



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

Recommendation CP(2017)1 on the implementation of the Council of Europe Convention on Action against Trafficking in Human Beings by Armenia

*adopted at the 20th meeting of the Committee of the Parties
on 10 March 2017*

The Committee of the Parties to the Council of Europe Convention on Action against Trafficking in Human Beings (hereinafter referred to as 'the Convention'), acting under the terms of Article 38(7) of the Convention;

Having regard to the purposes of the Convention to prevent and combat trafficking in human beings, while guaranteeing gender equality, protect the human rights of victims of trafficking, design a comprehensive framework for the protection and assistance of victims and witnesses, ensure the effective investigation and prosecution of the offences related to trafficking in human beings, and promote international co-operation;

Bearing in mind the provisions of Article 36(1) of the Convention concerning the monitoring role of the Group of Experts on Action against Trafficking in Human Beings (GRETA) in the implementation of the Convention;

Having regard to the Rules of Procedure of the Committee of the Parties;

Having regard to the instrument of ratification deposited by Armenia on 14 April 2008;

Recalling Committee of the Parties' Recommendation CP(2012)8 of 13 November 2012 on the implementation of the Council of Europe Convention on Action against Trafficking in Human Beings by Armenia and the report of the Armenian authorities on measures taken to comply with this recommendation, submitted on 5 November 2014;

Having examined the second report concerning the implementation of the Convention by Armenia, adopted by GRETA at its 27th meeting (28 November - 2 December 2016), as well as the comments of the Armenian Government received on 14 February 2017;

1. Welcomes the progress made since the first round of evaluation in the following areas:
 - the further development of the legal framework for combating trafficking in human beings, through the adoption of dedicated legislation on human trafficking, namely the Law on Identification and Support to Persons Subjected to Trafficking in Human Beings and Exploitation, which introduces a recovery and reflection period and residence permits for victims of trafficking, as well as related by-laws;
 - the reviewing of the National Referral Mechanism for victims of trafficking and the setting up of an Identification Commission composed of representatives of public bodies and NGOs;
 - the steps taken to provide training on human trafficking to relevant professionals and to expand the categories of staff targeted, in co-operation with civil society and international organisations;

- the awareness-raising measures taken to prevent trafficking for the purpose of labour exploitation and trafficking in children, as well as social and economic measures to prevent human trafficking by addressing its root causes;
- the progress made in the identification of victims of trafficking, thanks to disconnecting identification from the victim's co-operation with law enforcement bodies, and the participation of state and non-state actors in the victim identification process;
- the adoption of new procedures for providing protection and assistance, including a lump-sum financial compensation to victims of trafficking, as well as a procedure for the safe return of victims of trafficking.

2. 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;
 - 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;
 - strengthening the monitoring of recruitment and temporary work agencies, including by introducing licensing procedures and reviewing the legislative framework for any loopholes;
 - 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;
- 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;
- improve assistance provided to victims of trafficking, in particular by:
 - ensuring that male victims of trafficking are guaranteed safe accommodation and adequate assistance adapted to their needs;
 - improving access to timely medical assistance and emergency treatment free of charge;
 - facilitating 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;
 - increasing 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;
- 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;
 - 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;

- 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;
 - developing and providing guidance and training on the identification of child victims of trafficking for the purposes of exploitation of begging and criminal activities;
 - ensuring long-term assistance and monitoring of the reintegration of child victims of trafficking;
- 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;
 - 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;
 - enabling victims of 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;
 - 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;
- take legislative and practical measures to ensure that legal entities in Armenia may be held liable for human trafficking offences.

3. Requests the Government of Armenia to report to the Committee of the Parties on the measures taken to improve the implementation of the Convention in the above-mentioned areas by **10 March 2018**.

4. Recommends that the Government of Armenia takes measures to implement the further conclusions of GRETA's second evaluation report.

5. Invites the Government of Armenia to continue the dialogue in progress with GRETA and to keep GRETA regularly informed of the measures taken in response to GRETA's conclusions.