

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	Age	Percent
Working	5-14 yrs.	Unavailable
Attending School	5-14 yrs.	Unavailable
Combining Work and School	7-14 yrs.	Unavailable








Prevalence and Sectoral Distribution of the Worst Forms of Child Labor

Children in Armenia are engaged in the worst forms of child labor,²⁷⁰ including agriculture in rural areas and in construction and other hard manual labor in the urban areas.²⁷¹ Children engaged in agricultural work may be exposed to potentially dangerous machinery and tools, carrying heavy loads.²⁷² Rural children also work as shepherds for various livestock, which exposes them to infectious diseases from contact with animals.²⁷³ In cities, children engage in construction, manual labor, portering, and gathering scrap metal, all of which may result in injuries.²⁷⁴

Some children are also exploited in prostitution. There are reports of children being trafficked to the United Arab Emirates for sexual exploitation.²⁷⁵ Reports indicate that there appears to be a reduction in children being engaged in forced begging in Armenia due to increased police monitoring and police awareness.²⁷⁶

Laws and Regulations on the Worst Forms of Child Labor

The Labor Code sets the minimum age for 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.²⁷⁷ The Labor Code prohibits children younger than age 18 from engaging in heavy lifting or work that is considered harmful.²⁷⁸ A 2005 governmental decree defines a list of work that qualifies as heavy and harmful for children under 18.²⁷⁹ The Criminal Code was amended in March of 2011 and several articles were introduced that show the Government of Armenia has strengthened its legal policy framework to protect children against worst forms of child labor. Articles 262, 132.2 and Article 165 all help to strengthen enforcement against crimes involving minors.²⁸⁰ The Code is stronger and allows for stricter sentencing of crimes against minors and against those involved in the trafficking of minors. The Code prohibits using children in criminal activities such as

	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

prostitution and begging, as well as vagrancy and the production or dissemination of child pornography.²⁸¹ Armenia's Constitution prohibits forced labor.²⁸² 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.²⁸³ If the victim of trafficking is a minor, that fact is considered an aggravating circumstance making the crime punishable by stricter penalties.²⁸⁴ 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.²⁸⁵ However, prosecutors say implementing the provisions of the Criminal Procedural Code is difficult due to the lack of a witness protection mechanism.²⁸⁶

The Criminal Code was amended to exempt trafficking victims from criminal prosecution for crimes of minor and medium severity committed as a direct result of being trafficked.²⁸⁷

The Government of Armenia guarantees free schooling for all children. Education is

compulsory until the age of 16. Primary and secondary education for grades 1 through 12 is free.²⁸⁸ However, access to education is an issue, for children from very poor families. The main barriers to accessing education are tuition fees requested by teachers and the cost of learning materials.²⁸⁹ In part due to these costs, absenteeism and drop-out rates are also double the national average for children from very poor families.²⁹⁰

Institutional Mechanisms for Coordination and Enforcement

An inter-agency National Committee for Child Protection, headed by the Minister of Labor and Social Affairs (MOLSA), was formed to ensure the protection of children's rights.²⁹¹ One of the objectives of the committee is to assist in addressing the social problems of vulnerable children, which should include those susceptible to involvement in the worst forms of child labor.²⁹²

The Armenian State Labor Inspectorate (SLI), a unit of MOLSA, is responsible for enforcing labor laws, including child labor laws.²⁹³ On a regional level, Departments for Protection of Family, Women and Children's Rights within the ten regional governors' offices are charged with providing direction on children's rights issues, including the worst forms of child labor. However, according to UNICEF, these departments are not sufficiently funded, do not collaborate effectively with other agencies, and have insufficient monitoring and data collection processes.²⁹⁴ The SLI employs 140 to 150 labor inspectors to cover the entire country, which is insufficient for making proactive investigations to identify exploitative child labor, according to a SLI official.²⁹⁵ There were no child labor inspections carried out in 2009 or in earlier years.²⁹⁶

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.²⁹⁷ An inter-agency group, chaired by the head of

the International Organizations Department at the Foreign Ministry, assumes the coordination responsibility to work with other governments. The two organizations meet on a regular basis.²⁹⁸

The Anti-Trafficking-in-Persons (TIP) Unit under the Department to Combat Organized Crime of the National Police, has six police agents (detectives), who perform operational/initial investigations of TIP cases. The Main Investigatory Department of the National Police, has 10 investigators to handle drug trafficking and human trafficking cases including child trafficking. The Prosecutor General's office has a separate department to oversee investigations of crimes against persons, and also this is the only official body that prosecutes TIP cases in Armenia. There are seven prosecutors employed by this department. According to a senior government official, the division had an insufficient amount of resources and inspectors.²⁹⁹ During 2010 the Police investigated 11 cases of trafficking related crimes as defined by the Criminal Code which included three underage victims.³⁰⁰ Cases investigated and prosecuted vary from charges of engagement in prostitution, and facilitating prostitution (Articles 261 and Article 262, respectively) and involvement of a child into antisocial activities (Article 166).³⁰¹ It also includes recruitment, transportation, transfer, harboring for the purpose of exploitation and engagement of persons in prostitution or other forms of sexual exploitation, forced labor or services, or slavery or practices similar to slavery (Articles 261, 132 and 132.1 respectively).³⁰²

The crimes in which the minors were involved included theft, banditry, illegal turnover of drugs, and theft of ammunition. In 2010 the police also investigated and sent to court a trafficking case involving the forced prostitution of a minor girl.³⁰³

The Juvenile Police and the Child Support Center Foundation collaborate to prevent the use of children in illicit activities. There is no formal training of police on the use of children in illicit activities, such as begging.³⁰⁴ The Juvenile Police has 280 investigators who mainly investigate

crimes committed by children, but they also investigate adults who engage children in crime. In 2010 the court sentenced the former deputy director of a special school for children with behavioral problems to nine years imprisonment for forcing students to beg.³⁰⁵

The Child Support Center Foundation maintains a hotline for child protection and investigated two complaints of children coerced into robbery.³⁰⁶

Government Policies on the Worst Forms of Child Labor

The National Plan of Action for the Protection of the Rights of the Child 2004-2015 in Armenia formally included a plan for the prevention of the worst forms of child labor and the trafficking of children for commercial sexual exploitation. It also established the elimination of exploitative child labor and child trafficking as priorities.³⁰⁷

UNICEF has worked with the Government 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.³⁰⁸

There have been no studies to sufficiently assess the worst forms of child labor in Armenia. This would help inform policy as well as help focus antipoverty programs to help combat worst forms of child labor in Armenia.

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

Armenia has participated in several donor funded anti-poverty initiatives to help the most vulnerable populations. During the reporting period, the World Bank announced that it will support a \$25 million poverty alleviation program to improve agriculture productivity and social safety nets for rural communities in Armenia.

The United Nations Development Assistance Framework (UNDAF) work plan for Armenia for the period between 2010 and 2015 has a strong focus on vocational training and technical

assistance for developing youth centered programs targeted at the most vulnerable youth.³⁰⁹

USAID is focusing on employment and training for youth and parents and preschool services for children in the most vulnerable communities in Armenia.³¹⁰ In 2010, through different assistance

programs, the U.S. Government allocated \$2.4 million to education and social services and \$5.1 million to agriculture development for poor families.³¹¹ The impact these programs may have on the worst forms of child labor does not appear to have been assessed.

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 LAWS:

- Address the barriers to education for very poor families
- Address the plight of children engaged in the urban informal sector in construction and other forms of hard manual labor

IN THE AREA OF COORDINATION AND ENFORCEMENT:

- Strengthen the coordinating mechanism to combat the worst forms of child labor.
- Increase the funding, facilities, and training to officials who record and investigate child labor violations.
- Provide additional training and resources to police and other law enforcement officials to investigate and prosecute crimes including trafficking and sexual exploitation of children.

IN THE AREA OF POLICIES:

- Initiate studies to sufficiently assess the worst forms of child labor in Armenia.
- Strengthen policies related to the worst forms of child labor in agriculture and in construction in the urban informal sector as well as other forms of hard manual labor.

IN THE AREA OF PROGRAMS:

- Create programs to specifically address the needs of children in the worst forms of child labor, such as children engaged in the agricultural and urban informal sectors

²⁷⁰ Data provided in the chart at the beginning of this country report are not available from the data sources that are used by USDOL. 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.

²⁷¹ U.S. Department of State, “Armenia,” in *Country Reports on Human Rights Practices- 2010*, Washington, DC, April 4, 2011; available from <http://www.state.gov/documents/organization/160447.pdf>.

²⁷² U.S. Department of State, “Armenia,” in *Country Reports on Human Rights Practices- 2009*, Washington, DC, March 11, 2010; 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 www.unicef.org/ceecis/ChildLabourENG_FINAL.pdf. Available from: www.unicef.org/ceecis/ChildLabourENG_FINAL.pdf. 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, *ibid*.

²⁷³ UNICEF, *Child Labour in the Republic of Armenia*, 8, 32, 37.

²⁷⁴ *Ibid.*, 8, 32. See also U.S. Department of State, “Country Reports- 2010: Armenia,” Section 7d.

²⁷⁵ 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; available from <http://www.stopchildtrafficking.am/files/eng/PIN%20anti%20child%20trafficking%20report%202010.pdf>. See also U.S. Department

of State, “Armenia,” in *Country Reports on Human Rights Practices- 2009*, Washington, DC, March 11, 2010, section 6; available from <http://www.state.gov/g/drl/rls/hrrpt/2009/eur/136018.htm>.

²⁷⁶ U.S. Embassy - Yerevan, *Reporting*, February 5, 2010, 9.

²⁷⁷ Republic of Armenia, *Labor Code of the Republic of Armenia*, (Adopted November 9, 2004, amended June 2, 2010), Article 15, 17; available from http://www.ilo.org/public/english/dialogue/ifpdial/info/national/armenia.htm#_Toc143935025.

²⁷⁸ *Ibid.*, Article 257.

²⁷⁹ 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); available from http://www.coe.int/t/dghl/monitoring/socialcharter/reporting/statereports/Armenia3_en.pdf.

²⁸⁰ US Department of State, *Trafficking in Persons Report: Armenia*, June 27, 2011. See also Republic of Armenia, *Criminal Code*, (April 18, 2003), Article 132.2, 165, 262; available from <http://www.legislationline.org/documents/section/criminal-codes>, *ibid.*

²⁸¹ Republic of Armenia, *Criminal Code*, Article 166, 166.1.

²⁸² 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>.

²⁸³ Republic of Armenia, *Criminal Code*. See also Human Rights Report, *Country Reports on Human Rights Practices 2009: Armenia*, Washington DC March 11, 2010, section 6; available from www.state.gov/g/drl/rls/hrrpt/2010/.

²⁸⁴ Republic of Armenia, *Criminal Code*.

²⁸⁵ Republic of Armenia, *Criminal Procedural Code of the Republic of Armenia*, (Adopted July 1, 1999); available from <http://legislationline.org/download/action/download/id/1656/file/7b41931f4d887e18084d413f1a27.htm/preview>.

²⁸⁶ U.S. Department of State, *Trafficking in Persons Report: Armenia*, 2011,; available from www.state.gov/g/tip/rls/tiprpt/2011/.

²⁸⁷ Republic of Armenia, *Criminal Code*, articles 132, 132.2. See also U.S. Department of State, *Armenia (Tier 2) Trafficking in Persons Report- 2010*, pursuant to Trafficking in Persons Report- 2010, 2010; available from <http://www.state.gov/g/tip/rls/tiprpt/2010/142759.htm>.

²⁸⁸ Republic of Armenia, *The Law on Education of the Republic of Armenia*, (Adopted April 14, 1999), article 18 (amended July 10, 2009). 2009, article 18; available from http://www.gov.am/u_files/file/kron/G1043744.pdf.

²⁸⁹ UNICEF, *Child Labour in the Republic of Armenia*. See also World Bank, *Social Sectors and Poverty in Armenia From Equity in Access to Equity in Quality* 2006; available from

http://web.worldbank.org/archive/website01022A/WEB/IMAGES/ARMPA_HE.PDF.

²⁹⁰ UNICEF, *Child Labour in the Republic of Armenia*.

²⁹¹ U.S. Embassy- Yerevan, *reporting*, February 5, 2010, 2C I.

²⁹² Government of Armenia, *Decree On creation of the National Committee on Protection of Children*,; available from http://www.coe.int/t/dghl/monitoring/socialcharter/reporting/statereports/Armenia5_en.pdf.

²⁹³ 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, *Constitution of the Republic of Armenia*.

²⁹⁴ 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.

²⁹⁵ U.S. Embassy- Yerevan, *reporting, February 5, 2010*.

²⁹⁶ *Ibid.*, 2C II.

²⁹⁷ *Ibid.*

²⁹⁸ *Ibid, ibid.*, Section 2 (2) page 5.

²⁹⁹ *Ibid.*, 6.

³⁰⁰ U.S. Department of State, *Trafficking in Persons Report: Armenia*.

³⁰¹ U.S. Embassy Yerevan, *Reporting*, 2011.

³⁰² *Ibid.*

³⁰³ U.S. Embassy - Yerevan, *reporting, February 5, 2010*.

³⁰⁴ U.S. Embassy- Yerevan, *reporting, February 5, 2010*, Yerevan US Embassy, *Reporting*, , 2010.

³⁰⁵ U.S. Embassy Yerevan, *Reporting*.

³⁰⁶ U.S. Embassy- Yerevan, *reporting, February 5, 2010*, 9, *ibid.*

³⁰⁷ UNICEF, “National Plan of Action of the Republic of Armenia for the Protection of the Rights of the Child 2004-2015,” (2005); available from <http://www.unicef.org/armenia/NPAeng.pdf>.

³⁰⁸ 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.

³⁰⁹ United Nations Development Programme, *United Nations Development Assistance Framework 2010-2015* 2010; available from <http://www.undg.org/docs/11090/UNDAF-Armenia-2010-2015-ENG.pdf>.

³¹⁰ USAID, *Social Protection*, [2010 [cited March 25, 2011]; available from <http://armenia.usaid.gov/en/node/274>.

³¹¹ U.S. Government, *Foreign Assistance*, [2011 [cited March 25 2011]; available from <http://foreignassistance.gov/>.