

Armenia

The Government of Armenia has strengthened its legal framework to combat child trafficking by substantially increasing penalties for this crime. However significant gaps remain in the legal, enforcement, and policy frameworks as well as programs to address the worst forms of child labor. For instance, the Armenian State Labor Inspectorate does not conduct child labor inspections. Children continue to engage in the worst forms of child labor, particularly in agriculture and forced begging.



Statistics on Working Children and School Attendance

Children	Percent
Working	Unavailable
Attending School	Unavailable
Combining Work and School	Unavailable

Prevalence and Sectoral Distribution of the Worst Forms of Child Labor

Children in Armenia are exploited in the worst forms of child labor, including in agriculture.²²⁷ Children are engaged in seasonal agricultural work and may be exposed to potentially dangerous machinery and tools, carrying heavy loads, and the application of harmful pesticides.²²⁸ Rural children also work as shepherds for various livestock where they are vulnerable to infectious diseases from contact with animals.²²⁹ In cities, children engage in construction, manual labor, portering, and gathering waste metal, which may result in chronic pains and injuries.²³⁰

Some children are exploited in prostitution and others are forced to beg.²³¹ There are also reports of children being trafficked to the United Arab Emirates for sexual exploitation.²³²



Laws and Regulations on the Worst Forms of Child Labor

The Labor Code sets the minimum age of employment at 16, however, children between ages 14 and 16 may

work for limited hours if they have an employment agreement with written consent from a parent or legal guardian.²³³ The Code also bars children under 18 from engaging in especially heavy and especially harmful works.²³⁴ A 2005 governmental decree defines the list of works that are heavy and harmful for children under 18.²³⁵

The Criminal Code prohibits using children in criminal activities such as prostitution and begging, as well as vagrancy and the production or dissemination of child pornography.²³⁶ The Criminal Code also prohibits and outlines penalties for crimes related to forced labor, trafficking in persons (including harboring, transferring and kidnapping), and sexually exploiting minors.²³⁷ If the victim of trafficking is a minor, the crime is treated as an aggravating circumstance, which carries stricter sentencing.²³⁸ Armenia's Constitution also prohibits forced labor.²³⁹ The Armenian Criminal Procedural Code provides for protection of victims and witnesses involved in criminal court proceedings, including in cases involving the trafficking of children.²⁴⁰

On December 12, 2009, President Serzh Sargsian signed into law, amendments to the Criminal Code that exempted trafficking victims from criminal prosecution for crimes committed as a direct result of being trafficked.²⁴¹ The same amendments, which took effect on January 2, 2010, increased the minimum penalty for convicted trafficking offenders, from 3 to 5 years imprisonment, and allowed for the confiscation of assets from convicted trafficking offenders.²⁴² The penalties for trafficking in children under age 18 are between 7 and 15 years imprisonment depending on the aggravating circumstances.²⁴³

	C138, Minimum Age	✓
	C182, Worst Forms of Child Labor	✓
	CRC	✓
	CRC Optional Protocol on Armed Conflict	✓
	CRC Optional Protocol on the Sale of Children, Child Prostitution, and Child Pornography	✓
	Palermo Protocol on Trafficking in Persons	✓
	Minimum Age for Work	16
	Minimum Age for Hazardous Work	18
	Compulsory Education Age	15
	Free Public Education	Yes

Institutional Mechanisms for Coordination and Enforcement

Research found no evidence that the Government of Armenia has established a coordinating mechanism to combat the worst forms of child labor. However, in 2005, the Government of Armenia formed an inter-agency National Committee for Child Protection headed by the Minister of Labor and Social Affairs, to ensure protection of children’s rights.²⁴⁴

One of the objectives of the committee is to assist in addressing the social problems of vulnerable children, including those susceptible to involvement in the worst forms of child labor.²⁴⁵

The Government of Armenia’s Council to Combat Human Trafficking headed by the Deputy Prime Minister, works at the ministerial level to coordinate government efforts to combat human trafficking, including that of children.²⁴⁶ On a lower level, an inter-agency group, chaired by the head of the International Organizations Department at the Foreign Ministry, assumes this coordination responsibility. The two organizations meet on a regular basis.²⁴⁷

The Armenian State Labor Inspectorate (SLI), a unit of the Ministry of Labor and Social Affairs (MOLSA), is responsible for enforcing labor laws, including all child labor laws.²⁴⁸ On a regional level, Child Protective Units within the 10 regional governors’ offices are charged with providing direction on child’s rights issues, including the worst forms of child labor. However, according to UNICEF, these units are not sufficiently funded, do not collaborate effectively with other agencies, and have insufficient monitoring and data collection processes.²⁴⁹ The SLI employs 140 to 150 labor inspectors to cover the entire country, which, according to the head of the legal oversight department of the SLI, is insufficient for making proactive investigations to identify exploitative child labor.²⁵⁰

While the SLI has a mandate to enforce child labor laws, the Government did not train inspectors in child labor issues.²⁵¹ SLI has not conducted any child labor inspections since it was established in 2005. The SLI does not have a system for registering complaints about instances of worst forms of child labor and SLI officials stated that no complaints of child exploitation had been received.²⁵² During the reporting period, the SLI managed to conduct approximately 15,000 labor inspections of 8,000 businesses, only a small fraction of the country’s 124,000 registered businesses.²⁵³

The Anti-Trafficking Division under the Department of Criminal Investigation, has five investigators, and the Police Unit against Human Trafficking, Drug Trafficking and Organized Crime in the Investigatory Department, has 10 investigators to handle trafficking cases including child trafficking. According to a government official, the division had an insufficient amount of resources and inspectors during the reporting period.²⁵⁴ No new criminal cases of trafficking in children were investigated in Armenia in 2009, but three cases were filed in the courts.²⁵⁵ In 2009, two cases of forced child begging went to trial. In one of these cases, one offender was

sentenced to 7 years in prison. In the other case, the offender is in detention awaiting trial. In these two cases, seven children were removed from forced labor.²⁵⁶ NGOs maintaining hotlines for reporting the sexual exploitation of children and child trafficking did not receive any calls regarding child trafficking complaints.²⁵⁷

Although the Government does not train police in enforcing laws against child sexual exploitation, the police investigated and removed five children from prostitution in four cases.²⁵⁸ Two criminals were sentenced for three years, another's sentence was suspended, one is under investigation, and another is being tried.²⁵⁹ Reportedly two of the cases were resolved in several months, although another case from 2008 is still ongoing.²⁶⁰

The Juvenile Police and the Child Support Center Foundation collaborate in enforcing laws against the use of children in illicit activities. The Government does not train law enforcement officials specifically about the use of children in illicit activities, such as begging.²⁶¹ The Juvenile Police has 280 investigators who mainly investigate crimes committed by children, but they also investigate adults who engage children in crime. The Government reported nine criminal investigations of possible violations mostly involving robbery.²⁶² The Child Support Center Foundation maintains a hotline for child protection and investigated two complaints of children coerced into robbery.²⁶³

Government Policies on the Worst Forms of Child Labor

In 2003, the Government of Armenia formally included a plan for the prevention of the worst forms of child labor and the trafficking of children for commercial sexual exploitation in its National Plan of Action for the Protection of the Rights of the Child 2004-2015. It also established the elimination of exploitive child labor and child trafficking as priorities for the next 5 years.²⁶⁴ In addition, the Government

has developed the Program on Securing the Right to Work of the Child, and Preventing and Eliminating Child Labor Exploitation and Economic Exploitation of the Child–2007-2009, which is part of the National Program of the Republic of Armenia for the Protection of Children's Rights.²⁶⁵ However, the implementation of the child labor program was delayed. No evidence was found of government-supported research being conducted on the worst forms of child labor or on the economic exploitation of children.²⁶⁶

The Government has worked with UNICEF to develop a program for 2010-2015, aimed in part at identifying and responding to child exploitation as well as creating a comprehensive policy framework for protecting vulnerable children.²⁶⁷ The program emphasizes the need to provide education to vulnerable children and increase school enrollment.²⁶⁸

On December 5, 2009, the Government signed a bilateral memorandum of understanding with the United Arab Emirates on combating trafficking in persons.²⁶⁹

Social Programs to Eliminate or Prevent the Worst Forms of Child Labor

During the reporting period, the Armenian Government continued implementing its national victim referral mechanism for trafficking victims.²⁷⁰ In 2010, the Government funded anti-trafficking activities including assistance in the operation of an NGO-run shelter for trafficking victims. Government funding also included social and psychological rehabilitation services for trafficking victims, youth awareness programs, and public awareness efforts, totaling an approximate budget of \$133,300.²⁷¹ Anti-trafficking efforts have constituted the bulk of the government's social programs aimed at reducing the worst forms of child labor. There is a deficit of programs that directly target the worst forms of child labor, particularly in agriculture and urban informal work.²⁷²

Based on the reporting above, the following actions would advance the reduction of the worst forms of child labor in Armenia:

IN THE AREA OF COORDINATION AND ENFORCEMENT:

- Establish a coordinating mechanism to combat the worst forms of child labor.
- Increase the funding, facilities, and training of Child Protective Units, as well as the State Labor Inspectorate to adequately record and investigate child labor violations.
- Provide additional training and resources to police and other law enforcement officials to investigate and prosecute violations related to trafficking in persons and commercial sexual exploitation, particularly involving children, and the engagement of children in illicit activities.

IN THE AREA OF POLICIES:

- Initiate studies to sufficiently assess the worst forms of child labor in Armenia.
- Take concrete actions to update the Programme on Securing the Right to Work of the Child, and Preventing and Eliminating Child Labor Exploitation and Economic Exploitation of the Child (2007-2009) and implement the updated plan.

IN THE AREA OF PROGRAMS:

- Create programs specifically addressing the needs of children in the worst forms of child labor, such as hazardous work in agriculture and in the urban informal sector.
- Continue to provide support for existing government initiatives to address forced begging and trafficking in persons.

²²⁷ Data provided in the chart at the beginning of this country report are based on UCW analysis of ILO SIMPOC, UNICEF MICS, and World Bank surveys, *Child Economic Activity, School Attendance, and Combined Working and Studying Rates*, 2005-2010. Reliable data on the worst forms of child labor are especially difficult to collect given the often hidden or illegal nature of the worst forms. For more information on sources used for these statistics, the definition of working children, and other indicators used in this report, please see the “Children’s Work and Education Statistics: Sources and Definitions” section.

²²⁸ U.S. Department of State, “Armenia,” in *Country Reports on Human Rights Practices- 2009*, Washington, DC, March 11, 2010, section 7d; available from <http://www.state.gov/g/drl/rls/hrrpt/2009/eur/136018.htm>. See also UNICEF, *Child Labor in the Republic of Armenia*, Yerevan, 2008, 8; available from http://www.unicef.org/armenia/Child_Labour_ENG_FINAL.doc. See also Haiyan Hua, *School Wastage Study Focusing on Student Absenteeism in Armenia*, UNICEF, 2008; available from http://www.unicef.org/armenia/School_Wastage_Study.pdf.

²²⁹ UNICEF, *Child Labour in the Republic of Armenia*, 8, 32, 37.

²³⁰ *Ibid.*, 8, 32. See also U.S. Department of State, “Country Reports- 2009: Armenia.”

²³¹ U.S. Department of State, “Country Reports- 2009: Armenia,” section 7c.

²³² Mira Antonyan, *Child Trafficking Phenomenon in Armenia: Study in the Scope of Awareness of Targeted Children and Public*, Armenian Association of Social Workers, February 16, 2010. See also U.S. Department of State, “Country Reports- 2009: Armenia,” section 6.

²³³ Republic of Armenia, *Labor Code of the Republic of Armenia*, (Adopted November 9, 2004, amended June 2, 2010). Republic of Armenia, *The Law of the Republic of Armenia on Child’s Rights*, (Adopted May 29, 1996).

²³⁴ Republic of Armenia, *Labor Code*.

²³⁵ Government of Armenia, *Decree on approving the list of works that are considered as heavy and harmful for persons under 18 years, pregnant women, and women caring for children up to one year*, (December 29, 2005).

²³⁶ Republic of Armenia, *Criminal Code*, (April 18, 2003, amended December 12, 2009).

²³⁷ *Ibid.* See also U.S. Department of State, “Country Reports- 2009: Armenia.”

²³⁸ Republic of Armenia, *Criminal Code*.

- ²³⁹ Republic of Armenia, *Constitution of the Republic of Armenia*, (Adopted July 5, 1995, amended November 25, 2005); available from <http://www.concourt.am/english/constitutions/index.htm>.
- ²⁴⁰ Republic of Armenia, *Criminal Procedural Code*, (Adopted July 1, 1999).
- ²⁴¹ Republic of Armenia, *Criminal Code*. See also U.S. Department of State, “Armenia (Tier 2),” in *Trafficking in Persons Report- 2010*, Washington, DC, 2010.
- ²⁴² Republic of Armenia, *Criminal Code*.
- ²⁴³ Ibid.
- ²⁴⁴ U.S. Embassy- Yerevan, *reporting*, February 5, 2010, 2C I.
- ²⁴⁵ Government of Armenia, *Decree on creation of the National Committee on Protection of Children, and approving the charter and individual composition of the committee*, (October 10, 2005).
- ²⁴⁶ U.S. Embassy- Yerevan, *reporting*, February 5, 2010.
- ²⁴⁷ Ibid.
- ²⁴⁸ ILO, *Armenia*, [online] 2009 [cited March 31, 2010]; available from http://www.ilo.org/labadmin/info/lang--en/WCMS_114933/index.htm. See also Republic of Armenia, *Law on the State Labor Inspectorate of the Republic of Armenia*, (2005).
- ²⁴⁹ UNICEF, *Child Protection*, [online] 2007 [cited June 10, 2010]; available from <http://www.unicef.org/armenia/protection.html>. See also Josi Salem-Pickarts, *Evaluation of the Child Protection Programme in Armenia*, UNICEF, Yerevan, September 2007, 26; available from www.unicef.org/ceecis/Printing_Josi_Report_ENG.doc.
- ²⁵⁰ U.S. Embassy- Yerevan, *reporting*, February 5, 2010.
- ²⁵¹ Ibid.
- ²⁵² Ibid.
- ²⁵³ Ibid.
- ²⁵⁴ Ibid., 6.
- ²⁵⁵ U.S. Department of State, “Country Reports- 2009: Armenia,” section 6. See also U.S. Embassy- Yerevan, *reporting*, February 5, 2010. See also Antonyan, *Child Trafficking Phenomenon in Armenia: Study in the Scope of Awareness of Targeted Children and Public*, 28.
- ²⁵⁶ U.S. Embassy- Yerevan, *reporting*, February 5, 2010, 7.
- ²⁵⁷ Ibid.
- ²⁵⁸ Ibid.
- ²⁵⁹ Ibid.
- ²⁶⁰ Ibid.
- ²⁶¹ Ibid.
- ²⁶² Ibid.
- ²⁶³ Ibid., 9.
- ²⁶⁴ UNICEF, *National Plan of Action of the Republic of Armenia for the Protection of the Rights of the Child 2004-2015*, 2005, 26, 27; available from <http://www.unicef.org/armenia/NPAeng.pdf>.
- ²⁶⁵ Government of Armenia, *Third and Forth Joint Periodic National Report of the Republic of Armenia on the Implementation of the United Nations Convention on the Rights of the Child*, February 4, 2010, 5; available from Information unavailable.
- ²⁶⁶ UNICEF, *National Plan of Action*, 26, 27.
- ²⁶⁷ UNICEF, *Summary Results Matrix: Government of Armenia - UNICEF Country Programme, 2010-2015*, January 4, 2009; available from http://www.unicef.org/about/execboard/files/Armenia_SRM.For_Submission.01.04.pdf.
- ²⁶⁸ Ibid.
- ²⁶⁹ U.S. Embassy- Yerevan, *reporting*, February 5, 2010. See also U.S. Embassy- Yerevan, *Armenia Registers Progress in Its Efforts to Combat Human Trafficking*, [online] 2009 [cited March 31, 2010]; available from <http://armenia.usembassy.gov/tip2003>.
- ²⁷⁰ U.S. Department of State, “Trafficking in Persons Report- 2010: Armenia.”
- ²⁷¹ U.S. Embassy- Yerevan, *reporting*, February 5, 2010.
- ²⁷² Ibid., 5.