

Committee of the Parties
to the Council of Europe Convention
on Action against Trafficking in Human Beings



CP(2018)9

Report submitted by the Armenian authorities
on measures taken to comply with
Committee of the Parties Recommendation
CP(2017)1 on the implementation
of the Council of Europe Convention
on Action against Trafficking in Human Beings

Second evaluation round

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Recommends that the Armenian authorities take measures to address the following issues for immediate action identified in GRETA's report:

- *strengthen their efforts to prevent trafficking for the purpose of labour exploitation, in particular by:*

□ *ensuring that the setting up of the new health and labour inspection is completed and clear competences of monitoring and inspection of workplaces is provided to this entity, including unannounced visits to all sectors of economy and the responsibility to prevent and detect cases of human trafficking for the purpose of labour exploitation;*

Response: Within the framework of reforms in the inspection sphere carried out in the Republic of Armenia and pursuant to point 1 of Decision of the Government of the Republic of Armenia No 444-N of 27 April 2017 (hereinafter referred to as "the Decision") in conformity with the Law of the Republic of Armenia "On inspection bodies", the Healthcare Inspection Body of the Ministry of Healthcare of the Republic of Armenia (hereinafter referred to as "the Inspection Body") has been established, and pursuant to point 10 of the Decision, the State Healthcare Inspectorate of the Ministry of Healthcare of the Republic of Armenia (hereinafter referred to as "the Inspectorate") was liquidated on 21 August 2017.

By the Order of the Minister of Healthcare of the Republic of Armenia No 3074-A of 25 October 2017, the staff of the Inspection Body has been approved, which envisages 23 positions of inspectors for supervision over the protection of health and ensuring safety of employees vested with powers of protection of health and ensuring safety of employees, of which 5 — in the Inspectorate of supervision over the protection of health and ensuring safety of employees of the central apparatus, 4 — in Yerevan territorial centre, 3 — in North-Eastern territorial centre, 5 — in Northern territorial centre, 3 — in Eastern territorial centre, and 3 — in Southern territorial centre.

Part 3 of Article 10 of the Law of the Republic of Armenia "On inspection bodies" prescribes that initial courses, as well as the ongoing trainings shall be held therefore during the whole term of office for the purpose of ensuring a high level of compliance and professional qualifications thereof.

The Healthcare Inspection Body carries out its activities in conformity with the Law of the Republic of Armenia "On organising and conducting inspections in the Republic of Armenia", the Law of the Republic of Armenia "On inspection bodies", the Labour Code of the Republic of Armenia, legislation of the Republic of Armenia regulating the sector of healthcare, the Statute of the Inspection Body and other legal acts. In particular, pursuant to point 1 of the Statute of the Inspection Body, the Inspection Body shall be a independent subdivision operating within the system of the Ministry of Healthcare of the Republic of Armenia, which carries out supervisory and/or other functions prescribed by law, as well as imposes sanctions in the fields of protection of health and ensuring safety of employees as prescribed by law. The

protection of health and ensuring safety of employees has been prescribed as the objective of the Inspection Body. The Statute also prescribes the tasks and functions of the Inspection body.

Supervision exercised by the Inspection Body for the purpose of protection of health and ensuring safety of employees includes the following:

- exercising supervision over mandatory requirements concerning protection of health and ensuring safety of employees at workplace prescribed by the legislation of the Republic of Armenia, as well as availability, maintenance and exploitation of collective and individual protection means for occupational safety;
- studying and analysing the reasons for accidents and occupational diseases at workplace in cases and manner prescribed by law;
- organising — with a view to implementing the labour legislation and other legal acts — methodical assistance in ensuring occupational safety for employers and trade unions, providing relevant information and consultation;
- exercising supervision over the ensuring of guarantees prescribed by the labour legislation for persons under the age of 18, as well as for pregnant and breast-feeding women and employees taking care of a child;
- defining terms for elimination of violations where there is an expert opinion on violation of requirements prescribed by legislation of the Republic of Armenia threatening the life and health of employees, or an act on inaccuracies detected; in case of failure to eliminate inaccuracies within the prescribed term — temporarily terminating, as prescribed by law, the activities of the organisation or its separate subdivision until the elimination of the violations;
- in cases prescribed by law giving mandatory assignments on violations detected as a result of inspections carried out within the scope of its competence, by defining terms for the elimination of the violations;
- applying sanctions prescribed by law for violating requirements of the legal acts regulating relations in the sphere of healthcare, protection of health and ensuring safety of employees;
- carrying out explanatory work on application of laws of the Republic of Armenia in the sphere of healthcare, protection of health and ensuring safety of employees and provisions of legal acts adopted in accordance therewith, informing economic entities about their rights and responsibilities.

The Inspection Body exercises supervision of all economic entities (including small, medium-sized and large enterprises) having received state registration as prescribed by law.

Pursuant to Article 3 of the Law of the Republic of Armenia “On organising and conducting inspection in the Republic of Armenia” (hereinafter referred to as “the Law”), the officials conducting an inspection shall be obliged to duly (in person or by post) submit, at least 3 working days before starting the inspection, two copies of the order or instruction on conducting an inspection to the head of the economic entity or the substituting official. The Inspection Body may not conduct inspections without prior notification. The issue of vesting the bodies exercising supervision with the power to conduct an inspection without prior notification in certain cases (including in case of supervision over the fulfilment of requirements of the labour legislation) is currently under consideration.

The Inspection body shall plan the inspections in conformity with the methodology of inspections and general description of criteria determining the level of risks.

The annual plan for inspections shall, upon submission by the Head of the Inspection Body, be approved by the management board of the Inspection Body before 1 December of the year preceding the inspections and shall be posted on the official website of the body conducting inspections. In the annual plan for inspections, the economic entities included in the high risk group constitute at least seventy per cent of economic entities subject to inspection in the given year, and the economic entities included in the low risk group constitute maximum five per cent of economic entities subject to inspection in the given year.

The Inspection Body will, pursuant to the Law of the Republic of Armenia “On inspection bodies”, organise courses, seminars, discussions, publish manuals, booklets, spread information via mass media among the economic entities and citizens for the purpose of preventing the possible violations in the field under its supervision, protecting the public interests and raising the awareness.

sensitising relevant officials, in particular the police, labour inspectors and social workers, about human trafficking for the purpose of labour exploitation and the rights of victims;

Response: Measures aimed at prevention of trafficking are envisaged by 2016-2018 National Action Plan for Organising Fight against Trafficking in and Exploitation of Human Beings in the Republic of Armenia and are regularly carried out in different formats — trainings, seminars, round-table discussions, as well as distribution of posters, booklets, reference books. Thus:

In 2017, 320 prosecutors and 327 investigators completed training in the Academy of Justice of the Republic of Armenia, who, within the framework of “Current issues of the Criminal Law and Criminal Procedure”, also completed training with regard to the issues concerning trafficking in or exploitation of human beings. In addition, in 2017, a training programme for investigators specialised in juvenile matters was introduced in the Investigation Committee of the Republic of Armenia, during which 21 officers of the Investigation Committee of the Republic of Armenia have been specialised. During the training, specific reference was made to the trafficking in or exploitation of children, including forced

labour. The trainings were conducted at the expense of funds of the State Budget of the Republic of Armenia.

In 2017, 540 officers of the Penitentiary Service of the Ministry of Justice of the Republic of Armenia completed training in the "Law Institute of the Ministry of Justice of the Republic of Armenia" state non-commercial organisation. The training programme for the officers of the Penitentiary Service of the Ministry of Justice of the Republic of Armenia approved by the Order of the Minister of Justice of the Republic of Armenia, *inter alia*, includes also educational course "Trafficking in human beings".

Upon the request of the National Security Service of the Republic of Armenia, the Mission of the International Organisation for Migration in Armenia held 5 courses on trafficking in and exploitation of human beings for officers and non-commissioned officers working in border checkpoints. 110 border guards have participated in the courses.

In the first half of 2017, the Chair of Criminal Law and Criminology of the Law Faculty of the Academy of the Police Educational Complex of the Republic of Armenia organised a lecture on "Criminal and Legal Characteristics of Trafficking in and Exploitation of Human Beings" in the Faculty of Training and Attestation of the educational complex for officers occupying senior and mid-level positions in the Police of the Republic of Armenia — commanders of battalions and companies, deputy commanders of companies, commanders of platoons and deputy commanders of platoons, senior inspectors and inspectors of the service, service deputy heads of the division, heads of the Community Police, heads of service and prevention division, for two groups of officers occupying senior and mid-level positions of the Traffic Police Service. In the second half of 2017, the Chair of the Criminal Law and Criminology of the Law Faculty of the Academy of the Police Educational Complex of the Republic of Armenia organised a lecture on "Forms of Organisation of Fight against Exploitation of /Trafficking in/ Human Beings" in the Faculty of Training and Attestation of the education complex for two groups of operatives for criminal intelligence and juvenile matters of the Police of the Republic of Armenia and a lecture on "Criminal and Legal Characteristics of Trafficking in and Exploitation of Human Beings" for officers occupying positions of senior and mid-level positions of the Traffic Police service of the Police of the Republic of Armenia. For the purpose of more effective organisation of preventive activities carried out with minors, 119 officers of the Armenian Police involved in juvenile matters completed training on different legal topics in 2017. During the specified training courses trafficking in and exploitation of human beings, in particular, labour exploitation, as well as trafficking in and exploitation of children were also addressed. Within the framework of the Eastern Partnership Cooperation Programme, 7 police officers of different subdivisions of the Police participated in the seminar on "Study of New Methods in the Fight against Trafficking in Human Beings" conducted in Warsaw, Poland, from 23 to 27 January 2017.

A series of seminars were initiated in marzes of the Republic of Armenia and Yerevan in November 2017 which will be continued also in 2018. The seminars were organised by the Ministry of Labour and Social

Affairs of the Republic of Armenia with the support of “UMCOR Armenia” NGO and the territorial administration bodies. The representatives of territorial administration bodies of marzes, local self-government bodies, Police divisions, mass media of marzes, local NGOs and other interested institutions participated in the seminars. The topic of the event was “Fight against Trafficking in and Exploitation of Human Beings in Armenia”. The mechanism of fight against trafficking, legislation regulating the sector and implementation mechanisms thereof, current situation, tendencies and statistics were presented to the participants. During each meeting, time was allocated for discussion of cases, as well as possibilities for cooperation (parties, forms, ways) and issues related thereto were considered on the basis of case study. The mechanism of guidance of children and identification criteria were presented as a separate subtopic. Participants were provided with the hotline numbers of the Ministry and partner NGOs, arrangements were made for further joint activities. Experience shows that such formats contribute to concerted practices by increasing the effectiveness of the work on-site and by making it visible.

□ *strengthening the monitoring of recruitment and temporary work agencies, including by introducing licensing procedures and reviewing the legislative framework for any loopholes*

Response: Since 2000, in its long-term programmes (2000-2003, 2003-2007) the Republic of Armenia has adopted a policy — to essentially reduce the number of types of economic activities subject to licensing, requirements and conditions for licensing, thus, preventing unnecessary and unlawful intervention in business activities. For that purpose, a number of economic activities were deleted from the Law of the Republic of Armenia “On licensing”.

□ *strengthening efforts to curb fraudulent job offers disseminated by means of the Internet and social media and building up public awareness on safe migration and the risks of trafficking;*

Response: Within the framework of implementation of the National Action Plan for Organising Fight Against Trafficking in and Exploitation of Human Beings in the Republic of Armenia in 2016-2018, the link to the website www.antitrafficking.am has been posted on the official website of the ministries and agencies represented in the Council for Combating Trafficking in and Exploitation of Human Beings in the Republic of Armenia with a view to increasing the level of public awareness of trafficking in and exploitation of human beings, and information on cases of trafficking in and exploitation of human beings, activities carried out in this field is regularly posted on this website.

Police of the Republic of Armenia

In 2017, the Department for Public Relations and Information of the Police of the Republic of Armenia prepared a themed programme — “30 July — World Day against Trafficking in Human Beings” which was broadcast on air on programme series “Sunday dispatch desk”. The episode was posted on the section of “Trafficking” of the official website of the Police, as well as on a number of websites of electronic mass media.

For the purpose of raising awareness of the fight against trafficking in human beings in the Republic of Armenia and the results thereof, as well as awareness raising of the public, the police officers participated in the programmes on the main issues of trafficking in and exploitation of human beings and fight against it, prepared by journalists of "H1", "Armenia", "ArmNews", "AR", "1AM" TV companies and news websites. Thematic articles are regularly published in the "02" weekly newspaper of the Police of the Republic of Armenia.

Informational materials – brochures and leaflets – on trafficking in and exploitation of human beings are provided to persons on border checkpoints of the Republic of Armenia (Division of the Passport and Visa Department of "Zvartnots" airport, Bagratashen, Bavra and Gogavan divisions).

The brochures indicate the aim of the application thereof and the free support phone number operating within the Republic of Armenia, as well as trafficking indicators, in case of compliance with 6 and more whereof, it is necessary to call the provided phone number toll-free. The paid phone number for calling from abroad is also indicated, and the specified indicators are presented in details. In addition, for the purpose of raising public awareness of the trafficking in and exploitation of human beings, the section of "Trafficking" is in place in the official website of the Police "www.police.am", where both statistical materials and prevention-related materials are posted.

Ministry of Sport and Youth Affairs of the Republic of Armenia

The programme "Youth awareness campaign against trafficking in Charentsavan and maintenance and update of the website www.antitrafficking.am have been implemented from April to December 2017. The aim of the programme was to raise awareness of the youth of Charentsavan, the 2017 Youth Capital of the Republic of Armenia, of the issues of trafficking in human beings through an interactive game. During the training programme a course and an interactive game for clarification and prevention of trafficking in human beings were held. PSAs on the subject of trafficking in human beings were shown.

The maintenance and update of the website www.antitrafficking.am was one of the components of the programme. All the activities were carried out along with maintenance of the database of the website and update of the information. The website administrators organised the activities according to their functional duties while ensuring the smooth and effective operation of the website. Posting of local and international materials related to the term "trafficking in human beings" on the website www.antitrafficking.am was regulated, new materials on the situation were created, reference was regularly made to the activities of the Council of the Government of the Republic of Armenia for Combating Trafficking in Human Beings, any information related to the field was analysed, the monitoring of materials published in mass media continued. The complete information received was

forwarded to subscribers through the website www.antitrafficking.am and was disseminated by means of homonymous Facebook page.

Ministry of Diaspora of the Republic of Armenia

The acquisition and provision of informational materials, brochures on trafficking in and exploitation of human beings to various institutions, organisations of the Diaspora continued.

In 2017, informational materials on trafficking in and exploitation of human beings were acquired, which were provided to the Armenian Diaspora institutions operating in the CIS, Middle-East and European countries with a view to keeping the Armenian citizens residing there well informed about trafficking and the ways for its prevention.

The following materials were acquired:

1. "Advice on being employed for the first time" booklet, 30 copies / "Hope & Help" NGO/.
2. "Know and protect your rights" booklet, 60 copies / "Hope & Help" NGO/.
3. "Help line for victims of trafficking in human beings" with the hotline number, 30 copies, / "Hope & Help" NGO/.
4. "How to minimise the danger of becoming a victim of trafficking (exploitation of human beings)" in Armenian, 30 copies, / "Hope & Help" NGO/.

Ministry of Labour and Social Affairs of the Republic of Armenia

In the marzes of the Republic of Armenia, the Ministry of Labour and Social Affairs of the Republic of Armenia and "UMCOR Armenia" NGO have jointly organised seminars with the participation of territorial administration bodies, local self-government bodies, representatives of the Police divisions, mass media and other interested institutions, during which booklets, brochures, posters with hotline numbers of organisations and state bodies dealing with that issue, as well as information on dangers of the trafficking and on the situation in the Republic were distributed.

In 2017, 7 migration resource centres and 1 mobile migration resource centre operating within the State Employment Agency of the Ministry of Labour and Social Affairs of the Republic of Armenia provided consultation and information to the population:

- persons leaving for work abroad — consultation on labour migration legislation of the host country, informational materials were provided;
- returnees — consultation on the procedure for record-registration at employment centres, vacancies, as well as annual state employment programmes;

migrant workers of the Republic of Armenia — consultation on the legislation of the main host countries.

The following was presented:

- The labour migration legislation of the Russian Federation: (arrival and labour activity of migrant workers, rights and responsibilities of migrant workers, protection of interests and assistance);
- labour migration, labour trafficking;
- labour migration and mobility partnerships in the EU countries;
- migration and labour migration in the Republic of Armenia, types of migration flows;
- consular system of the Republic of Armenia;
- migration legislation of the Republic of Armenia and international treaties, migration policy of the European Union;
- protection of the interests of natural persons of the Republic of Armenia and assistance thereto.

During the meetings with the beneficiaries, relevant information materials were distributed.

A television programme on trafficking was broadcast on air on TV channel “Armnews” in December 2017 within the framework of the programme “Social reference” implemented by the Ministry.

The National Institute of Labour and Social Research of the Ministry of Labour and Social Affairs of the Republic of Armenia conducted trainings of civil servants (beneficiary groups were the Ministry of Labour and Social Affairs of the Republic of Armenia, Ministry of Healthcare of the Republic of Armenia, Ministry of Science and Education of the Republic of Armenia, Ministry of Territorial Administration and Development, specialists of other bodies).

Armenian Caritas

2. Within the framework of the programme “Reduce irregular migration and trafficking in Armenia” implemented by “Armenian Caritas” Benevolent NGO, in 3 marzes of the Republic of Armenia — Shirak, Lori and Gegharkunik — courses were organised among pupils of high and secondary schools, students of secondary vocational education institutions and residents of the communities. During the courses, reference was made to the regular migration, regulations of labour migration deriving from the EAEU Agreement, as well as topics of trafficking in human beings. The virtual dangers as a modern method of mobilising for the purpose of trafficking were also discussed within the context of trafficking.

3. In 2017, in Lori marz, courses were held in 31 educational institutions, among 583 school children and students of secondary vocational education institutions and 119 residents of 8 communities. Courses were held for 702 participants in total.

4. In Shirak marz, the courses were held in 15 educational institutions, among 245 school children, teachers and students of secondary vocational education institutions and 117 residents of 20 communities. In Shirak marz, 422 persons participated in the courses.

5. In Gegharkunik marz, the courses were held in 32 educational institutions, among 622 school children, teachers and students of secondary vocational education institutions and in 5 other institutions for 50 participants. Thus, in Gegharkunik marz, the number of participants constituted 672 persons. In 2017, the total number of participants in the awareness-raising courses in 3 target marzes of the programme constituted 1796 persons.

“UMCOR” NGO

“UMCOR” NGO, jointly with “ECLOF” universal credit organisation, organised 5 courses for Syrian-Armenian refugees. The courses related to awareness-raising and prevention of risks of trafficking and forced labour. The invited specialist presented to the participants in the course the programmes of the State Employment Agency of the Ministry of Labour and Social Affairs of the Republic of Armenia aimed at involvement of vulnerable groups in the labour market. In total, 116 Syrian-Armenian refugees participated therein. At the end of the course, information booklets on prevention of trafficking were distributed, where there were hotline numbers and the phone number of the State Employment Agency.

- strengthen the prevention of trafficking in children through improved support for children in vulnerable situations, paying particular attention to children from rural areas at risk of child labour, girls from the Yezidi community and children placed in child care institutions. Increased attention should be paid to strengthening the role and capacity of the child protection system to prevent trafficking in children and alerting other relevant stakeholders to possible cases of trafficking;

Response: Protection of children is one of the priorities of the Government of the Republic of Armenia, and the changes currently taking place are aimed at the reform in the field, contributing, in particular, to the improvement of the quality of life of children in difficult life situations and ensuring social protection guarantees, development of the system for alternative services rendered thereto, improvement of the quality of services rendered to children at child care and protection institutions. The draft Laws of the Republic of Armenia “On the rights of the child” and “On social protection of children left without parental care” have been elaborated. The process for reorganisation of institutions for social protection of population (orphanage, children’s care boarding institution) within the system of the Ministry of Labour and Social Affairs of the Republic of Armenia is being implemented, as a result whereof child and family support centres with relevant functions have been established in Yerevan and Syunik Marz of the Republic of Armenia. Activities are carried out for the enhancement of the foster family institution and expansion of possibilities of alternative services. All these initiatives aim at decreasing the child’s vulnerability.

As to the vulnerability of children placed in childcare institutions, according to statistics, pupils of special schools in general are more vulnerable in terms of trafficking. They come from poor families and those in unfavourable conditions, which, in itself aggravates the vulnerability and, returning home at weekends and on holidays, they are left out of control and might be exploited by their own relatives.

At the end of 2017, activities for developing mechanisms aimed at supervision of child labour launched, which will be completed in 2018. In particular, checklists for detecting the worst forms of compulsory labour and child labour, indicators of preliminary identification of children subjected to trafficking and exploitation are being developed.

In November 2017, the Ministry of Labour and Social Affairs of the Republic of Armenia, with the support of the International Labour Organisation, started a new project — Country Level Engagement and Assistance to Reduce Child Labour (CLEAR).

Measures aimed at the following two goals of the CLEAR Project shall be implemented in Armenia:

Objective 1: Bringing the legal/regulatory tools in compliance with international standards in the field of child labour, including its worst forms, and submission to the competent authorities.

Objective 2: Improving the implementation/integration of national and local policies and social programmes aimed at the reduction and prevention of child labour, including its worst forms.

Protection of children's rights has always been in the centre of attention of the Ministry. The initiative of developing a draft procedure for referral of children subjected to trafficking also serves this objective. The draft shall supplement Decision of the Government of the Republic of Armenia No 492-N of 5 May 2016 (prescribes the procedure for and amounts of support provided to victims) and shall be aimed at increasing the efficiency of application of the legislation and laws of the field and related fields. Indicators of preliminary identification of victims of trafficking, including working children, are prescribed by another draft. This document is envisaged for employees of territorial administration and local self-government bodies.

At the same time, we would like to inform that, during 2017, six minor girls of the vulnerable group received support within the scope of the project of the United Methodist Committee on Relief (UMCOR) Charitable Foundation. Four of them received the support at the shelter, and two of them — outside the shelter. The support included psychological, medical, in-kind assistance and vocational education.

Support of the psychologist was also provided to the families of the children. The support process was implemented jointly with the relevant state agencies (the Ministry of Labour and Social Affairs, marz [region] women and children protection units, guardianship, local self-government bodies, etc.).

It shall be mentioned that particular attention needs to be paid to children who should, within the scope of the 2017-2021 Strategic Programme for the Protection of the Rights of the Child in the Republic of

Armenia, return to their disadvantaged families from orphanages and care and protection boarding institutions¹.

- *improve assistance provided to victims of trafficking, in particular:*

ensure that male victims of trafficking are guaranteed safe accommodation and adequate assistance adapted to their needs;

Response: According to the procedures, support to victims shall be provided only upon their consent. If a person waives his or her right to receive support or enjoy any type of assistance, he or she is not obliged to. As a rule, men usually reject the provision of a temporary shelter, but accept the other types of the support package. In that case, support is provided to those beneficiaries outside the shelter.

At the same time, we would like to inform that "UMCOR" Charitable Foundation provided necessary support to six male victims in 2016-2017, of which three were minors. Only one of them has expressed willingness to receive support at the shelter.

improve access to timely medical assistance and emergency treatment free of charge;

Response: There have been only two persons requiring medical during 2017. Upon the mediation of the Ministry of Labour and Social Affairs of the Republic of Armenia, free medical assistance and service was organised for those two persons subjected to human exploitation (trafficking).

facilitate the reintegration of victims of trafficking into society by ensuring follow-up after the termination of specialised assistance by NGOs, offering them vocational training and facilitating their access to the labour market;

Response: Draft standards of quality of service provided to victims of trafficking have been developed at the Ministry of Labour and Social Affairs of the Republic of Armenia, introduction whereof will allow to follow-up to the rehabilitation and reintegration progress of each person and make changes, where necessary. The standards will be adopted in 2018.

As to vocational trainings, in 2017, one victim of trafficking underwent vocational training, another victim continues education at college, and another victim had the opportunity to set up a small business based on the vocational education received. Two more victims of trafficking had the opportunity to work based on the skills received through the vocational training.

increase the share of the state budget in the funding of assistance for victims of trafficking with a view of achieving full state funding of these services;

¹ 2017-2021 STRATEGIC PROGRAMME FOR THE PROTECTION OF THE RIGHTS OF THE CHILD IN THE REPUBLIC OF ARMENIA: The main objective of the 2013-2016 Strategic Programme for the Protection of the Rights of the Child in the Republic of Armenia is to ensure the well-being of the child in the family and society through decreasing the number of children in child care and protection boarding institutions and preventing the flow of children into those institutions. <http://www.irtek.am/views/act.aspx?aid=91088>

Response: All necessary expenses related to ensuring of education, ensuring of vocational education and employment, medical assistance, lump-sum monetary compensation and partially shelter maintenance expenses and remuneration of professional staff are provided for by the State Budget. The Law of the Republic of Armenia "On identification of and assistance to persons subjected to trafficking in and exploitation of human beings" prescribes the right to receive a lump-sum monetary compensation as a type of support to victims of trafficking and exploitation. The provision on compensation, pursuant to Decision of the Government of the Republic of Armenia No 492-N of 5 May 2016, entered into force in January 2017. Five persons received assistance during one year. The amount is provided upon a decision of the Identification Commission, after the completion of the reintegration process.

- *improve the identification of and assistance to child victims of trafficking, in particular by:*

developing and disseminating as a matter of priority indicators and tools for the identification of child victims of trafficking and using them to provide periodic training to all relevant staff;

Response: The draft on indicators of preliminary identification of victims has already been developed; it is supposed to become an efficient tool for the proactive activities of professionals in direct connection with the population. It has been presented during the seminars organised for various professional groups in the marzes of the Republic of Armenia. It is envisaged to introduce it into the social protection system.

ensuring that relevant actors (police, health/labour inspectorate, staff of divisions on family, women and child rights protection, guardianship and trusteeship commissions, social workers, child specialists) take a proactive approach and increase their outreach work to identify child victims of trafficking by paying particular attention to children in street situations, children in rural areas and asylum-seeking children;

Response: Outreach work is an integral part of the list of preventive measures for the fight against trafficking. In November 2017, the launch of the new stage of outreach activity started at the Ministry of Labour and Social Affairs of the Republic of Armenia and will end in the second semester of 2018. The Ministry of Labour and Social Affairs of the Republic of Armenia, in cooperation with "UMCOR Armenia" Charitable Foundation, has started a series of seminars in the marzes of the Republic of Armenia, with participation of representatives of territorial administration and local self-government bodies (including guardianship and trusteeship bodies), police divisions, other interested institutions. Representatives of territorial administration and local self-government bodies will be provided with brief information on the policy being implemented in the field, current situation, victim identification, support and protection. Seminars have already been conducted in Syunik, Vayots Dzor, Ararat, and Aragatsotn Marzes.

For the purpose of enhancing the knowledge and skills of public servants, improving the skills in the fight against corruption and the fight against trafficking in and exploitation of human beings, the Ministry of

Territorial Administration and Development of the Republic of Armenia has organised trainings of community servants of the staffs of a number of municipalities of the marzes of the Republic of Armenia.

In 2017, a training course was organised for community servants, targeted at the consistent improvement of their professional knowledge and working skills. Topics on the fight against trafficking in and exploitation of human beings were also included in the course. 278 community servants of the staffs of municipalities of the marzes of the Republic of Armenia were trained, with financing provided by the State Budget. During 2017, 561 community servants were trained in Yerevan.

Pursuant to part 3 of Article 48 of the Law of the Republic of Armenia "On local self-government", the position of the community social worker was created within the staff of the community having more than 5000 residents. In 2017, the positions of the social workers were also approved by the list of community service positions. Works are carried out for the regulation of processes of training of social workers.

For the purpose of raising the level of awareness and legal consciousness of the population — especially the youth, with regard to trafficking in and exploitation of human beings, preventing the crimes and other offences committed by or against them, carrying out preventive activities among them, officers of territorial subdivisions of the Police of the Republic of Armenia regularly organised and conducted meetings and talks in schools of administrative territories serviced by them. During the meetings, the dangers of exploitation, trafficking and the ways to avoid it were explained. During February-March, as well as November-December 2017, upon the initiative of the Police of the Republic of Armenia, a month-long course devoted to the topic "Harmful phenomena" was held in the schools in Armenia. At the same time, with the direct participation of the administration of the Police of the Republic of Armenia, on 5 May 2017, the event entitled "Police officer gives a lesson" was organised and conducted in the secondary and high schools of Armenia.

ensuring that child victims of trafficking benefit from all the assistance measures provided for under the Convention, including appropriate safe accommodation and access to specialised services, such as psycho-social support and effective access to education;

Response: Issues of ensuring relevant support to victims of trafficking in and exploitation of human beings and victims of special category are regulated by Article 22 of the Law of the Republic of Armenia "On identification of and assistance to persons subjected to trafficking in and exploitation of human beings", the mechanism of provision whereof is prescribed by the Procedure for Prescribing the Manner of Providing Support as Stipulated by Law to Potential Victims, Victims and Special Category Victims of Trafficking in and Exploitation of Human Beings, and the Amounts Thereof, approved by Decision of the Government of the Republic of Armenia No 492-N of 5 May 2016.

"UMCOR" Charitable Foundation

In 2017, three minor victims — two girls and one boy, received necessary support. One of the girls has been provided shelter besides other support services. The other girl has expressed willingness to stay at home with her family and is regularly visited and supervised by “UMCOR” Charitable Foundation and marz child protection state agencies. The boy is in “Vardashen” boarding school.

□ *developing and providing guidance and training on the identification of child victims of trafficking for the purposes of exploitation of begging and criminal activities;*

Response: The matter of developing the above-mentioned guidance will be discussed when developing the next National Action Plan for Organising Fight against Trafficking in and Exploitation of Human Beings.

For the purpose of preventing cases of begging and vagrancy among minors, detecting the persons involving them into begging, as well as improving the works carried out by police officers of Armenia in charge of minors' affairs among begging and vagrant minors, inspection visits were regularly conducted during 2017 by subordinate subdivisions of Yerevan City and Marz Departments of the Police of Armenia in the city of Yerevan and the marzes of the country, during which cooperation was carried out with self-government bodies, concerned agencies and non-governmental organisations.

See also the responses to the previous questions of this subsection

□ *ensuring long-term assistance and monitoring of the reintegration of child victims of trafficking;*

Response: The protection mechanisms immediately start to operate for all the children who come into the view of professionals, and they receive the volume of assistance prescribed by national and international legislation.

Monitoring of rehabilitation and reintegration of children will be ensured by introducing quality criteria for the services rendered.

- *take additional measures to facilitate and guarantee access to compensation for victims of trafficking, in particular by:*

□ *reviewing the criminal and civil procedures regarding compensation with a view to improving their effectiveness;*

Response: It should be mentioned that, within the scope of criminal procedure, clear guarantees and responsibilities are prescribed for the exercise of that right. Thus:

Pursuant to part 1 of Article 101 of the Criminal Procedure Code of the Republic of Armenia, each person participating in the procedure (including the victim) shall have the right to know his or her rights and responsibilities. Pursuant to part 2 of the same Article, the body conducting criminal proceedings shall be obliged to clarify to each person participating in the procedure (including the victim) his or her rights

and responsibilities, to ensure the opportunity to exercise them as prescribed by the same Code. Pursuant to part 4 of the specified Article, the rights and responsibilities of a person who has acquired the status of a participant of the procedure (including the victim) shall be necessarily clarified to him or her prior to the commencement of investigative or other procedural activities carried out with his or her participation and before he or she expresses his or her position as a participant of the procedure.

A victim of trafficking shall, pursuant to Article 58 of the Criminal Procedure Code of the Republic of Armenia, be recognised as a victim, and the official of the body conducting proceedings shall be obliged, pursuant to Article 101 of the Criminal Procedure Code of the Republic of Armenia, to clarify his or her rights and responsibilities prescribed by Article 59 of the Criminal Procedure Code of the Republic of Armenia. Pursuant to points 15 and 16 of part 1 of Article 59 of the Criminal Procedure Code of the Republic of Armenia, a victim shall have the right to receive compensation for damage caused by an act proscribed by the Criminal Code, as prescribed by law, and to receive reimbursement of costs incurred in the course of criminal proceedings.

Pursuant to Article 60 of the Criminal Procedure Code of the Republic of Armenia, if there are sufficient grounds to assume that property damage has been caused to a person in the result of an act outlawed by the Criminal Code, then the person that has brought an action for compensation of damages shall be recognised as a civil plaintiff based on the decision of an inspector.

Besides, pursuant to part 2 of Article 15 of the Criminal Procedure Code of the Republic of Armenia, if a victim lacks knowledge of Armenian, he or she shall, upon a decision of the body conducting criminal proceedings, be provided with an opportunity to exercise the rights thereof with the aid of an interpreter whose services are financed from the state budget.

ensuring that victims of trafficking are systematically informed in a language that they can understand of the right to seek compensation in criminal and civil proceedings, and the procedures to be followed;

Response: Article 19 of the Judicial Code of the Republic of Armenia enshrines that in the Republic of Armenia, procedure shall be conducted in Armenian. Participants in a case shall have the right to act in court in the language they prefer, if they provide interpretation into Armenian. A court shall provide services of an interpreter whose services are financed from the state budget, to persons participating in a criminal case and having no command of Armenian. A court shall provide services of an interpreter, whose services are financed from the state budget, to the natural persons participating in administrative cases and civil cases prescribed by law, if they have no command of Armenian and prove that they do not have sufficient means to pay for interpretation. In case of necessity to provide translation services at the expense of the Republic of Armenia, an interpreter shall be appointed on the basis of a court decision, as prescribed by the Government of the Republic of Armenia (hereinafter referred to as "the

Government"). The amount of and the procedure for remuneration of interpreters shall be established by the Government.

Pursuant to Article 15 of the Criminal Procedure Code of the Republic of Armenia:

1. In the Republic of Armenia, the criminal procedure shall be conducted in Armenian. In the course of criminal procedure every person, with the exception of the body conducting criminal proceedings, shall have the right to use the language he or she has knowledge of.
2. Upon a decision of the body conducting criminal proceedings, persons participating in the criminal procedure, who lack knowledge of the language of the criminal procedure, shall be provided with an opportunity to exercise the rights thereof prescribed by this Code with the aid of an interpreter whose services are financed from the state budget.
3. The respective persons, who lack knowledge of the language of the criminal procedure, shall be provided with certified carbon copies of documents, to be handed out as provided for by this Code, in the language they have knowledge of.
4. Documents in other languages shall be attached to the file of a case with their translations into Armenian.

At the same time, Article 7 of the Civil Procedure Code of the Republic of Armenia prescribes that in the Republic of Armenia, procedure shall be conducted in Armenian. Participants in a case shall have the right to act in court in the language they prefer, if they provide interpretation into Armenian.

Article 9 of the Administrative Procedure Code of the Republic of Armenia prescribes that:

1. The administrative procedure shall be conducted in Armenian.
2. The party, his or her representative, the expert assigned upon the initiative of the party, or the witness invited upon the motion of the party shall have the right to act in court in the language they prefer, if they provide interpretation into Armenian. The judge, parties, witnesses, experts and representatives shall not have the right to assume the obligations of an interpreter, even if they have knowledge of the language necessary for the interpretation.

enabling victims of human trafficking to exercise their right to compensation by guaranteeing their effective access to legal aid, building the capacity of legal practitioners to support victims to claim compensation and including compensation in existing training programmes for law enforcement officials and the judiciary;

Response: It should be mentioned that access to legal aid is already ensured, as part 5 of Article 41 of the Law of the Republic of Armenia "On Advocacy" has been supplemented with a new point by the Law of the Republic of Armenia "On making supplements to the Law of the Republic of Armenia 'On

Advocacy" of 17 December 2014, pursuant to which the Office of Public Defender provides the free legal aid to persons recognised as victims or victims of special category by the Commission for Identification of Victims Subjected to Trafficking in and Exploitation of Human Beings, as prescribed by law. That is to say, victims of trafficking in or exploitation of human beings can already use free legal aid yet in the absence of an initiated criminal case.

Article 10 of the Criminal Procedure Code of the Republic of Armenia guarantees the right to receive legal aid, in particular: Everyone shall have the right to legal aid as provided for by this Code. At the same time, the body conducting criminal proceedings may render a decision on providing a suspect or an accused with free legal aid, based on their financial status.

Article 165 of the Criminal Procedure Code of the Republic of Armenia prescribes the following: Legal aid provided to a suspect and an accused by a defence counsel shall be remunerated at the expense of the client, under the terms mutually agreed by the defence counsel and the client, or shall be provided free of charge upon the consent of the defence counsel. Legal aid provided to a suspect and an accused by an assigned defence counsel shall be remunerated at the expense of the State Budget, unless consent is reached between the defence counsel and the client and the defence counsel has declared on providing aid free of charge.

□ *encouraging prosecutors and the judicial authorities to make full use of the legislation on the seizure and confiscation of offenders' assets to secure compensation to victims of trafficking;*

Response: During the investigation into criminal cases initiated with regard to cases of trafficking in human beings, measures provided for by law are undertaken to detect the assets belonging to perpetrators, as well as those derived from criminal activity.

In addition, the Criminal Code of the Republic of Armenia and the Criminal Procedure Code of the Republic of Armenia regulate in detail the matters of compensation for the damage caused to victims.

Thus:

Pursuant to Article 158 of the Criminal Procedure Code of the Republic of Armenia:

1. A civil action in a criminal procedure may be instituted at any moment starting from the initiation of a criminal case until the court retires to deliberation room to render a criminal judgement.
2. A civil action shall be instituted against a suspect, accused or a person on whom liability for the property may be imposed for actions of the accused.

Pursuant to Article 232 of the Criminal Procedure Code of the Republic of Armenia:

1. An attachment of property shall apply for the purpose of securing a civil action, possible confiscation, levy of property and judicial expenses.

2. An attachment shall be imposed on the property of a suspect and an accused, as well as on the property of those persons who may be held materially liable for actions of the suspect or accused, irrespective of the type and whereabouts of property.

2.1. Pursuant to Article 103.1 of the Criminal Code of the Republic of Armenia, an attachment shall be imposed on the property subject to levy, irrespective of the fact that it is owned or possessed by the person having committed the crime or any third party.

Pursuant to Article 233 of the Criminal Procedure Code of the Republic of Armenia:

1. An attachment on property by the bodies conducting criminal proceedings may be made solely when evidence collected under the case afford sufficient ground to assume that the suspect, accused or the person possessing the property may conceal, waste or exhaust the property subject to confiscation.

1.1. The body conducting criminal proceedings shall promptly impose attachment on the property subject to levy provided for by part 1 of Article 103.1 of the Criminal Code of the Republic of Armenia.

2. An attachment of property shall be made based on a decision of the inquest body, investigator or prosecutor.

Pursuant to part 3.2 of Article 172 of the Criminal Procedure Code of the Republic of Armenia, criminal prosecution bodies may obtain information containing bank secret with regard to persons involved as a suspect or an accused in the criminal case, official information on transactions in securities by the Central Depository prescribed by the Law of the Republic of Armenia "On securities market", as well as information containing insurance secret based on a court decision on search or seizure.

It should be mentioned that, pursuant to Article 107 of the new Criminal Procedure Code, an attachment on property may be made solely when collected evidence afford sufficient ground to assume that the accused or the person possessing the property may conceal, waste or exhaust the property subject to confiscation. An attachment on property shall be made based on the decision of the court. In urgent cases, when failure to immediately impose this coercive measure may lead to loss, damage or destruction of property, imposing an attachment on property may be made by the decision of the investigator, upon the consent of the prosecutor. In this case, the relevant decision and the materials substantiating it shall be immediately, but not later than within 48 hours, be submitted for the approval of the court.

Pursuant to Article 103.1 of the Criminal Code of the Republic of Armenia, any property directly or indirectly generated or received as a result of committing a crime, income or other types of benefits received from the use of that property, tools and means used or intended to be used for the commission of such crime, as a result of which property has been received, the property designed for terrorism financing, income or other types of benefits received from the use of that property, objects of smuggling

transferred through the border of the Republic of Armenia by smuggling as provided for by Articles 215.1, 235.1 and 267.1 of this Code, and in the absence thereof — the property equivalent thereto, except for the property of bona fide third party, property necessary for the compensation of damages caused to the victim or civil plaintiff by crime, shall be subject to levy in favour of the State.

Thus, matters of compensation for damage caused to the victims, including the victims of trafficking, are regulated by the current legislation.

- *take legislative and practical measures to ensure that legal entities in Armenia may be held liable for human trafficking offences.*

Response: The draft Criminal Code of the Republic of Armenia has been elaborated and submitted for public discussion by the Ministry of Justice of the Republic of Armenia. The draft Code enshrines an institute of criminal liability of legal persons acting in the Republic of Armenia. In particular, the provisions of Chapter 7 of the draft Criminal Code of the Republic of Armenia are fully devoted to subjecting legal persons to criminal liability. Article 127 of the draft provides for crimes for which a legal person shall be subject to criminal liability. A legal person shall be subject to criminal liability for, among other criminal offences, subjecting a person to trafficking.

The current Criminal Procedure Code of the Republic of Armenia does not provide for a norm on subjecting legal persons to criminal liability, but it has been included in the new draft Criminal Procedure Code of the Republic of Armenia.