the perpetrator to liability.

***Measures related to endangered or missing persons (Article 33)***

*57. What measures are envisaged in your country to transmit information to another party concerning a victim, witness or collaborator with the judicial authorities in a THB case, who your authorities believe is in immediate danger on the territory of another party? What protection measures are envisaged for such persons, should another party to the Convention inform you about their presence on your territory? Please provide examples from practice.*

*and*

*58. Has an early warning system for missing children been introduced in your country and is the harmonised European telephone number for missing children available? What other measures are there for early signalling to other countries about endangered and/or missing children? Has your country concluded any agreements or taken any other measures to reinforce co-operation with other countries in the search for missing people, in particular children, where your authorities have reasonable grounds to believe that missing children may be victims of trafficking or are at risk of becoming victims of trafficking?*

**Response:** Citizens can call a police phone number "1-02", 24 hours a day concerning missing minors in the territory of the Republic of Armenia, as well as the free phone number of the hotline in the child assistance centre of the Fund for Armenian Relief.

The return of minors missing or found on the territory of other CIS countries is regulated with the Agreement ratified among CIS Member Countries in 2002.

**Co-operation with civil society (Article 35)**

59. *What steps are taken by your country to encourage state authorities and public officials to cooperate with NGOs and other civil society organisations, including trade unions, so as to involve them in the elaboration and implementation of anti-trafficking policies, programmes and other initiatives to prevent THB? Please provide information on any memoranda of understanding or other agreements concluded between public bodies and NGOs in this field.*

**Response:** Specific encouraging steps are not envisaged but the cooperation is mutually beneficial, for ensuring higher efficiency of activities. However, the fact that each and every civil society organisation that is involved in the fight against human trafficking is a member of the IAWG CTHB, and as a result is fully integrated in all the decision-making and evaluating processes, speaks for itself. The effectiveness of such approach has been confirmed by all the players in this field, as well as by international organisations.

Availability of a Memorandum of Understanding, according to the National Referral Procedure for persons subjected to exploitation (trafficking) is mandatory, but this provision actually almost does not work in the reality. In the field of trafficking, the Ministry cooperates with various organizations, but it has Memoranda of Understanding with only two organizations - the UMCOR and "People in Need". Besides, every year the Ministry signs an Agreement with UMCOR, on providing subsidies for the implementation of the project "Social-psychological services to trafficking victims".

**Relationship with other international instruments (Article 40)**

60. *Please indicate any agreements concluded by your country in accordance with Article 40.2 of the Convention.*

**Response:** In the reporting period no new Agreements have been concluded.

61. *Please provide details of cases where victims or possible victims of THB have been granted refugee status or subsidiary/complementary protection.*

**Response:** As of today, no cases has been recorded in the Republic of Armenia, where people who applied for receiving refugee status, would be trafficking victim or potential trafficking victim.

The Armenian legislation does not envisage complementary protection in Armenia.

**D. Final questions**

62. *Which bodies and organisations contributed to responding to this questionnaire?*

**Answer.** Replies to this questionnaire were prepared based on responses from: Republic of Armenia Ministries of Labour and Social Issues, Territorial Administration and Emergency Situations, Education and Science, Economy, Defence, Diaspora, Sports and Youth Issues, Justice, as well as Police, National Security Service, General Prosecutor's Office and the Investigative Committee. In addition, responses provided by IOM Mission to Armenia, "Armenian Caritas", "UMCOR", "Hope and Help", "Audio-visual Journalists' Association" NGOs were taken into consideration.

63. *Who was responsible for co-ordinating and collecting the replies to this questionnaire?*

**Response:** The replies to the questionnaire were collected and the responses have been coordinated by the Secretary of the IAWG CTHB. As such, the Human Rights and Humanitarian Issues Division of the Department of International Organisations of the Ministry of Foreign Affairs of the Republic of Armenia, serves as the Secretariat of the IAWG.

## **E. Statistics on THB (per year, starting with 2010)**

*Number of victims identified in the sense of having been recognised by a state institution or mandated NGO as deserving any of the rights or entitlements to services provided for by the Convention (with breakdown by sex, age, nationality, form of exploitation, internal or transnational trafficking, and body which identified them).*

*Number of presumed victims whom the competent authorities had “reasonable grounds” to believe were victims of THB (with breakdown by sex, age, nationality, form of exploitation, internal or transnational trafficking, and body which identified them). Please clarify whether this number includes victims who were formally identified or is an additional number.*

*Number of victims granted a recovery and reflection period (if possible, disaggregated by sex, age, nationality, form of exploitation).*

*Number of victims who received assistance (if possible, disaggregated by sex, age, nationality, form of exploitation, internal or transnational trafficking).*

*Number of victims who were granted a residence permit, with an indication of the type of the permit and its duration (if possible, disaggregated by sex, age, nationality, form of exploitation).*

*Number of victims given refugee status and subsidiary/complementary protection.  
Number of victims who claimed compensation and who received compensation (if possible, disaggregated by sex, age, nationality, form of exploitation), with an indication of whether the compensation was provided by the perpetrator or the state, and the amount awarded.*

*Number of victims repatriated to your country (if possible, disaggregated by sex, age, country of destination, form of exploitation).*

*Number of victims repatriated from your country to another country (if possible, disaggregated by sex, age, nationality, form of exploitation).*

*Number of investigations into THB cases.*

*Number of prosecutions of THB cases.*

*Number of convictions for THB resulting in penalties involving deprivation of liberty, with an indication of the duration of the penalty and whether effectively enforced or suspended.*

*Number of judgments resulting in the confiscation of assets.*

*Number of judgments resulting in the closure of a business or an establishment which was being used to carry out THB.*

*Number of convictions for the use of services of a victim of THB.*

### Statistics RA Police Victims of THB

	2010			2011			2012			2013			2014		
General	19			13			14			19			13		
Form of exploitation	women	men	children												
Prostitution or other sexual exploitation	16	-	3	7	-	4	6	-	1	8	-	4	11	-	-
Forced labour or services	-	-	-	-	-	2	-	-	1	-	-	7	-	1	1
Removal of organs	-	-	-	-	-	-	3	3	-	-	-	-	-	-	-
Other	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-

### Countries of origin of THB

	2010	2011	2012	2013	2014
Armenia	19	13	14	19	9
China	-	-	-	-	4

During 2010-2014, among 78 trafficking victims who were detected and recognized as aggrieved within the framework of criminal cases on which proceedings were conducted, 37 persons provided their agreement for receiving further assistance and were referred to “UMCOR Armenia” and “Hope and Help” non-governmental organization; and 7 juvenile victims were accommodated at the child assistance centres of the “Fund for Armenian Relief” and “Zatik”. Besides, 22 persons having appeared in trafficking danger were also referred to the above-mentioned organizations.

### Criminal Cases on THB or Exploitation

Year	Proceedings	Filed in the mentioned year	The accused	Declared wanted/disclosed	Country of origin	Country of destination	Form of exploitation
2010	15	11	15	1/4	RA	RA	Prostitution /5 cases/
					RA	Turkey	Prostitution /2 cases/
					RA	UAE	Prostitution/4 cases/
2011	14	5	13	4/5	RA	Turkey	Prostitution /1 case/
					RA	RA	Prostitution/2 cases/
					RA	RF	Labour /2 cases/
2012	21	15	12	4/7	RA	Turkey	Prostitution/3 cases/
					RA	RA	Prostitution /8 cases/
					RA	RA	Begging /1 case/
					RA	RF	Labour /2 cases/
2013	16	11	10	2/0	RA	Sri Lanka	Organ removal /1 case/
					RA	UAE	Prostitution/3 cases/
					RA	RA	Prostitution /4 cases/
					RA	RA	Begging /3 cases/
2014	14	10	9	2/2	RA	Germany	Organ removal /1 case/
					RA	UAE	Prostitution /1 case/
					RA	Turkey	Prostitution /2 cases/
					RA	RA	Prostitution /1 case/
					China	RA	Prostitution /1 case/
					Thailand	RA	Prostitution /1 case/
					RA	RA	Begging /1 case/
					RA	RF	Labour /2 cases/
Total	-	52	59	13/18 18 persons are currently declared wanted	RA	RA	Labour /1 case/
					RA	RA	Prostitution/20 cases/
					Other country	RA	Begging and labour /6 cases/
					RA	UAE	Prostitution /8 cases/
					RA	Turkey	Prostitution /8 cases/
					RA	RF	Labour /6 cases/
					RA	Sri Lanka / Germany	Organ removal /2 cases/

**UMCOR NGO****Trafficking victims having received assistance**

	2010			2011			2012			2013			2014		
<b>General</b>	13			6			6			11			15		
<b>Form of exploitation</b>	women	men	children												
Sexual	10	-	1	5	-	-	4	-	1	5	-	1	-	-	4
Labour	2	-	-	-	-	-	-	-	-	3	-	-	6	-	2
Begging	-	-	-	1	-	-	-	-	1	1	-	1	1	-	2
<b>Trafficking forms</b>															
Internal	7	-	1	5	-	-	1	-	2	5	-	1	3	-	7
Transnational	5	-	-	1	-	-	3	-	-	4	-	-	4	-	1
<b>Identifying agency</b>															
Police	11	-	1	4	-	-	3	-	2	8	-	1	6	-	7
UMCOR	1	-	-	1	-	-	1	-	-	1	-	1	-	-	-
IOM													1		
Social worker in Yerevan Municipality															1

**Countries of origin of THB victims**

	2010	2011	2012	2013	2014
Armenia	11	6	6	9	9
China	-	-	-	-	4
Ukraine	2	-	-	2	
Thailand	-	-	-	-	1

**Hope and Help NGO****Trafficking victims having received assistance**

	2010			2011			2012			2013			2014		
<b>General</b>	5			3			7			9			5		
<b>Form of exploitation</b>	women	men	children												
Sexual	5			3			2			5					
Labour							2	3					1	2	
Begging												3			2
Organ removal											1				
<b>Trafficking forms</b>															
Internal	2			1								3			2
Transnational	3			2			4	3		5	1		1	2	
<b>Identifying body</b>															
Police	5			2						4	1	3	1	2	2
Hope and help				1			4	3		1					

## **General Prosecutor's Office of the Republic of Armenia**

12 persons were convicted during 2011, on 8 criminal cases on trafficking. They are as follows:

1. On the verdict dated 03.10.2011 of the First Instance Court of Kentron and Nork Marash Administrative District in Yerevan, Elena Kalyakina was recognized guilty on points 1 and 2 of part 1 of Article 132 of the RA Criminal Code and sentenced to imprisonment for a 9 year term. On point 1, part 3 of Article 190 of the Criminal Code of the RA, she was recognized innocent and justified by court, on the basis of the absence of *corpus delicti*. Vera Kalyakina was recognized guilty on points 1 and 2 of part 1 of Article 132 of the RA Criminal Code and sentenced to imprisonment for a 7 year term. On point 1, part 3 of Article 190 of the RA Criminal Code, she was found innocent and justified by court, on the basis of the absence of *corpus delicti*.

2. On the verdict dated 07.06.2011 of the First Instance Court of Malatia-Sebastia Administrative District in Yerevan, Angin Sahakyan was recognized guilty on part 1 of Article 262 and point 2 of part 2 of Article 132 of the RA Criminal Code. On part 1 of Article 262 of the RA Criminal Code she was sentenced to a 1 year imprisonment and on point 2 of part 2 of Article 132 of the RA Criminal Code – to a 7 year imprisonment. Based on Article 66 of the RA Criminal Code, she was finally sentenced to an 8 year imprisonment.

Armen Vardanyan was found guilty on part 1 of Article 38-262 of the RA Criminal Code and point 2 of part 2 of Article 132 of the RA Criminal Code. On part 1 of Article 38-262 of the RA CC he was sentenced to a 1 year imprisonment and on point 2 of part 2 of Article 132 – to a 7 year and six months imprisonment. Based on Article 66 of the RA Criminal Code, he was finally sentenced to an 8 years and six months imprisonment.

On the decision of the Criminal Court of Appeals of the RA on 10.08.2011, the above verdict remained in force.

3. On the verdict dated 10.05.2011 of the First Instance Court of Shengavit Administrative District in Yerevan, H.Petrosyan was recognized guilty on part 1 of Article 132 of the RA Criminal Code and sentenced to imprisonment for a 5 years and six months term.

4. On the verdict dated 06.08.2011 of the First Instance Court of Malatia-Sebastia Administrative District in Yerevan, G.Sargsyan was recognized guilty on part 1 of Article 132 of the RA Criminal Code and sentenced to imprisonment for a term of 6 years and 6 months.

5. On the verdict dated 02.06.2011 of the First Instance Court of Arabkir and Kanaker-Zeytun Administrative District in Yerevan, I. Chidina was recognized guilty on part 1 of Article 132.2 and part 1 of Article 262 of the RA Criminal Code. On part 1 of Article 262 of the RA Criminal Code she was sentenced to a 1 year imprisonment and on part 1 of Article 132.2 of the RA Criminal Code – to a 7 year imprisonment. Based on Article 66 of the RA Criminal Code, she was finally sentenced to 7 years and 6 months imprisonment.

6. On the verdict dated 18.07.2011 of the First Instance Court of Kentron and Nork-Marash Administrative Districts in Yerevan, Gayane Melqonyan was recognized guilty on point 2 of part 1 of Article 132 and sentenced to 7 years and 9 months imprisonment; Alexan Kirakosyan – on part 1 of Article 38-132, for a 4 year term; Hasmik Karamyan on point 1 and 2 of part 1 of Article 132 of the RA Criminal Code – for a 7 year term. The accused Agapi Asoyan passed away during court hearing period and based on this the criminal prosecution against her was terminated.

7. On the verdict dated 22.07.2011 of the First Instance Court of Erebuni and Nubarashen Administrative District in Yerevan, S. Aghramanyan was recognized guilty on point 4 of part 2 of Article 132; part 1 of Article 262 and part 1 of Article 137 of the RA Criminal Code. On part 1 of Article 262 of the RA Criminal Code, was sentenced to a 1 year and 6 months imprisonment; on point 4 of part 2 of Article 132 – to 7 years imprisonment and on part 1 of Article 137 – to 6 months imprisonment. Based on Article 66 of the RA Criminal Code, the final sentence envisaged 8 years and 6 months imprisonment.

8. On the verdict dated 18.11.2011 of the First Instance Court of Ajapnyak and Davitashen Administrative District in Yerevan, Karine Ayvazyan was recognized guilty on part 1 of Article 132.2 of the RA Criminal Code and with the application of Article 64 of the RA Criminal Code, was sentenced to imprisonment for the term of 4 years.

In 2012, 10 persons were convicted for 10 criminal cases on trafficking. They are as follows:

1. On the verdict dated 02.05.2012 of the First Instance Court of Aragatsotn region, Armen Manukyan was recognized guilty on part 1 of Article 132, part 1 of Article 139 of the RA Criminal Code and sentenced to imprisonment for the term of 5 years.

2. On the verdict dated 30.11.2012 of the First Instance Court of Erebuni and Nubarashen Administrative Districts in Yerevan, Azatuhi Hayrapetyan was recognized guilty on point 1 of part 3 of Article 132 of the RA Criminal Code and with the application of Article 64 of the RA Criminal Code, was sentenced to 4 years imprisonment.

3. On the verdict dated 26.03.2012 of the First Instance Court of Kentron and Nork-Marash Administrative Districts in Yerevan, Arman Mikayelyan was recognized guilty on points 1 and 4 of part 2 of Article 38-132 of the RA Criminal Code and sentenced to 8 years imprisonment. Arman Mikayelyan had supported to subjecting Inessa Khachatryan, Nare Harutyunyan and Inga Kutosh to sexual exploitation in the RA by Hamlet Davtyan.

4. On the verdict dated 13.02.2012 of the First Instance Court of Erebuni and Nubarashen Administrative Districts in Yerevan, Haykanush Hovhannisyanyan was recognized guilty on point 1, 2, 4 of part 2 of Article 132 of the RA Criminal Code and sentenced to a 4 year imprisonment.
5. On the verdict dated 21.12.2012 of the First Instance Court of Erebuni and Nubarashen Administrative Districts in Yerevan, Armenuhi Poghosyan was recognized guilty on point 1, 2, 4 of part 2 of Article 132 and point 2 of part 2 of Article 34-132 of the RA Criminal Code and sentenced to 8 years imprisonment.
6. On the verdict dated 15.02.2012 of the First Instance Court of Kentron and Nork-Marash Administrative Districts in Yerevan, Emma Avetyan was recognized guilty on point 1 of part 2 of Article 132 of the RA Criminal Code and sentenced to 8 years imprisonment.
7. On the verdict dated 18.12.2012 of the First Instance Court of Kentron and Nork-Marash Administrative Districts in Yerevan, Lusine Nersisyan was recognized guilty on point 1 and 3 of part 2 of Article 132 of the RA Criminal Code and sentenced to 8 years imprisonment.
8. On the verdict dated 28.11.2012 of the First Instance Court of Kentron and Nork-Marash Administrative Districts in Yerevan, Artem Gasparyan was recognized guilty on point 4 of part 2 of Article 132 of the RA Criminal Code and sentenced to 8 years imprisonment.
9. On the verdict dated 31.07.2012 of the First Instance Court of Kentron and Nork-Marash Administrative Districts in Yerevan, Sergey Hovsepnyan was recognized guilty on point 1, 2 and 6 of part 2 of Article 132 of the RA Criminal Code and sentenced to 8 years imprisonment with the confiscation of half of the estate.
10. On the verdict dated 01.06.2012 of the First Instance Court of Shengavit Administrative District in Yerevan, Kristine Nersisyan was recognized guilty on points 2, 4 and 7 of part 2 of Article 132.2 of the RA Criminal Code and sentenced to 11 years imprisonment.

In 2013, 15 persons were convicted for 6 criminal cases on trafficking. They are as follows:

1. On the verdict dated 18.05.2013 of the First Instance Court of General Jurisdiction of Lori Region, Anahit Sardaryan was found guilty on part 1 of Article 132.2 of the RA Criminal Code and sentenced to 7 years imprisonment.

The court sentence was appealed by the defenders of the accused in the Criminal Court of Appeals, in terms of the severity of the punishment. Per the decision of the Criminal Court of Appeals Anahit Sardaryan was recognized guilty on part 1 of Article 132.2 of the Criminal Code and with the application of Article 64 of the Criminal Code, was sentenced to a 5 years' imprisonment.

2. On the verdict dated 27.07.2013 of the First Instance Court of General Jurisdiction of Shirak Region, Susanna Martirosyan was recognized guilty on points 2 and 6 of part 2 of Article 132 of the Criminal Code and sentenced to 8 years imprisonment. On the same case Narine Movsisyan was recognized guilty on points 2 and 6 of part 2 Article 132 of the RA Criminal Code and sentenced to 7 years imprisonment.

3. On the verdict dated 02.05.2013 of the First Instance Court of Kentron and Nork-Marash Administrative Districts in Yerevan, Aghunik Ayyvazyanyan was found guilty on point 1 of part 3 of Article 132 of the RA Criminal Code and based on the version of point 1 of part 3 of Article 132 of the Criminal Code functional before July 16, 2006, was sentenced to 11 (eleven) years imprisonment; and on the version of the Criminal Code's Article 132, point 1 of part 3, functional as of 16 July 2006, sentenced to imprisonment for a term of 6 (six) years. According to part 4 of Article 66 of the Criminal Code, by combining the above punishments partially, an imprisonment for the term of 11 years and six months was defined.

Hasmik Araqelyan was found guilty on point 1 of part 3 of Article 132 of the RA Criminal Code and sentenced to a 10 (ten) years imprisonment.

Tsovik Avetisyan was found guilty on point 1 of part 3 of Article 132 of the RA Criminal Code and sentenced to a 10 (ten) years and 6 (six) months imprisonment.

Vahan Avetisyan was found guilty on point 1 of part 3 of Article 132 of the RA Criminal Code and sentenced to a 10 (ten) years imprisonment.

Vahagn Avetisyan was found guilty on the version of point 2 of part 3 of Article 132 of the RA Criminal Code functional before 02 January 2010 and sentenced to a 7 (seven) years imprisonment.

Mariam Sargsyan was found guilty on the version of point 5 of part 2 of Article 132 of the RA Criminal Code functional before 09 April 2011 and sentenced to a 7 (seven) years imprisonment.

Armen Vasilyan was found guilty on the version of points 1 and 3 of part 2 of Article 132 of the RA Criminal Code, functional before July 16, 2006 and sentenced to a 4 (four) year imprisonment.

Heghush Vasilyan was found guilty on the version of points 1 and 3 of part 2 of Article 132 of the RA Criminal Code, functional before July 16, 2006 and sentenced to a 4 (four) year imprisonment.

With the application of Article 70 of the RA Criminal Code the punishment against H. Vasilyan was conditionally not applied and a probation for a term of 2 (two) years was defined.

4. On the verdict dated 12.06.2013 of the First Instance Court of Arabkir and Kanaker-Zeytun Administrative Districts in Yerevan, Artavazd Muradyan was recognized guilty on point 4 of part 2 of Article 132 of the RA Criminal Code and was sentenced to a 10 (ten) years' imprisonment.

5. On the verdict dated 24.06.2013 of the First Instance Court of Ajapnyak and Davitashen Administrative Districts in Yerevan, the charges made against Arthur Khachatryan on point 2 of part 2 of Article 132 of the RA Criminal Code were re-qualified based on part 1 of Article 132. He was found guilty on part 1 of Article 132 of the Criminal Code of the RA and the criminal prosecution against him was terminated because of the expiry of the terms of limitation of criminal liability. The judicial act is going to be appealed by prosecutor.

6. On the verdict dated 27.12.2013 of the General Jurisdiction Court of Syunik Region, Angela Sagiyan was found guilty for committing crimes defined in part 1 of Article 132, point 5 of part 2 of Article 262, Article 144 and point 1 of part 2 of Article 333 of the RA Criminal Code and sentenced to imprisonment for the term of 8 (eight) years and 6 (six) months, without confiscation of estate or deprivation of the right to occupy certain posts or practicing certain activities, or fine in the amount of 100 000 (one hundred thousand) times of minimum salaries in the RA.

Under the same case Sirun Kochinyan was found guilty for committing the crime defined under part 1 of Article 132.2 of the RA Criminal Code and sentenced to imprisonment for a 7 (seven) year term, without confiscating property or depriving of a right to occupy certain posts or practice certain activities.

In 2014, 7 persons were convicted on 6 criminal cases:

1. On the verdict dated 09.01.2014 of the First Instance Court of General Jurisdiction of Kentron and Nork Marash Administrative Districts in Yerevan, Armine Grikurova was found guilty on points 1 and 4 of part 2 of Article 132.2 of the RA Criminal Code and sentenced to imprisonment for a 10 years term.

2. On the verdict dated 02.06.2014 of the First Instance Court of General Jurisdiction of Kentron and Nork Marash Administrative Districts in Yerevan, Anatoli Givargizov was found guilty on point 1 of part 2 of Article 132.2 of the RA Criminal Code and sentenced to imprisonment for a 10 years term.

3. On the verdict dated 03.06.2014 of the First Instance Court of Shengavit Administrative District in Yerevan, Rafik Markosyan was found guilty on points 2, 4 and 7 of part 2 of Article 132.2 of the RA Criminal Code and sentenced to imprisonment for a 11 years term.

4. On the verdict dated 31.05.2014 of the First Instance Court of General Jurisdiction of Kentron and Nork Marash Administrative Districts in Yerevan, Bavakan Khachatryan was found guilty on point 1 of part 3 of Article 132; point 1 of part 3 of Article 34-132 of the RA Criminal Code and sentenced to imprisonment for a term of 11 years and six months.

5. On the verdict dated 25.07.2014 of the First Instance Court of General Jurisdiction of Kentron and Nork Marash Administrative Districts in Yerevan, Aghunik Ayvazyan was found guilty on point 1 of part 3 of Article 132 and sentenced to imprisonment for a term of 11 (eleven) years.

With the application of parts 4 and 6 of Article 66 of the Criminal Code, by partially adding the 11 (eleven) years imprisonment on the 11 (eleven) years and 7 (seven) years imprisonment defined against Aghunik Ayvazyan, as per the sentence of the court of Kentron and Nork Marash Administrative Districts in Yerevan on 02 May 2014, the final punishment against Aghunik Ayvazyan was defined as 12 (twelve) years.

Tsovik Avetisyan was found guilty on committing the crime defined under the current version of point 1 of part 3 of Article 132 of the RA Criminal Code, envisaging liability in the version before the amendment on 09 April 2011, and sentenced to a 10 (ten) years imprisonment. With the application of parts 4 and 6 of Article 66 of the RA Criminal Code, by partially adding the 10 years term defined in the court verdict, to the 10 (ten) years and 6 (six) months imprisonment defined in the verdicts of the General Jurisdiction Court of Kentron and Nork-Marash Administrative Districts in Yerevan on 02 May 2013, the final sentence against Tsovik Avetisyan was decided for a term of 11 (eleven) years.

6. On the verdict dated 18.09.2014 of the First Instance Court of General Jurisdiction in the RA Gegharkunik region, Michael Yesayan was found guilty on part 1 of Article 132 and Article 118 of the RA Criminal Code and sentenced to imprisonment for a six year term.

## Annex 1

RA Investigative Committee

Trafficking Statistics (in accordance with years - 2010-2014)

Cr. Case No.		13200510
Article in the RA Criminal Code		132 <sup>1</sup> article; 2 <sup>nd</sup> part, 4 <sup>th</sup> point and 262th Article, 1 <sup>st</sup> point
The aggrieved	Number	2
	Sex	female/female
	Age	
	Citizenship	RA/RA
	Nationality	Armenian/Armenian
	Education	
	Occupation	unemployed/unemployed
	Connection with the suspect. or the accused.	-
The accused	Number	2
	Sex	female/male
	Age	36/42
	Citizenship	RA/RA
	Nationality	Arm/Arm
	Education	Eight-year/university
	Occupation	unemployed/unemployed
	Previous conviction	not-convicted/not-convicted
Exploitation form		sexual
Exploitation method		vulnerability of the position
Exploitation country		Turkey
Method of recruitment		deceit
Case status		<b>Was sent to court in 2010</b>

Cr. Case No.		18111810, 18111810/1
Article in the RA Criminal Code		132a. 2p. 5p., 132 <sup>1</sup> a. 2p4p. and 6p.
Aggrieved	Number	2
	Sex	female/female
	Age	
	Citizenship	RA/RA
	Nationality	Arm/Arm
	Education	
	Occupation	unemployed/unemployed
	Connection with the suspect. or the accused.	-
The accused	Number	2
	Sex	female/female
	Age	51 / 36
	Citizenship	RA/RA
	Nationality	Arm/Arm
	Education	school/school
	Occupation	unemployed/unemployed
	Previous conviction	not-convicted/not-convicted
Exploitation form		sexual
Exploitation method		vulnerability of the position
Exploitation country		Turkey and RA
Method of recruitment		vulnerability of the position
Case status		<b>Was sent to court in 2010</b>

<b>Cr. Case No.</b>		<b>14110310</b>
<b>Article in the RA Criminal Code</b>		132a. 1p.
<b>The aggrieved</b>	<b>Number</b>	1
	<b>Sex</b>	female
	<b>Age</b>	
	<b>Citizenship</b>	RA
	<b>Nationality</b>	Armenian
	<b>Education</b>	
	<b>Occupation</b>	unemployed
	<b>Connection with the suspect. or the accused.</b>	-
<b>The accused</b>	<b>Number</b>	1
	<b>Sex</b>	male
	<b>Age</b>	29
	<b>Citizenship</b>	RA
	<b>Nationality</b>	Armenian
	<b>Education</b>	school
	<b>Occupation</b>	unemployed
	<b>Previous conviction</b>	not-convicted
<b>Exploitation form</b>		sexual
<b>Exploitation method</b>		deceit, violence
<b>Exploitation country</b>		RA
<b>Method of recruitment</b>		-
<b>Case status</b>		<b>Was sent to court in 2010</b>

<b>Cr. Case No.</b>		<b>69104510</b>
<b>Article in the RA Criminal Code</b>		132a. 2p. 1p.
<b>The aggrieved</b>	<b>Number</b>	3
	<b>Sex</b>	female/female/female
	<b>Age</b>	
	<b>Citizenship</b>	RA/RA/RA
	<b>Nationality</b>	Armenian/Armenian/Armenian
	<b>Education</b>	
	<b>Occupation</b>	
	<b>Connection with the suspect. or the accused.</b>	-
<b>The accused</b>	<b>Number</b>	1
	<b>Sex</b>	female
	<b>Age</b>	35
	<b>Citizenship</b>	RA
	<b>Nationality</b>	Armenian
	<b>Education</b>	school
	<b>Occupation</b>	unemployed
	<b>Previous conviction</b>	Not-convicted
<b>Exploitation form</b>		
<b>Exploitation method</b>		
<b>Exploitation country</b>		
<b>Method of recruitment</b>		
<b>Case status</b>		<b>Was sent to court in 2011</b>

<b>Cr. Case No.</b>		<b>69103408/3, 69103408/4</b>
<b>Article in the RA Criminal Code</b>		132a. 3p. 5p., 132a. 2p. 1p., 132.2a. 1p.
<b>The aggrieved</b>	<b>Number</b>	1
	<b>Sex</b>	female
	<b>Age</b>	35
	<b>Citizenship</b>	RA
	<b>Nationality</b>	Armenian
	<b>Education</b>	School-professional
	<b>Occupation</b>	unemployed
	<b>Connection with the suspect. or the accused.</b>	-
<b>The accused</b>	<b>Number</b>	2
	<b>Sex</b>	female/female
	<b>Age</b>	38 / 42
	<b>Citizenship</b>	RA/RF
	<b>Nationality</b>	Armenian/Armenian
	<b>Education</b>	school/school
	<b>Occupation</b>	Unemployed/unemployed
	<b>Previous conviction</b>	Not convicted/not convicted
<b>Exploitation form</b>		sexual
<b>Exploitation method</b>		Position vulnerability
<b>Exploitation country</b>		Dubai
<b>Method of recruitment</b>		deceit
<b>Case status</b>		<b>The case concerning one of the accused was sent to court in 2010 and the other one has been declared wanted</b>

<b>Cr. Case No.</b>		<b>69108408, 69102812, 69105412, 69105710, 69103913, 69104114</b>
<b>Article in the RA Criminal Code</b>		132a. 3p. 1p., 34-132a. 3p. 1p.
<b>The aggrieved</b>	<b>Number</b>	21
	<b>Sex</b>	female
	<b>Age</b>	17-35
	<b>Citizenship</b>	20 - RA, 1- Republic of Georgia
	<b>Nationality</b>	Armenian
	<b>Education</b>	school
	<b>Occupation</b>	unemployed
	<b>Connection with the suspect. or the accused.</b>	-
<b>The accused</b>	<b>Number</b>	16
	<b>Sex</b>	4- male, 12 female
	<b>Age</b>	18-70
	<b>Citizenship</b>	15 - RA; 1 – Republic of Georgia
	<b>Nationality</b>	Armenian
	<b>Education</b>	School
	<b>Occupation</b>	unemployed
	<b>Previous conviction</b>	not convicted
<b>Exploitation form</b>		sexual
<b>Exploitation method</b>		position vulnerability, violence, threat of violence
<b>Exploitation country</b>		UAE
<b>Method of recruitment</b>		deceit, position vulnerability
<b>Case status</b>		<b>In 2010-2014, cases concerning 11 persons were sent to court; 5 persons are declared wanted</b>

<b>Cr. Case No.</b>		<b>69106410</b>
<b>Article in the RA Criminal Code</b>		132a. 1p.
<b>The aggrieved</b>	<b>Number</b>	1
	<b>Sex</b>	female
	<b>Age</b>	
	<b>Citizenship</b>	RA
	<b>Nationality</b>	Armenian
	<b>Education</b>	
	<b>Occupation</b>	unemployed
	<b>Connection with the suspect. or the accused.</b>	-
<b>The accused</b>	<b>Number</b>	1
	<b>Sex</b>	female
	<b>Age</b>	40
	<b>Citizenship</b>	RA
	<b>Nationality</b>	Armenian
	<b>Education</b>	School
	<b>Occupation</b>	unemployed
	<b>Previous conviction</b>	not-convicted
<b>Exploitation form</b>		sexual
<b>Exploitation method</b>		position vulnerability
<b>Exploitation country</b>		RA
<b>Method of recruitment</b>		-
<b>Case status</b>		<b>Was sent to court in 2011</b>

<b>Cr. Case No.</b>		<b>58212410, 58212410/1</b>
<b>Article in the RA Criminal Code</b>		1321a. 1p.,132a. 1p. և 139p. 1p.
<b>The aggrieved</b>	<b>Number</b>	1
	<b>Sex</b>	female
	<b>Age</b>	1988թ.
	<b>Citizenship</b>	RA
	<b>Nationality</b>	Armenian
	<b>Education</b>	Eight years
	<b>Occupation</b>	unemployed
	<b>Connection with the suspect. or the accused.</b>	-
<b>The accused</b>	<b>Number</b>	1
	<b>Sex</b>	male
	<b>Age</b>	19
	<b>Citizenship</b>	RA
	<b>Nationality</b>	Armenian
	<b>Education</b>	eight years
	<b>Occupation</b>	unemployed
	<b>Previous conviction</b>	previously convicted
<b>Exploitation form</b>		sexual
<b>Exploitation method</b>		violence
<b>Exploitation country</b>		RA
<b>Method of recruitment</b>		position vulnerability
<b>Case status</b>		<b>The case was sent to court in 2011</b>

<b>Cr. Case No.</b>		<b>69108010</b>
<b>Article in the RA Criminal Code</b>		132a. 2p. 1p., 4p., 132.2a. 2p. 4p., 138a. 1p.
<b>The aggrieved</b>	<b>Number</b>	4
	<b>Sex</b>	female
	<b>Age</b>	16 / 20 / 22 / 21
	<b>Citizenship</b>	RA/RA/RA/RF
	<b>Nationality</b>	Armenian/Armenian/Armenian/Russian
	<b>Education</b>	school
	<b>Occupation</b>	unemployed
	<b>Connection with the suspect. or the accused.</b>	-
<b>The accused</b>	<b>Number</b>	2
	<b>Sex</b>	male/male
	<b>Age</b>	1972/ 1981
	<b>Citizenship</b>	RA/RA
	<b>Nationality</b>	Armenian/Armenian
	<b>Education</b>	university/school
	<b>Occupation</b>	unemployed/unemployed
	<b>Previous conviction</b>	not convicted/not convicted
<b>Exploitation form</b>		sexual
<b>Exploitation method</b>		deceit, threat of violence
<b>Exploitation country</b>		RA
<b>Method of recruitment</b>		deceit
<b>Case status</b>		<b>Was sent to court concerning 1 of the accused; the case versus the second accused has been suspended because of grave illness of the accused</b>

<b>Cr. Case No.</b>		<b>69100808, 69100808/2, 69105412, 69108310</b>
<b>Article in the RA Criminal Code</b>		132a. 2p. and 3p.
<b>The aggrieved</b>	<b>Number</b>	6
	<b>Sex</b>	female
	<b>Age</b>	20-30
	<b>Citizenship</b>	RA
	<b>Nationality</b>	Armenian
	<b>Education</b>	school
	<b>Occupation</b>	unemployed
	<b>Connection with the suspect. or the accused.</b>	-
<b>The accused</b>	<b>Number</b>	4
	<b>Sex</b>	1 male, 3 female
	<b>Age</b>	28-35
	<b>Citizenship</b>	RA
	<b>Nationality</b>	Armenian
	<b>Education</b>	school
	<b>Occupation</b>	unemployed
	<b>Previous conviction</b>	not-convicted
<b>Exploitation form</b>		sexual
<b>Exploitation method</b>		threat of violence
<b>Exploitation country</b>		UAE
<b>Method of recruitment</b>		deceit
<b>Case status</b>		<b>Was sent to court concerning 3 persons, 1 person is declared wanted</b>

<b>Cr. Case No.</b>		<b>69102211</b>
<b>Article in the RA Criminal Code</b>		132.2a. 2p. 2p. and 4p.
<b>The aggrieved</b>	<b>Number</b>	1
	<b>Sex</b>	male
	<b>Age</b>	minor
	<b>Citizenship</b>	RA
	<b>Nationality</b>	Armenian
	<b>Education</b>	Without elementary education
	<b>Occupation</b>	unemployed
	<b>Connection with the suspect. or the accused.</b>	Was under the custody of the accused
<b>The accused</b>	<b>Number</b>	2
	<b>Sex</b>	male/female
	<b>Age</b>	1965/ ----
	<b>Citizenship</b>	RA/RA
	<b>Nationality</b>	Armenian/Armenian
	<b>Education</b>	
	<b>Occupation</b>	unemployed/unemployed
	<b>Previous conviction</b>	not convicted/not convicted
<b>Exploitation form</b>		begging
<b>Exploitation method</b>		Other forms of forcing
<b>Exploitation country</b>		RA
<b>Method of recruitment</b>		-
<b>Case status</b>		<b>Was not confirmed; discontinued in 2011</b>

<b>Cr. Case No.</b>		<b>69103811</b>
<b>Article in the RA Criminal Code</b>		132a. 2p. 4p
<b>The aggrieved</b>	<b>Number</b>	1
	<b>Sex</b>	female
	<b>Age</b>	
	<b>Citizenship</b>	RA
	<b>Nationality</b>	Armenian
	<b>Education</b>	
	<b>Occupation</b>	unemployed
	<b>Connection with the suspect. or the accused.</b>	-
<b>The accused</b>	<b>Number</b>	1
	<b>Sex</b>	male
	<b>Age</b>	24
	<b>Citizenship</b>	RA
	<b>Nationality</b>	Armenian
	<b>Education</b>	university
	<b>Occupation</b>	unemployed
	<b>Previous conviction</b>	not-convicted
<b>Exploitation form</b>		sexual
<b>Exploitation method</b>		violence, threat to violence
<b>Exploitation country</b>		RA
<b>Method of recruitment</b>		-
<b>Case status</b>		<b>Was not confirmed, the action was re-qualified to Article 117, discontinued on amnesty</b>

<b>Cr. Case No.</b>		<b>69104711</b>
<b>Article in the RA Criminal Code</b>		231a. 2p. 1p. and 6p., 132 <sup>2</sup> a. 2p. 7p.
<b>The aggrieved</b>	<b>Number</b>	2
	<b>Sex</b>	Female/female
	<b>Age</b>	17 / 41
	<b>Citizenship</b>	RA/RA
	<b>Nationality</b>	Armenian/Armenian
	<b>Education</b>	school/school
	<b>Occupation</b>	unemployed/selling of clothing
	<b>Connection with the suspect. or the accused.</b>	Was the friend of the daughter of the accused
<b>The accused</b>	<b>Number</b>	1
	<b>Sex</b>	female
	<b>Age</b>	40
	<b>Citizenship</b>	RA
	<b>Nationality</b>	Armenian
	<b>Education</b>	School
	<b>Occupation</b>	unemployed
	<b>Previous conviction</b>	not convicted
<b>Exploitation form</b>		sexual
<b>Exploitation method</b>		position vulnerability
<b>Exploitation country</b>		Turkey
<b>Method of recruitment</b>		deceit
<b>Case status</b>		<b>Was sent to court in 2011</b>

<b>Cr. Case No.</b>		<b>16200411</b>
<b>Article in the RA Criminal Code</b>		132.2a. 2p. 2p., 4p., 7p., 34-132.2a. 1p. 2p.. 7p.
<b>The aggrieved</b>	<b>Number</b>	2
	<b>Sex</b>	Female/female
	<b>Age</b>	1994/ 1995
	<b>Citizenship</b>	RA/RA
	<b>Nationality</b>	Armenian/Armenian
	<b>Education</b>	
	<b>Occupation</b>	unemployed/unemployed
	<b>Connection with the suspect. or the accused.</b>	-
<b>The accused</b>	<b>Number</b>	2
	<b>Sex</b>	Male/female
	<b>Age</b>	22 / 26
	<b>Citizenship</b>	RA/RA
	<b>Nationality</b>	Armenian/Armenian
	<b>Education</b>	school/school
	<b>Occupation</b>	Unemployed/unemployed
	<b>Previous conviction</b>	Not convicted/not convicted
<b>Exploitation form</b>		Forced labour
<b>Exploitation method</b>		Violence, threat of violence
<b>Exploitation country</b>		RF
<b>Method of recruitment</b>		deceit
<b>Case status</b>		<b>Was sent to court in 2012</b>

<b>Cr. Case No.</b>		<b>27123611</b>
<b>Article in the RA Criminal Code</b>		132a. 2p. 1p. and 6p.
<b>The aggrieved</b>	<b>Number</b>	2
	<b>Sex</b>	Female/female
	<b>Age</b>	1956/ 1959
	<b>Citizenship</b>	RA/RA
	<b>Nationality</b>	Armenian/Armenian
	<b>Education</b>	school/school
	<b>Occupation</b>	unemployed/unemployed
	<b>Connection with the suspect. or the accused.</b>	-
<b>The accused</b>	<b>Number</b>	-
	<b>Sex</b>	-
	<b>Age</b>	-
	<b>Citizenship</b>	-
	<b>Nationality</b>	-
	<b>Education</b>	-
	<b>Occupation</b>	-
	<b>Previous conviction</b>	-
<b>Exploitation form</b>		waiter in a café
<b>Exploitation method</b>		deceit, threat of violence
<b>Exploitation country</b>		RF
<b>Method of recruitment</b>		deceit
<b>Case status</b>		<b>The action was not confirmed, case discontinued in 2015</b>

<b>Cr. Case No.</b>		<b>69100912</b>
<b>Article in the RA Criminal Code</b>		132 <sup>2</sup> a. 2p. 4p., 132 <sup>2</sup> a. 1p., 142a. 1p.
<b>The aggrieved</b>	<b>Number</b>	1
	<b>Sex</b>	female
	<b>Age</b>	14.06.1997թ.
	<b>Citizenship</b>	RA
	<b>Nationality</b>	Armenian
	<b>Education</b>	Eight years
	<b>Occupation</b>	student of boarding school No. 12
	<b>Connection with the suspect. or the accused.</b>	Was the step-daughter of the accused
<b>The accused</b>	<b>Number</b>	1
	<b>Sex</b>	male
	<b>Age</b>	1952
	<b>Citizenship</b>	RA
	<b>Nationality</b>	Armenian
	<b>Education</b>	eight years
	<b>Occupation</b>	unemployed
	<b>Previous conviction</b>	not convicted
<b>Exploitation form</b>		begging
<b>Exploitation method</b>		threat to violence, position vulnerability
<b>Exploitation country</b>		RA
<b>Method of recruitment</b>		-
<b>Case status</b>		<b>Was sent to court in 2012</b>

<b>Cr. Case No.</b>		<b>18104912</b>
<b>Article in the RA Criminal Code</b>		132a. 2p. 2p. and 6p.
<b>The aggrieved</b>	<b>Number</b>	1
	<b>Sex</b>	female
	<b>Age</b>	
	<b>Citizenship</b>	RA
	<b>Nationality</b>	Armenian
	<b>Education</b>	
	<b>Occupation</b>	unemployed
	<b>Connection with the suspect. or the accused.</b>	-
<b>The accused</b>	<b>Number</b>	2
	<b>Sex</b>	Female/female
	<b>Age</b>	62 / 38
	<b>Citizenship</b>	RA/RA
	<b>Nationality</b>	Armenian/Armenian
	<b>Education</b>	school/school
	<b>Occupation</b>	unemployed/unemployed
	<b>Previous conviction</b>	not convicted/not convicted
<b>Exploitation form</b>		sexual
<b>Exploitation method</b>		position vulnerability
<b>Exploitation country</b>		Turkey
<b>Method of recruitment</b>		deceit
<b>Case status</b>		<b>Was sent to court in 2012</b>

<b>Cr. Case No.</b>		<b>13200312, 69104912</b>
<b>Article in the RA Criminal Code</b>		132a. 2p. 1p., 2p. and 6p.
<b>The aggrieved</b>	<b>Number</b>	6
	<b>Sex</b>	2 - female, 4- male
	<b>Age</b>	22-46
	<b>Citizenship</b>	RA
	<b>Nationality</b>	Armenian
	<b>Education</b>	school
	<b>Occupation</b>	unemployed
	<b>Connection with the suspect. or the accused.</b>	
<b>The accused</b>	<b>Number</b>	1
	<b>Sex</b>	male
	<b>Age</b>	24
	<b>Citizenship</b>	RA
	<b>Nationality</b>	Armenian
	<b>Education</b>	school
	<b>Occupation</b>	unemployed
	<b>Previous conviction</b>	not convicted
<b>Exploitation form</b>		Removal of organs for transplantation
<b>Exploitation method</b>		position vulnerability
<b>Exploitation country</b>		Shri Lanka
<b>Method of recruitment</b>		position vulnerability, deceit
<b>Case status</b>		<b>was sent to court in 2012</b>

<b>Cr. Case No.</b>		<b>69101412</b>
<b>Article in the RA Criminal Code</b>		132a. 1p.
<b>The aggrieved</b>	<b>Number</b>	1
	<b>Sex</b>	female
	<b>Age</b>	19
	<b>Citizenship</b>	RA
	<b>Nationality</b>	Armenian
	<b>Education</b>	school
	<b>Occupation</b>	unemployed
	<b>Connection with the suspect. or the accused.</b>	was the wife of the accused
<b>The accused</b>	<b>Number</b>	1
	<b>Sex</b>	male
	<b>Age</b>	28
	<b>Citizenship</b>	RA
	<b>Nationality</b>	Armenian
	<b>Education</b>	school
	<b>Occupation</b>	unemployed
	<b>Previous conviction</b>	not convicted
<b>Exploitation form</b>		sexual
<b>Exploitation method</b>		Other forms of forcing (threat)
<b>Exploitation country</b>		RA
<b>Method of recruitment</b>		-
<b>Case status</b>		<b>Was sent to court in 2012</b>

<b>Cr. Case No.</b>		<b>16200212</b>
<b>Article in the RA Criminal Code</b>		132a. 1p.
<b>The aggrieved</b>	<b>Number</b>	1
	<b>Sex</b>	female
	<b>Age</b>	1986
	<b>Citizenship</b>	RA
	<b>Nationality</b>	Armenian
	<b>Education</b>	eight-year
	<b>Occupation</b>	unemployed
	<b>Connection with the suspect. or the accused.</b>	was the wife of the accused
<b>The accused</b>	<b>Number</b>	1
	<b>Sex</b>	male
	<b>Age</b>	1980
	<b>Citizenship</b>	non
	<b>Nationality</b>	Armenian
	<b>Education</b>	without primary education
	<b>Occupation</b>	unemployed
	<b>Previous conviction</b>	not convicted
<b>Exploitation form</b>		sexual
<b>Exploitation method</b>		by the use of force
<b>Exploitation country</b>		RA
<b>Method of recruitment</b>		-
<b>Case status</b>		<b>The act was not confirmed and was discontinued in 2012</b>

Cr. Case No.		69102712, 69110312, 69104314, 69106814
Article in the RA Criminal Code		132a. 3p. 1p., 132a. 2p. 1p. and 2p., 132a. 1p.,
The aggrieved	Number	22
	Sex	female
	Age	1974-1990
	Citizenship	RA
	Nationality	Armenian, Russian
	Education	eight-year, school
	Occupation	-
	Connection with the suspect. or the accused.	-
The accused	Number	10
	Sex	Female, male
	Age	1955-1977
	Citizenship	RA, Turkey
	Nationality	Armenian
	Education	-
	Occupation	-
	Previous conviction	-
Exploitation form		sexual
Exploitation method		position vulnerability, violence, threat
Exploitation country		Turkey
Method of recruitment		deceit
Case status		<b>Cases about 9 accused were sent to the court, 1 has been declared wanted</b>

Cr. Case No.		53102112
Article in the RA Criminal Code		132a. 2p. 1p.
The aggrieved	Number	3
	Sex	male/male/male
	Age	06.06.1988/ 03.01.1953/08.04.1986
	Citizenship	RA/RA/RA
	Nationality	Armenian/Armenian/Armenian
	Education	school/university/school
	Occupation	unemployed/unemployed/unemployed
	Connection with the suspect. or the accused.	-
The accused	Number	-
	Sex	-
	Age	-
	Citizenship	-
	Nationality	-
	Education	-
	Occupation	-
	Previous conviction	-
Exploitation form		construction works
Exploitation method		deceit, position vulnerability
Exploitation country		RF
Method of recruitment		deceit
Case status		<b>Was not confirmed, discontinued</b>

<b>Cr. Case No.</b>		<b>29103412, 69110112</b>
<b>Article in the RA Criminal Code</b>		132a. 2p. 2p.
<b>The aggrieved</b>	<b>Number</b>	1
	<b>Sex</b>	female
	<b>Age</b>	1981
	<b>Citizenship</b>	RA
	<b>Nationality</b>	Armenian
	<b>Education</b>	school-skilled professional
	<b>Occupation</b>	unemployed
	<b>Connection with the suspect. or the accused.</b>	-
<b>The accused</b>	<b>Number</b>	1
	<b>Sex</b>	male
	<b>Age</b>	39
	<b>Citizenship</b>	RA
	<b>Nationality</b>	Armenian
	<b>Education</b>	school
	<b>Occupation</b>	unemployed
	<b>Previous conviction</b>	not-convicted
<b>Exploitation form</b>		sexual
<b>Exploitation method</b>		position vulnerability
<b>Exploitation country</b>		RA
<b>Method of recruitment</b>		deceit, position vulnerability
<b>Case status</b>		<b>Was sent to court in 2012</b>

<b>Cr. Case No.</b>		<b>69105112, 69101211</b>
<b>Article in the RA Criminal Code</b>		132a. 2p. 4p.
<b>The aggrieved</b>	<b>Number</b>	1
	<b>Sex</b>	female
	<b>Age</b>	1984
	<b>Citizenship</b>	RA
	<b>Nationality</b>	Armenian
	<b>Education</b>	incomplete higher education
	<b>Occupation</b>	unemployed
	<b>Connection with the suspect. or the accused.</b>	Was the friend of the accused
<b>The accused</b>	<b>Number</b>	1
	<b>Sex</b>	male
	<b>Age</b>	1976
	<b>Citizenship</b>	RA
	<b>Nationality</b>	Armenian
	<b>Education</b>	school
	<b>Occupation</b>	unemployed
	<b>Previous conviction</b>	previously convicted
<b>Exploitation form</b>		sexual
<b>Exploitation method</b>		position vulnerability, use of force
<b>Exploitation country</b>		RA
<b>Method of recruitment</b>		-
<b>Case status</b>		<b>Was sent to court in 2012</b>

Cr. Case No.		31107412, 69104812
Article in the RA Criminal Code		132.2a. 2p. 1p. and 3p.
The aggrieved	Number	4
	Sex	male/male/male/female
	Age	minor/minor/minor/minor
	Citizenship	RA/RA/RA/RA
	Nationality	Armenian/Armenian/Armenian/Armenian
	Education	students of boarding school
	Occupation	-
	Connection with the suspect. or the accused.	-
The accused	Number	-
	Sex	-
	Age	-
	Citizenship	-
	Nationality	-
	Education	-
	Occupation	-
	Previous conviction	-
Exploitation form		various house-hold works
Exploitation method		deceit, position vulnerability
Exploitation country		RA
Method of recruitment		deceit, position vulnerability
Case status		<b>Was not confirmed, proceedings were discontinued</b>

Cr. Case No.		19119912
Article in the RA Criminal Code		132.2a. 1p.
The aggrieved	Number	1
	Sex	female
	Age	17
	Citizenship	RA
	Nationality	Armenian
	Education	primary
	Occupation	unemployed
	Connection with the suspect. or the accused.	-
The accused	Number	1
	Sex	female
	Age	1991
	Citizenship	RA
	Nationality	Armenian
	Education	school
	Occupation	unemployed
	Previous conviction	not-convicted
Exploitation form		sexual
Exploitation method		position vulnerability
Exploitation country		RA
Method of recruitment		-
Case status		<b>Was sent to court in 2013</b>

Cr. Case No.		16200612
Article in the RA Criminal Code		132a. 2p. 1p.
The aggrieved	Number	1
	Sex	female
	Age	
	Citizenship	RA
	Nationality	Armenian
	Education	
	Occupation	unemployed
	Connection with the suspect. or the accused.	-
The accused	Number	1
	Sex	female
	Age	1973
	Citizenship	RA
	Nationality	Armenian
	Education	-
	Occupation	unemployed
	Previous conviction	not convicted
Exploitation form		sexual
Exploitation method		position vulnerability
Exploitation country		RA
Method of recruitment		position vulnerability
Case status		<b>The act was not confirmed, the case was discontinued</b>

Cr. Case No.		19122412, 69104213
Article in the RA Criminal Code		132 <sup>2</sup> a. 1p.
The aggrieved	Number	1
	Sex	female
	Age	1996
	Citizenship	RA
	Nationality	Armenian
	Education	eight-years
	Occupation	unemployed
	Connection with the suspect. or the accused.	-
The accused	Number	2
	Sex	Female/female
	Age	1965/1971
	Citizenship	RA/RA
	Nationality	Armenian/Armenian
	Education	school/eight-years
	Occupation	unemployed/unemployed
	Previous conviction	not convicted/not convicted
Exploitation form		sexual
Exploitation method		position vulnerability
Exploitation country		RA
Method of recruitment		deceit
Case status		<b>Was sent to court in 2013</b>

Cr. Case No.		69103313
Article in the RA Criminal Code		132.2a. 2p. 1p., 2p., 4p., 132a. 2p. 2p.
The aggrieved	Number	3
	Sex	Male/female/female
	Age	1972/2002/1999
	Citizenship	RA/RA/RA
	Nationality	Armenian/Armenian/Armenian
	Education	Eight-years/school student/school student
	Occupation	unemployed/unemployed/unemployed
	Connection with the suspect. or the accused.	sister of the accused/sister's child/sister's child
The accused	Number	2
	Sex	Male/female
	Age	1976/1974
	Citizenship	RA/RA
	Nationality	Armenian/Armenian
	Education	Eight-years/eight years
	Occupation	unemployed/unemployed
	Previous conviction	not convicted/not convicted
Exploitation form		begging
Exploitation method		violence, threat of violence
Exploitation country		RA
Method of recruitment		violence, threat of violence
Case status		<b>Was sent to court in 2013</b>

Cr. Case No.		69103413, 69107213
Article in the RA Criminal Code		132.2a. 2p. 1p.
The aggrieved	Number	3
	Sex	male/male/male
	Age	1996/1999/1996
	Citizenship	RA/RA/RA
	Nationality	Armenian/Armenian/Armenian
	Education	School education/school student/school student
	Occupation	unemployed/unemployed/unemployed
	Connection with the suspect. or the accused.	-
The accused	Number	1
	Sex	male
	Age	1991
	Citizenship	RA
	Nationality	Armenian
	Education	school
	Occupation	unemployed
	Previous conviction	not convicted
Exploitation form		begging
Exploitation method		deceit
Exploitation country		RA
Method of recruitment		deceit
Case status		<b>Was sent to court in 2013</b>

Cr. Case No.		69104313
Article in the RA Criminal Code		132.2a. 1p.
The aggrieved	Number	1
	Sex	female
	Age	1997
	Citizenship	RA
	Nationality	Armenian
	Education	-
	Occupation	unemployed
	Connection with the suspect. or the accused.	-
The accused	Number	1
	Sex	female
	Age	1992
	Citizenship	RA
	Nationality	Armenian
	Education	school
	Occupation	unemployed
	Previous conviction	not convicted
Exploitation form		sexual
Exploitation method		position vulnerability
Exploitation country		RA
Method of recruitment		Position vulnerability, deceit
Case status		<b>Was sent to court in 2013</b>

Cr. Case No.		11200113
Article in the RA Criminal Code		132a. 2p. 2p. and 4p.
The aggrieved	Number	1
	Sex	female
	Age	28
	Citizenship	RA
	Nationality	Armenian
	Education	school
	Occupation	unemployed
	Connection with the suspect. or the accused.	Friend of the accused
The accused	Number	2
	Sex	Female/male
	Age	43 / 39
	Citizenship	RA/RA
	Nationality	Armenian/Armenian
	Education	school/school
	Occupation	Prostitute/unemployed
	Previous conviction	Convicted/not convicted
Exploitation form		sexual
Exploitation method		deceit
Exploitation country		RA
Method of recruitment		-
Case status		<b>The action was not confirmed, case proceedings were discontinued</b>

Cr. Case No.		69102113, 69108013
Article in the RA Criminal Code		132a. 1p., 262a. 2p. 1p. and 3p.
The aggrieved	Number	1
	Sex	female
	Age	03.08.1984
	Citizenship	RA
	Nationality	Armenian
	Education	eight-years
	Occupation	unemployed
	Connection with the suspect. or the accused.	-
The accused	Number	2
	Sex	female/female
	Age	1970/1987
	Citizenship	RA/RA
	Nationality	Armenian/Armenian
	Education	Eight-years/eight-years
	Occupation	unemployed/unemployed
	Previous conviction	not convicted/not convicted
Exploitation form		House worker/sexual
Exploitation method		threat of violence, position vulnerability
Exploitation country		UAE
Method of recruitment		deceit
Case status		The case concerning one of the accused was sent to court in 2013, and the second one was declared wanted.

Cr. Case No.		69110213
Article in the RA Criminal Code		132a. 2p. 4p. and 6p.
The aggrieved	Number	1
	Sex	male
	Age	1967
	Citizenship	RA and RF
	Nationality	Armenian
	Education	Incomplete higher education
	Occupation	unemployed
	Connection with the suspect. or the accused.	-
The accused	Number	1
	Sex	male
	Age	1980
	Citizenship	RA
	Nationality	Armenian
	Education	university
	Occupation	Ltd Director
	Previous conviction	not convicted
Exploitation form		removal of organ for transplantation
Exploitation method		use of force
Exploitation country		Germany
Method of recruitment		Deceit
Case status		It turned out that the aggrieved made false reporting, he was declared wanted and the trafficking case was discontinued in 2014

<b>Cr. Case No.</b>		<b>69110313</b>
<b>Article in the RA Criminal Code</b>		132.2 2p. 2p.
<b>The aggrieved</b>	<b>Number</b>	1
	<b>Sex</b>	male
	<b>Age</b>	12.09.2011
	<b>Citizenship</b>	RA
	<b>Nationality</b>	Armenian
	<b>Education</b>	-
	<b>Occupation</b>	-
	<b>Connection with the suspect. or the accused.</b>	Is the son of the accused
<b>The accused</b>	<b>Number</b>	2
	<b>Sex</b>	Female/female
	<b>Age</b>	1962/1976
	<b>Citizenship</b>	RA/RA
	<b>Nationality</b>	Armenian/Armenian
	<b>Education</b>	primary/eight-years
	<b>Occupation</b>	unemployed/unemployed
	<b>Previous conviction</b>	Not convicted/not convicted
<b>Exploitation form</b>		begging
<b>Exploitation method</b>		Helpless condition
<b>Exploitation country</b>		RA
<b>Method of recruitment</b>		-
<b>Case status</b>		<b>The case was sent to court in 2014</b>

<b>Cr. Case No.</b>		<b>17158413</b>
<b>Article in the RA Criminal Code</b>		132a. 1p.
<b>The aggrieved</b>	<b>Number</b>	1
	<b>Sex</b>	female
	<b>Age</b>	1990
	<b>Citizenship</b>	RA
	<b>Nationality</b>	Armenian
	<b>Education</b>	school
	<b>Occupation</b>	unemployed
	<b>Connection with the suspect. or the accused.</b>	is the wife of the accused
<b>The accused</b>	<b>Number</b>	1
	<b>Sex</b>	male
	<b>Age</b>	1980
	<b>Citizenship</b>	RA
	<b>Nationality</b>	Armenian
	<b>Education</b>	eight-years
	<b>Occupation</b>	unemployed
	<b>Previous conviction</b>	not-convicted
<b>Exploitation form</b>		sexual
<b>Exploitation method</b>		Other form of forcing (threat)
<b>Exploitation country</b>		RA
<b>Method of recruitment</b>		-
<b>Case status</b>		<b>Was sent to court in 2014</b>

Cr. Case No.		69101214
Article in the RA Criminal Code		132.2a. 1p.
The aggrieved	Number	1
	Sex	female
	Age	1992
	Citizenship	RA
	Nationality	Armenian
	Education	Eight years
	Occupation	unemployed
	Connection with the suspect. or the accused.	is the relative of the accused
The accused	Number	1
	Sex	female
	Age	1979
	Citizenship	RA
	Nationality	Armenian
	Education	school
	Occupation	unemployed
	Previous conviction	not convicted
Exploitation form		sexual
Exploitation method		position vulnerability
Exploitation country		RA
Method of recruitment		Position vulnerability, deceit
Case status		<b>Was not confirmed, discontinued in 2014</b>

Cr. Case No.		69107514
Article in the RA Criminal Code		132.2a. 2p. 1p., 2p. and 4p.
The aggrieved	Number	8
	Sex	male
	Age	minor
	Citizenship	RA
	Nationality	Armenian
	Education	-
	Occupation	-
	Connection with the suspect. or the accused.	-
The accused	Number	-
	Sex	-
	Age	-
	Citizenship	-
	Nationality	-
	Education	-
	Occupation	-
	Previous conviction	-
Exploitation form		begging
Exploitation method		violence, threat of violence
Exploitation country		RA
Method of recruitment		Violence, threat of violence
Case status		<b>Was not confirmed, case discontinued 2014</b>

Cr. Case No.		69112614
Article in the RA Criminal Code		132a. 2p. 1p. 2p.
The aggrieved	Number	2
	Sex	female
	Age	20-35
	Citizenship	People's Republic of China
	Nationality	Chinese
	Education	School
	Occupation	unemployed
	Connection with the suspect. or the accused.	-
The accused	Number	3
	Sex	1-male, 2 -female
	Age	33-49
	Citizenship	People's Republic of China
	Nationality	Chinese
	Education	School
	Occupation	unemployed
	Previous conviction	not convicted
Exploitation form		sexual
Exploitation method		position vulnerability
Exploitation country		RA
Method of recruitment		deceit
Case status		<b>Cases concerning two of the accused were sent to court, 1 of the accused has been declared wanted</b>

Cr. Case No.		69113414
Article in the RA Criminal Code		132a. 2p. 1p.
The aggrieved	Number	2
	Sex	Male/female
	Age	30.10.1977/16.03.1974
	Citizenship	RA/RA
	Nationality	Armenian/Armenian
	Education	school/school
	Occupation	-
	Connection with the suspect. or the accused.	-
The accused	Number	-
	Sex	-
	Age	-
	Citizenship	-
	Nationality	-
	Education	-
	Occupation	-
	Previous conviction	-
Exploitation form		Worker in a production unit
Exploitation method		position vulnerability, threat of violence
Exploitation country		RF
Method of recruitment		deceit
Case status		<b>The criminal case is at a pre-investigation stage</b>

## Annex 2

**Expenditures on anti-trafficking activities, as per Annex 1 of the RA Law on  
“Republic of Armenia State Budget 2015”, according to separate programs  
and RA state government bodies implementing these programs**

s/n	Section	Group	Category	Names of expenditure programs and RA state government bodies implementing the programs	Amount (in thousand drams)
				<b>Total</b>	<b>46 259,6</b>
				<b>RA Ministry of Labour and Social Issues</b>	<b>36 059,6</b>
1	10	04	01	Support and counselling for the RA child care centre graduates	16 352,8
2	10	04	01	Provision of allowance and lump-sum monetary assistance to the graduates of the RA childcare centres	650,0
3	10	09	02	Within the framework of public awareness raising program	766,0
4	10	09	02	Social-Physiological rehabilitation services for trafficking victims	18 290,8
				<b>RA Ministry of Health</b>	<b>2 200,0</b>
5	07	03	02	Medical aid services for trafficking victims	2 200,0
				<b>RA Ministry of Sports and Youth Issues</b>	<b>8 000,0</b>
6	08	04	01	Awareness raising activities aimed at preventing exploitation (trafficking) of human beings	8 000,0