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### ***Trafficking in Armenia***

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Armenian citizens have high levels of migration activity, so the country inevitably has experience human trafficking. Armenians are subjected to human trafficking both at home and in their acts of emigration. In some cases immigrants from other countries get pulled into domestic trafficking, mostly women involved in prostitution. Most trafficking cases registered in Armenia over recent years dealt with the sexual exploitation of women (including minors), both abroad and in Armenia, and the labor exploitation of Armenian citizens in Russia.

The country has legislation in place to combat trafficking. For instance, there are three articles in the Armenian Criminal Code that deal directly with trafficking in human beings and several articles that touch upon it indirectly (see the note prepared by Petros Agababyan).

In 2007, following the decision of the Armenian Government<sup>1</sup>, the Council on Human Exploitation (trafficking) was established in the country for the systematization and coordination of efforts to combat this phenomenon. The Council on Human Exploitation is chaired by the Deputy Chairman of the Armenian Government and many important Armenians sit on it: the Armenian ministers of foreign affairs, labor and social affairs, finance, economy, healthcare, justice, sports and youth affairs, education and science; the deputies of the Prosecutor General; the Director of the National Security Service; the head of Police; as well as the head of the foreign affairs division of the Presidential Administration and head of the State Migration Service of the Ministry of Territorial Administration.

Representatives of non-governmental organizations dealing with this issue (Hope and Help, Democracy Today, UMCOR Armenia, Man in Trouble, Armenian Assistance Union, World Vision Armenia, Audio-Visual Reporters Association etc.) are invited as observers and take an active part in the council meetings. In addition, representatives of international organizations also get invited to the council meetings, namely: Armenian office of the UN Children's Fund, International Organization for Migration, International Labor Organization, Yerevan office of OSCE etc.

The interagency working group was established to manage the routine activities of the council. The head of this group (the head of international organizations division of the Armenian Ministry of Foreign Affairs) is also in charge of the implementation of requirements put forward in the Council of Europe Convention on Action against Trafficking in Human Beings drawn up by the Group of Experts on Action against Trafficking in Human Beings (GRETA). This interagency group engages experts of all the above-mentioned Armenian agencies: it also actively cooperates with representatives of the above-mentioned non-governmental and international organizations. There is, too, a legal subgroup that develops draft legislative amendments.

According to the data of the Armenian police, 14 cases dealing with trafficking and exploitation were processed in 2011 (Criminal Code article 132 - "Human trafficking or exploitation" and 132<sup>2</sup> - "Trafficking or exploitation of a child or person who due to a mental disorder cannot comprehend the essence and meaning of his or her actions or control them"). Five of these cases had been initiated earlier, three cases were resumed because wanted persons had been found, one case was reclassified as a trafficking case, and only five cases were initiated in 2011.

Out of 14 cases 10 dealt with the sexual exploitation of women, in only four of which exploitation occurred outside Armenia: three cases in the United Arab Emirates, and one case in Turkey. The rest of the cases dealt with the labor exploitation of Armenian citizens in Russia. 13 persons were acknowledged as complainants in these cases, 12 of them women. Out of 13 persons six were minors at the time of the crime. As of 01.01.2011, 17 persons were on the wanted list in connection with these proceedings. In the course of the year five persons were found, four more persons were declared "wanted". In addition to that, 32 new criminal cases were initiated in the course of 2011 in relation to

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<sup>1</sup> Regulation of Armenian Government #861-A, of 7 December 2007.

Criminal Code articles 261 (“Engagement of another person in prostitution for profit”) and 262 (“Promotion of prostitution”), 45 crimes were solved, two of which involved underage persons<sup>2</sup>.

22 criminal cases were processed in relation to Criminal Code articles 132, 132<sup>2</sup> and 132<sup>3</sup> in 2012 (“Using services of an exploited person”). Three of them had been initiated earlier, three cases were resumed, because wanted persons had been found, one case was reclassified as a trafficking case, and 16 cases were initiated in 2012.

Out of 16 new cases 11 dealt with sexual exploitation of women, only three of which occurred outside Armenia (all in Turkey). The remaining five cases were related to the exploitation of a minor by way of beggary (one case), extraction of human organs (one case), labor exploitation (two cases), and using services of an exploited person (1 case). In these cases 13 persons were acknowledged as complainants, 12 of them women. Out of 13 complainants six were underage at the time of the crime.

In the same year 2 criminal cases were initiated in relation to the Criminal Code article 166 (“Engaging a child in prostitution or activities associated with production of materials or items of pornographic nature”). Five perpetrators and two complainants were dealt with in these cases related to offenses that occurred in Armenia. Three more cases were initiated in relation to the Criminal Code article 168 (“Buying a child to take this child under care or selling a child to transfer the care”). Finally, 35 new criminal cases were initiated in 2012 in relation to Criminal Code articles 261 (“Engagement of another person in prostitution for profit”) and 262 (“Promotion of prostitution”)<sup>3</sup>.

Considering these quantitative data, one should not forget that this is only a small fraction of the large-scale phenomenon that came under the purview of Armenian law enforcement agencies. Despite the absence of relevant research data<sup>4</sup> and expert estimates (at least we failed to find them), this point of view is shared by specialists from practically all agencies, including governmental ones, dealing with human trafficking. Let us note that this fact is also mentioned in the GRETA report of 2012<sup>5</sup>.

Over recent years a lot of work has been done in Armenia by all official organizations and agencies that deal, to a lesser or greater extent, with human trafficking, as well as by non-governmental and international organizations. There are numerous programs, mostly joint ones, involving both official agencies, as well as non-governmental and international organizations, with the purpose of: training personnel of organizations and agencies; informing the population and especially the high-risk groups; offering necessary consultations and information, medical, psychological, legal and financial assistance to human trafficking victims; and contributing to their reintegration. Detailed and complete lists of these programs indicating the number of persons involved etc. can be found in official documents of the Armenian Government and its Council on Human Exploitation (trafficking).<sup>6</sup>

<sup>2</sup> “On work undertaken in 2011 in the Republic of Armenia to combat human exploitation (trafficking)”. Report of the working group of the Council of the Republic of Armenia on Human Exploitation (trafficking).

<sup>3</sup> “On work undertaken in 201w in the Republic of Armenia to combat human exploitation (trafficking)”. Report of the working group of the Council of the Republic of Armenia on Human Exploitation (trafficking).

<sup>4</sup> Only one special selective survey on trafficking was carried out in Armenia. It was carried out by the ILO in 2008. Unfortunately the results of this survey caused controversy between the ILO and relevant official bodies of the country, as a result of which they were not published.

<sup>5</sup> “Public officials and NGO representatives met during GRETA visit to the country acknowledged that actual scale of human trafficking in Armenia was higher than official figures”. “Report concerning the implementation of the Council of Europe Convention on Action against Trafficking in Human Beings by Armenia First evaluation round.” G R E T A Group of Experts on Action against Trafficking in Human Beings Strasbourg, 21 September 2012, p. 10.

<sup>6</sup> Report. “On implementation by the Republic of Armenia of the Council of Europe Convention on Action against Trafficking in Human Beings”. Appendix to protocol decision of the Armenian Government meeting of 28 July 2011 No. 21 “On work carried out in 2011 in the Republic of Armenia to combat human exploitation (trafficking)”. Report of the working group of the Council on Human Exploitation (trafficking). “On work carried out in 2012 in the Republic of Armenia to combat human exploitation (trafficking)”. Report of the working group of the Council on Human Exploitation (trafficking).

At the same time one should note that what is done and has been done is apparently not enough. We believe that today there is a serious problem with trafficking detection, especially in cases involving labor migrants. Comparing the number of persons involved in this process to the number of trafficking cases detected in their environment, one can unequivocally conclude that only a small fraction of persons subject to labor exploitation are identified. This may be due to the fact that most persons subjected to labor exploitation do not see much practical sense in making a statement or reporting it to law enforcement agencies: a statement, after all, does not guarantee any moral or material compensation, and it is associated with inevitable complications. Obviously this should be changed.