

In 2016, Armenia made a minimal advancement in efforts to eliminate the worst forms of child labor. Despite new initiatives to address child labor, Armenia is receiving this assessment because it continued to implement a law that delayed advancement in eliminating the worst forms of child labor. The Government failed to remedy the uncertainty regarding its authority to monitor, inspect, and enforce child labor laws caused by its 2014 repeal of Article 34 of the Labor Code, which previously established the Government's authority to conduct routine labor inspections. Since that time, the Government has lacked a functioning labor inspection mechanism to monitor, inspect, and enforce child labor laws. Otherwise, the Government made efforts by publishing a National Child Labor Survey and adopting the National Plan of Action Against Trafficking in Persons and Exploitation.

However, children in Armenia performed dangerous tasks in agriculture. The Government also lacks a mechanism to coordinate its efforts to address all forms of child labor, including its worst forms. In addition, no programs exist to aid children engaged in work activities in agriculture.

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I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Armenia perform dangerous tasks in agriculture. (1-7) Table 1 provides key indicators on children's work and education in Armenia.

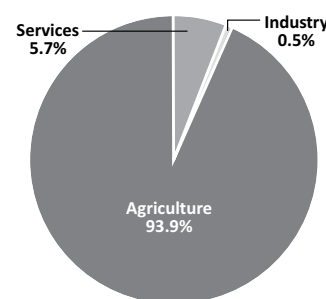
Table 1. Statistics on Children's Work and Education

Children	Age	Percent
Working (% and population)	5 to 14	7.0 (24,602)
Working children by sector	5 to 14	
Attending School (%)	5 to 14	95.4
Combining Work and School (%)	7 to 14	8.6
Primary Completion Rate (%)		99.1

Source for primary completion rate: Data from 2015, published by UNESCO Institute for Statistics, 2016.(8)

Source for all other data: Understanding Children's Work Project's analysis of statistics from National Child Labor Survey, 2015.(9)

Figure 1. Working Children by Sector, Ages 5-14



Based on a review of available information, Table 2 provides an overview of children's work by sector and activity.

Table 2. Overview of Children's Work by Sector and Activity

Sector/Industry	Activity
Agriculture	Farming, including planting and harvesting potatoes (1-7)
	Raising livestock, including cattle breeding, cattle herding, and shepherding (2, 3, 5, 7, 10)
Industry	Construction, activities unknown (1, 5-7, 11)
Services	Vehicle maintenance (3, 7)
	Selling food (7)
	Street work, including gathering scrap metal, selling flowers, and begging (1-3, 5, 11-13)
	Working in shops (5, 7)
	Dancing in clubs (3, 5)
Categorical Worst Forms of Child Labor [‡]	Commercial sexual exploitation, sometimes as a result of human trafficking (3, 6, 14-17)
	Forced begging, sometimes as a result of human trafficking (3, 6, 15)

[‡] Child labor understood as the worst forms of child labor *per se* under Article 3(a) – (c) of ILO C. 182.

Armenia

MINIMAL ADVANCEMENT – EFFORTS MADE BUT CONTINUED LAW THAT DELAYED ADVANCEMENT

In 2016, the Government published a National Child Labor Survey conducted by the National Statistical Service in cooperation with the ILO. Survey results showed that a majority of children in hazardous child labor worked in agriculture.(7) Data showed that boys were more likely than girls to be engaged in child labor, and that child labor is more prevalent in rural areas.(7)




Although Article 38 of the Constitution of Armenia and Article 6 of the Law of Republic of Armenia on Education guarantee free universal education, children from low-income families and from families belonging to ethnic minorities continue to have reduced access to education.(18, 19) Children with disabilities also face difficulty accessing mainstream education due to the inaccessibility of the physical infrastructure of schools, a lack of community-based support services for the child and the family, and a general social stigma against individuals with disabilities.(18-21) As a result of these barriers, more than 70 percent of children with disabilities in the care of the state and almost 20 percent of children with disabilities in the care of their families reportedly do not attend school.(21, 22) Changes to the Law on Public Education that came into effect in January 2015 require all schools to be inclusive for children with disabilities by 2025.(19, 23)

The rate of institutionalization of children remained high in 2016. Children enrolled in government boarding schools, orphanages, and special education institutions were likely to experience physical and psychological violence and were at a higher risk of becoming victims of human trafficking.(6, 19, 22)

II. LEGAL FRAMEWORK FOR THE WORST FORMS OF CHILD LABOR

Armenia has ratified all key international conventions concerning child labor (Table 3).

Table 3. Ratification of International Conventions on Child Labor

Convention	Ratification
 ILO C. 138, Minimum Age	✓
ILO C. 182, Worst Forms of Child Labor	✓
 UN CRC	✓
UN CRC Optional Protocol on Armed Conflict	✓
UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓
 Palermo Protocol on Trafficking in Persons	✓

The Government has established laws and regulations related to child labor, including its worst forms (Table 4). However, gaps exist in Armenia’s legal framework to adequately protect children from child labor.

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards: Yes/No	Age	Legislation
Minimum Age for Work	Yes	16	Articles 15 and 17 of the Labor Code; Article 57 of the Constitution (24, 25)
Minimum Age for Hazardous Work	Yes	18	Article 257 of the Labor Code (24)
Identification of Hazardous Occupations or Activities for Children	Yes		Law on Approval of the List of Occupations and Work That Are Likely to be Heavy and Hazardous for Persons Under the Age of 18 years, Pregnant Women, and Women Taking Care of a Child under the Age of 1 year; Articles 140, 148–149, 153, 155, 209, 249, and 257 of the Labor Code (24, 26)
Prohibition of Forced Labor	Yes		Article 57 of the Constitution; Article 3 of the Labor Code; Articles 132 and 132.2 of the Criminal Code (24, 25, 27)
Prohibition of Child Trafficking	Yes		Articles 132 and 132.2 of the Criminal Code (27)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Articles 132.2, 166, and 261–263 of the Criminal Code (27)

Table 4. Laws and Regulations on Child Labor (cont)

Standard	Meets International Standards: Yes/No	Age	Legislation
Prohibition of Using Children in Illicit Activities	Yes		Articles 63, 165, 166.1, and 266.1 of the Criminal Code (27-29)
Minimum Age for Military Recruitment			
State Compulsory	Yes	18	Articles 5 and 11 of the Law on Conscription (30)
State Voluntary	Yes	18	Articles 4 and 10 of the Law on Military Service (31)
Non-state Compulsory	Yes	18	Article 29 of the Law on the Rights of the Child; Articles 63, 165, and 224 of the Criminal Code (27, 32)
Compulsory Education Age	Yes	16	Article 18 of the Law on Education (33)
Free Public Education	Yes		Article 38 of the Constitution; Article 6 of the Law on Education (25, 33)

Children ages 14 and 15 may work restricted hours with the permission of a parent or guardian; however, the Labor Code does not list specific activities that constitute light work.(24, 34)

Although forced labor is prohibited by the Constitution, Criminal Code, and Labor Code, enforcement of this prohibition is hindered by the lack of a definition of “forced labor” in Armenian law.(35)

III. ENFORCEMENT OF LAWS ON THE WORST FORMS OF CHILD LABOR

The Government has established institutional mechanisms for the enforcement of laws and regulations on child labor, including its worst forms (Table 5). However, gaps in labor law and criminal law enforcement remain and some enforcement information is not available.

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
State Health Inspectorate (SHI)	Enforce labor laws and impose sanctions for violations.(36) In particular, enforce occupational safety and health provisions through the Oversight Department for Work Safety and other labor laws through the Oversight Department Over the Implementation of Labor Code Norms.(37)
Main Department on Especially Serious Crimes Within the Investigative Committee	Investigate cases of child trafficking and the commercial sexual exploitation of children referred to the Investigative Committee by the police.(20, 38)
Department on Defending the Rights of Minors and Combating Domestic Violence Within the Police	Identify and conduct preliminary investigation of crimes in which children are victims or perpetrators.(14, 20) Enforce laws against the worst forms of child labor under the General Department of Criminal Intelligence.(20, 28) Refer identified crimes to the Investigative Committee for further investigation.(20)
Anti-Trafficking Unit Within the Police	Identify and conduct preliminary investigation of crimes related to child trafficking and the commercial sexual exploitation of children through a staff of seven field officers. Operate within the Department of Combating High-Tech related (Cyber) Crimes, Human Trafficking, Illegal Migration, and Terrorism of the General Department on Combating Organized Crime.(39) Refer identified crimes to the Investigative Committee for further investigation.(20)
Police Hotline	Receive complaints related to human trafficking and migration issues.(6)

Due to successive legislative changes reorganizing labor inspection in Armenia and a lack of clarity surrounding the legal mandate for conducting inspections, in 2016 the State Health Inspectorate (SHI) was unable to systematically monitor or enforce child labor laws in Armenia.(35, 40)

As part of a broader inspection reform agenda in Armenia, responsibility for conducting labor inspections was transferred from the State Labor Inspectorate, which was abolished in 2013, to the Department of Work Safety Control within the SHI, created the same year.(35, 40) Subsequent changes to legislation regulating labor inspections, including the 2014 repeal of Article 34 of the Labor Code, which previously established the Government’s authority to conduct routine labor inspections, have left the SHI’s mandate to conduct inspections unclear. As a result, a moratorium placed on labor inspections in 2015 is expected to remain in effect at least until the Government’s program of inspection reform is completed in 2017.(35, 40)

Armenia

MINIMAL ADVANCEMENT – EFFORTS MADE BUT CONTINUED LAW THAT DELAYED ADVANCEMENT

Labor Law Enforcement

In 2016, labor law enforcement agencies in Armenia did not take actions to combat child labor, including its worst forms (Table 6).

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2015	2016
Labor Inspectorate Funding	Unknown	Unknown
Number of Labor Inspectors	60 (41)	60 (35)
Inspectorate Authorized to Assess Penalties	Yes (41)	Yes (41)
Training for Labor Inspectors		
Initial Training for New Employees	Unknown	Unknown
Training on New Laws Related to Child Labor	No (41)	No (42)
Refresher Courses Provided	No (41)	Unknown
Number of Labor Inspections	72 (37)	0 (35)
Number Conducted at Worksite	Unknown	0 (35)
Number Conducted by Desk Reviews	Unknown	0 (35)
Number of Child Labor Violations Found	1 (37)	Unknown
Number of Child Labor Violations for Which Penalties Were Imposed	0 (41)	Unknown
Number of Penalties Imposed that Were Collected	N/A	0 (42)
Routine Inspections Conducted	Yes (41)	No (35)
Routine Inspections Targeted	Yes (41)	No (35)
Unannounced Inspections Permitted	No (41)	No (35)
Unannounced Inspections Conducted	No (41)	No (35)
Complaint Mechanism Exists	Yes (37)	Yes (42)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (37)	Yes (42)

When labor inspections were transferred to the SHI, the number of labor inspectors was reduced from 146 to 60, which the SHI reported was insufficient to fully enforce labor laws prior to the cessation of inspections. The 20 inspectors based at the SHI headquarters are civil servants, while the remaining 40 are contractors.⁽⁴³⁾ The SHI reports that while civil servants must receive training at least once every 3 years, there is no requirement that contractors receive regular training. As a result, the SHI anticipates that the high proportion of contracted inspectors will negatively impact the overall training level and competency of the body of inspectors over time.⁽⁴³⁾

In addition, the SHI lacks sufficient funding, workspace, computers, and transportation to effectively enforce labor laws. SHI officials reported that inspectors are often required to walk to inspection sites to perform inspections due to a lack of transportation.^(41, 43) Inspectors do have the authority to enter the premises of a business during the course of inspections.⁽⁴¹⁾

Although inspectors do not have the right to issue penalties for violations discovered during the course of investigations, the head of the SHI, his deputies, and regional unit managers do have the power to review cases of violations and issue administrative penalties.⁽⁴¹⁾ An SHI official indicated that penalties for violations of labor laws were insufficient to deter violations.⁽³⁷⁾

Criminal Law Enforcement

In 2016, criminal law enforcement agencies in Armenia took actions to combat the worst forms of child labor (Table 7).

Table 7. Criminal Law Enforcement Efforts Related to the Worst Forms of Child Labor

Overview of Criminal Law Enforcement	2015	2016
Training for Investigators		
Initial Training for New Employees	Yes (41)	Yes (42)
Training on New Laws Related to the Worst Forms of Child Labor	N/A	Yes (42)
Refresher Courses Provided	Yes (41)	Yes (40)

Table 7. Criminal Law Enforcement Efforts Related to the Worst Forms of Child Labor (cont)

Overview of Criminal Law Enforcement	2015	2016
Number of Investigations	Unknown	2 (42)
Number of Violations Found	3 (41)	1 (42)
Number of Prosecutions Initiated	2 (41)	1 (42)
Number of Convictions	Unknown	0 (40)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (41)	Yes (41)

The Main Department on Especially Serious Crimes within the Investigative Committee has 40 investigators, 7 of whom are specialized in investigating human trafficking cases, and the Government reports that overall almost 300 police officers and investigators are engaged in investigations of crimes involving children.(38, 41, 44) The Investigative Committee requires that its personnel receive training at least once every 2 years.(41)

Child victims discovered during the course of criminal investigations are referred to the Fund for Armenian Relief Children's Center, where they are provided with specialized social services.(41) A source reported that because not all the children who are referred to social service providers by the police are officially registered as victims, official statistics for begging, forced begging, and commercial sexual exploitation may underreport the scope of the problem.(3)

Research found that although the police work with social service providers when conducting the pre-investigation, the Investigative Committee does not typically work with social service providers to ensure the well-being of the children during the investigation period.(3) In addition, a source reported that law enforcement officials do not receive sufficient specialized training on interviewing child victims of crime, which in some cases can prevent local investigators from collecting sufficient evidence to build a prosecutable case.(3, 40) The Government's implementation of the provisions on victim and witness protection in the Criminal Procedural Code continued to be inadequate due to the lack of an appropriate victim witness protection mechanism and insufficient funding for these efforts.(6, 45)

IV. COORDINATION OF GOVERNMENT EFFORTS ON THE WORST FORMS OF CHILD LABOR

Although the Government has established coordinating mechanisms to combat human trafficking and ensure the protection of child rights, research found no evidence of mechanisms to coordinate its efforts to address child labor, including all its worst forms (Table 8).

Table 8. Key Mechanisms to Coordinate Government Efforts on Child Labor

Coordinating Body	Role & Description
National Commission on the Protection of Child Rights	Coordinate activities of state bodies responsible for child protection, assist in developing state policy and programs aimed at the protection of children's rights, and assist in developing solutions to new child welfare problems as they arise. Facilitate cooperation between state and local government and NGOs.(28) Maintain a working group to prevent child begging.(28)
Ministerial Council to Combat Human Trafficking	Implement, coordinate, and monitor government efforts on human trafficking.(15, 28) Chaired by the Deputy Prime Minister.(15)
Inter-Agency Working Group Against Trafficking in Persons	Advise, organize, and implement decisions made by the Ministerial Council to Combat Human Trafficking.(15) Composed of officials from all government entities; non-governmental stakeholders participate in regular meetings.(15, 28)

V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

The Government has established policies related to child labor, including its worst forms (Table 9).

Table 9. Key Policies Related to Child Labor

Policy	Description
Concept on Combating Violence Against Children	Defines government priorities for combating violence against children and outlines a list of related activities. Addresses labor exploitation of children, especially in rural communities, and commercial sexual exploitation of children, especially child trafficking.(38)

Armenia

MINIMAL ADVANCEMENT – EFFORTS MADE BUT CONTINUED LAW THAT DELAYED ADVANCEMENT

Table 9. Key Policies Related to Child Labor (cont)

Policy	Description
National Plan of Action Against Trafficking in Persons and Exploitation (2016–2018) [†]	Aims to improve the legal framework and enforcement of legislation related to trafficking in and exploitation of children. Planned activities include developing tools for identification of the worst forms of child labor, as well as a guide for the proper identification and referral of child trafficking victims.(35, 46) In 2016, the Government conducted trainings for law enforcement personnel on legislation prohibiting the worst forms of child labor.(35)

[†] Policy was approved during the reporting period.

Armenia’s Strategic Program for the Protection of Children’s Rights, which outlines the Government’s child rights protection program, does not incorporate child labor concerns.(20, 35) The UNDAF Plan for Armenia, which focuses on poverty reduction, also lacks specific provisions on child labor.(21)

Research was unable to determine whether activities were undertaken to implement the Concept on Combating Violence Against Children during the reporting period.

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2016, the Government funded and participated in programs that include the goal of eliminating or preventing child labor, including its worst forms (Table 10).

Table 10. Key Social Programs to Address Child Labor[†]

Program	Description
Global Research on Child Labor Measurement and Policy Development (MAP)	USDOL-funded research project implemented by the ILO, which supported the publication of a National Child Labor Survey in 2016. For additional information on USDOL’s work, please see our Web site.(47)
Family Benefits Program [†]	Ministry of Labor and Social Affairs-funded poverty-mitigation program for families with children recorded in the Family Poverty Assessment System. Families receive a monthly payment based on their financial situation, the number of children in the family, and the geographical location of their home.(41)
UNICEF Country Program for 2016–2020*	Improve child protection systems, including through expanding programs for children in extreme poverty, improving social integration of children with disabilities, and developing a victim-witness protection system.(48)
Day Care Centers [†]	Government-supported day care centers that provide alternatives to working children and daytime centers that provide services for children with special needs.(39)
Shelter for Victims of Human Trafficking [†]	Government shelter co-funded and run by the United Methodist Committee on Relief-Armenia that provides medical, psychological, social, and legal services to victims of human trafficking; access to education for children; and vocational training for adult victims.(16)

* Program was launched during the reporting period.

[†] Program is funded by the Government of Armenia.

[‡] The Government had other social programs that may have included the goal of eliminating or preventing child labor, including its worst forms.(41, 49, 50)

Although the Government of Armenia has implemented programs to address child labor, research found no evidence that it has carried out programs to assist children engaged in child labor in street work or in agriculture.

VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE THE WORST FORMS OF CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor, including its worst forms, in Armenia (Table 11).

Table 11. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ensure that Armenian law specifies the types of light work acceptable for children age 14-15.	2014 – 2016
	Facilitate enforcement of labor law by codifying a definition of forced labor.	2016

Table 11. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms (cont)

Area	Suggested Action	Year(s) Suggested
Enforcement	Ensure that the legal framework on inspections clearly empowers the SHI to monitor, inspect, and enforce child labor laws through quality inspections, including targeted, complaint-based, and unannounced inspections; and that data on the number and type of inspections, violations, and penalties are made publicly available.	2014 – 2016
	Address deficiencies in the SHI’s labor inspection resources, including by increasing the number of labor inspectors; increasing the funding and resources available to the SHI; and ensuring that all inspectors receive an adequate amount of training.	2014 – 2016
	Make information on the SHI’s funding publicly available.	2015 – 2016
	Ensure that penalties for child labor violations are sufficient to serve as a deterrent.	2014 – 2016
	Protect children by providing law enforcement officials with specialized training on interviewing child victims of crime, and by ensuring that law enforcement officials coordinate with social service providers during investigations.	2014 – 2016
	Implement and adequately fund a victim-witness protection mechanism for criminal proceedings.	2011 – 2016
	Coordination	Establish coordinating mechanisms to combat child labor, including all its worst forms.
Government Policies	Integrate child labor elimination and prevention strategies into national policies, including the Strategic Program for the Protection of Children’s Rights and the UNDAF Plan for Armenia.	2011 – 2016
	Take steps to implement the Concept on Combating Violence Against Children.	2016
Social Programs	Ensure that all children, including children from low-income families and those belonging to ethnic minorities, have equal access to education.	2010 – 2016
	Increase efforts to prevent institutionalization of children and to ensure the safety and well-being of children currently residing in government institutions.	2015 – 2016
	Ensure that mainstream education is accessible to children with special education needs and children with disabilities by improving the accessibility of the physical infrastructure, expanding community-based support services, and ensuring that social stigmas against disabilities do not prevent children from accessing schools.	2014 – 2016
	Implement programs to address child labor in street work and in agriculture.	2009 – 2016

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