

Needs Assessment:  
**Counter-trafficking  
Response**  
in the Republic  
of Armenia



International Organization for Migration

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Produced for the  
**International Organization for Migration (IOM)**  
by **Marika McAdam**



**IOM Development Fund**  
DEVELOPING CAPACITIES IN MIGRATION MANAGEMENT



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# ACRONYMS AND ABBREVIATIONS

<b>CT-NAT</b>	Counter-trafficking Needs Assessment Tool
<b>GRETA</b>	Group of Experts on Action against Trafficking in Human Beings
<b>ILO</b>	International Labour Organization
<b>IOM</b>	International Organization for Migration
<b>MOU</b>	Memorandum of Understanding
<b>MLSA</b>	Ministry of Labour and Social Affairs
<b>NAP</b>	National Action Plan
<b>NGO</b>	Non-governmental Organization
<b>NRM</b>	National Referral Mechanism
<b>THB</b>	Trafficking in Human Beings
<b>SMS</b>	State Migration Service
<b>UMCOR</b>	United Methodist Committee on Relief
<b>UN</b>	United Nations
<b>UNTOC</b>	United Nations Convention against Transnational Organized Crime

Needs Assessment:

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# 1. INTRODUCTION

## 1.1. Research context

This research was commissioned by the International Organization for Migration (IOM) and funded by the Member States through IOM's internal funding mechanism, the IOM Development Fund. The purpose of the study was to:

- collect and synthesize stakeholder views of the current human trafficking landscape and responses thereto in the country/region;
- identify stakeholders' perspectives on the trafficking situation and trends, as well as the gaps in relation to identification and referral, assistance and protection, and prevention and cooperation; and
- arrive at key conclusions and offer recommendations on how to strengthen existing responses, correct inappropriate processes, and address gaps at the domestic and, to the extent possible, regional levels.

The secondary purpose of the study was to develop a rapid needs assessment tool (Counter-trafficking Needs Assessment Tool (CT-NAT)) that can be adapted to different countries and regions, and revise the tool on the basis of the experience using it in the Republic of Armenia, Azerbaijan and Georgia.

## 1.2. Research methodology

The needs assessment involved six key steps: 1) a desk review of key materials for the three countries; 2) development of the needs assessment tool; 3) in-country interviews; 4) dissemination of electronic surveys; 5) data entry, analysis of findings and drafting of the assessment report; and 6) validation of the assessment findings and recommendations at a series of three national workshops held in the study countries.

### **Desk review**

The desk review included key documents on trafficking in human beings (THB) in the three study countries, as well as on needs assessment methodology. Effort was made to select an equivalent number of documents across all three countries. In addition to the author's own research to identify relevant documents, research reports and other assessments, staff from IOM offices in the Republic

of Armenia, Azerbaijan and Georgia identified key documents for inclusion in the desk review. Materials that offered insight into needs assessment methodology were reviewed for the purpose of developing the needs assessment tool and frameworks for analysis. Of the 100 documents reviewed, 61 key materials were included in the bibliography (Annex A).

### **Development of the needs assessment tool**

On the basis of the desk review, components of the needs assessment tool were developed for testing in the study countries, including a template to guide the drafting of the assessment report. The tool consists of:

- an in-depth interview guide (Annex C) designed for use during in-person interviews with stakeholders in the three study countries;
- an electronic survey template (Annex D) designed for translation and dissemination via email by IOM support staff in the three countries, to be completed and returned to the independent consultant; and
- a data analysis worksheet designed to guide data analysis, enabling persons carrying out assessments to enter data obtained via the electronic survey and the in-country in-depth interviews, and generate metrics of content. The worksheet also includes a comparative analysis table consisting of both framework and operational indicators across five categories, each containing five criteria, with a view to allowing rapid assessment of counter-trafficking response across countries (Annex E).

Concurrent to the process of developing the CT-NAT, IOM focal points in the Republic of Armenia, Azerbaijan and Georgia were invited to identify and approach stakeholders to participate in the in-depth interview process or the survey process.

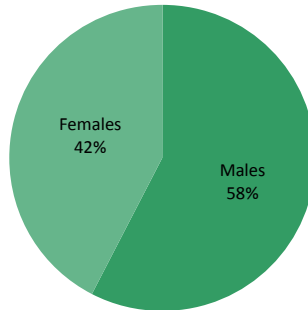
### **In-country interviews**

Between 13 and 25 January 2016, the independent consultant spent three days carrying out a total of 40 interviews that involved 92 people across the three study countries, using the in-depth interview guide.

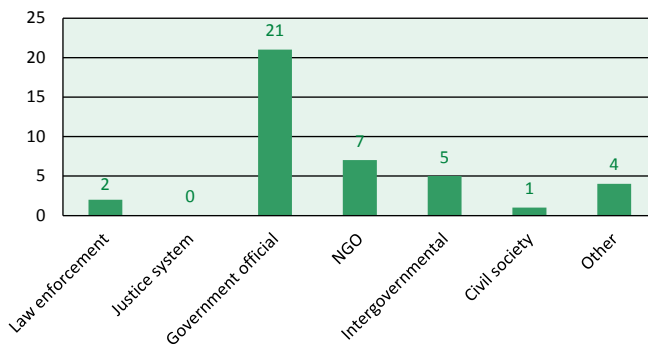
- In the Republic of Armenia, 16 interviews were carried out with 37 people (19 men and 18 women).
- In Azerbaijan, 14 interviews were carried out with 36 people (28 men and 8 women).
- In Georgia, 10 interviews were carried out with 19 people (6 men and 13 women).

Of the 92 interview participants, 58 per cent were male (n=53) and 42 per cent were female (n=39). More than half of interviews across the three countries were with government agencies (n=21). The interview template (Annex C) was used in carrying out these interviews, and revised on the basis of lessons learned across the three countries.

### Sex of interview respondents

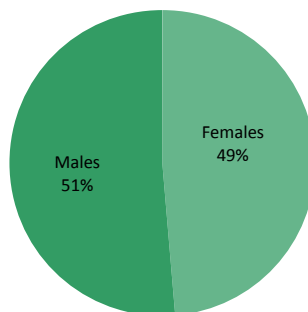


### Profile of stakeholder interviews

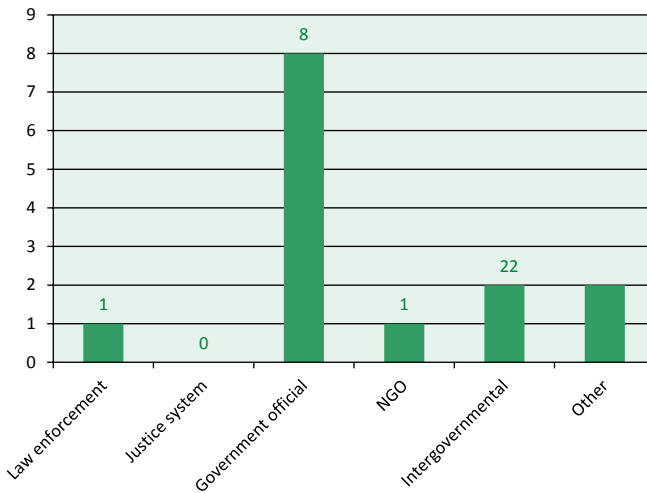


In the Republic of Armenia, 16 interviews were carried out with 37 people in Yerevan. Half of the interviews conducted (n=8) were with representatives of government organizations.

### Sex of interview respondents in the Republic of Armenia



### Profile of stakeholder interviews

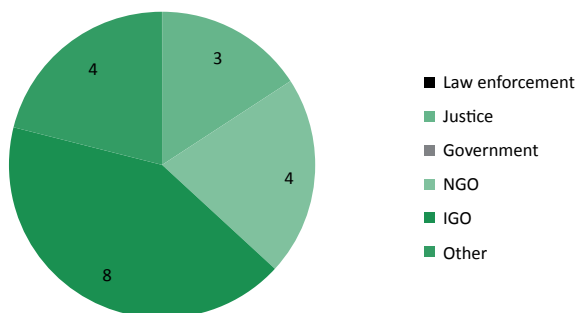


### Dissemination of electronic surveys

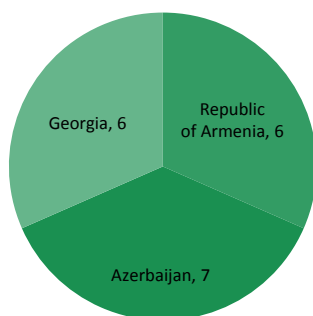
Electronic surveys (Annex D) were translated and disseminated by IOM to relevant stakeholders among people who did not participate in in-depth interviews. IOM focal points were requested to target practitioners outside of the capitals. Participants of in-depth interviews were also invited to suggest stakeholders who may be appropriate to respond to the electronic surveys. This question yielded markedly few suggestions, with the majority of participants confirming that participants of in-depth interviews were the key stakeholders. Recipients of electronic surveys were also invited to share the surveys with others who may be able to offer valuable insights. A deadline of 31 January 2016 was established for submission of completed surveys. IOM colleagues were instrumental in following up with stakeholders to prompt the completion and return of the surveys.

Only 19 responses to the electronic surveys were received, with almost the same number from each country (6 from the Republic of Armenia, 7 from Azerbaijan and 6 from Georgia). The majority (68%) of the 19 survey respondents were female (n=13). A significant number of respondents were from intergovernmental organizations. All survey respondents from Georgia were female, in contrast to only one of the seven respondents from Azerbaijan. In the Republic of Armenia, four respondents were female and two were male. Not all survey respondents answered all questions.

### *Roles of survey respondents*



### *Survey responses received*



In the Republic of Armenia, the electronic survey was disseminated by IOM with the help of the Inter-Agency Working Group on Combating Trafficking in Human Beings in the Republic of Armenia, and was placed on the [antitrafficking.am](http://antitrafficking.am) website.<sup>1</sup> Six people submitted electronic surveys, half of whom identified as representatives of government organizations.

### **Data entry, analysis of findings and drafting of the assessment report**

Data for all of the electronic surveys completed and returned to the consultant was entered into the relevant tables for analysis. Similarly, notes for all in-depth interviews were entered into the relevant data entry table. This process aided in the generation of qualitative data and analysis of inputs and perspectives across the study countries. The data generated focused on the frequency and type of emerging themes and allowed the assessor to draw conclusions and gaps against the five key thematic areas and develop recommendations to address them. The

<sup>1</sup> See <http://antitrafficking.am/eng/attention-iom-is-conducting-an-online-survey/> (accessed 25 February 2016).

metrics that resulted from the data entry and the analysis process were referred to in elaborating the draft assessment report, with several tables, graphs and charts of data included in the assessment report. The Needs Assessment Toolkit was further refined for submission to IOM for future adaptation and use.

### Validation of assessment findings

Validation workshops were convened in each of the three study countries for the purpose of sharing the findings of the report and inviting stakeholders to validate the recommendations that were offered for their consideration. A summary presentation of the key findings and recommendations was presented at each workshop, and stakeholders were divided into groups to consider proposed recommendations within each category. The report was finalized on the basis of feedback obtained at the workshop held in Yerevan on 28 April 2016.

## 1.3. Research limitations

There are several limitations to this study that must be acknowledged.

**Uneven and limited data across the three countries:** Some key documents were outdated for some countries and relatively up-to-date in others, skewing the insights gained in the desk review process. In some instances, the documents identified in the desk review process were heavily repetitive across several sources. Another data limitation was evident in the nature of the information identified; the desk review process yielded more content about the trafficking situation and trends, investigation and prosecution and protection and assistance than it did about identification and referral, cooperation among stakeholders and, particularly, prevention. Finally, the documents included in the desk review were limited only to those available in English, potentially excluding valuable sources of information available in other relevant languages.

Only 19 surveys were returned from the three study countries (6 from the Republic of Armenia, 7 from Azerbaijan and 6 from Georgia), resulting in limited survey data. Furthermore, while several people participated in the in-depth interviews, only some of them were active participants in discussions. This was particularly the case in Azerbaijan, where a high number of participants attended meetings, but most meeting attendees did not actively contribute to discussions, in contrast to the case in Georgia where the least number of participants were met with (19) but most of whom were active contributors to discussions.

**Subjectivity of insights:** A key limitation to the rapid needs assessment methodology is its reliance on the subjective views of stakeholders as the primary source of data. The assessment is accordingly vulnerable to subjective knowledge (and knowledge gaps) about the trafficking situation as well as personal views and biases. The desk review process, although suffering from the limitations described above, went some way towards mitigating this limitation.

However, ultimately, given the core reliance on in-depth interviews, the final assessment report and the recommendations are more representative of stakeholder perspectives of the effectiveness of the counter-trafficking response than of actualities of effectiveness of the counter-trafficking response.

**Convenience sampling and selection bias:** Compounding the subjective nature of the insights gleaned through the assessment process is the selection bias inherent in the identification and recruitment of stakeholders. Given the key role of IOM in supporting the needs assessment process, stakeholders and their perspectives may be representative of the IOM approach to counter-trafficking and its particular partnerships rather than a comprehensive survey of views across the study countries. This selection bias may have also impacted on the responses provided. IOM commissioned the report, and IOM staff in the three countries selected participants and in many cases attended meetings.

Data is reflective of capital-level responses and does not reflect the challenges faced by stakeholders in other regions, given that interviews were not conducted with stakeholders outside of capital cities. The survey process was, in part, to address this limitation and invite responses from practitioners working outside of capital cities; however, few surveys were received for each country. Accordingly, the data is not reflective of nationwide challenges and insights and does not address regional and local differences but is heavily skewed towards capital-level responses.

Another limitation of the methodology is that of self-selection bias. It is possible that those who opted to participate in the needs assessment (whether the electronic survey or the in-depth interview) may have particular positive or negative feelings that differ from those who did not opt to participate. Furthermore, subjectivity of insights may have been influenced by the political and social tensions that exist with the particular context of the study countries.

**Practical limitations:** The time frame for carrying out the needs assessment from conception through to its final delivery was four months, over a period of eight months. One person carried out the assessment, with logistical and interpretational support provided by IOM. The analysis undertaken and the data entry process could have arguably been more in-depth had more man hours been invested in the project. Language considerations posed additional limitations, requiring reliance on IOM to provide interpretation and translation support. The same person conducting the interviews was required to take manual notes during the interviews and no audio recordings were used.

**Other limitations:** The political tensions between countries of the South Caucasus was reported to have a negative impact on cooperation against trafficking, and also may have influenced the responses provided, where individuals are concerned with ensuring that their country appears relatively stronger than other study countries in assessments carried out. In light of the tensions that exist, the study was reconceived so as not to be comparative, meaning that the comparative capacity of the assessment tool could not be effectively tested.

Ultimately, what was initially envisaged as a report containing findings and recommendations for the three study countries was instead reconceived as three distinct reports. This report captures the findings and recommendations for the Republic of Armenia.



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## 2. FINDINGS

The Republic of Armenia is considered primarily an origin and transit country, and increasingly acknowledged as a country of destination.

**As a country of origin:** Key destination countries for Armenians are the United Arab Emirates, Turkey, the Russian Federation and Greece. Armenian women and girls are trafficked to Turkey and the United Arab Emirates for sexual exploitation. In recent years, forced labour has been increasingly acknowledged to be the most concerning form of exploitation, yet more attention is given to trafficking for the purpose of sexual exploitation; in the survey, five of the six respondents identified adult females as the most trafficked group. Some research suggests that male migrants in search of work in the Russian Federation and Turkey are vulnerable to trafficking for forced labour particularly in the construction industry and in small private businesses (Gen 1; Arm 15, p. 12; Arm 16, p. 8). Exploitation of Armenians in domestic service in Turkey was also identified (Arm 15, p. 12). One respondent also mentioned a 2012 case of organ removal, in which an Armenian victim had a kidney removed in Sri Lanka, in a case involving accomplices from Israel (who paid USD 2,000 per person) and the former Soviet Union. The perpetrator was charged under Article 132 and imprisoned for eight years (Arm 27, p. 51).

**As a country of destination/internal trafficking:** The Republic of Armenia has increasingly been recognized as a country of destination. While all respondents to the electronic survey (n=6) identified the Republic of Armenia as a country of origin, only half (n=3) acknowledged that it is also a country of destination. All six survey respondents included “forced labour or services” as one of the three most common forms of exploitation in the Republic of Armenia, with “exploitation in prostitution” included by four, and “other forms of sexual exploitation” by two. Two respondents added “other” forms of exploitation, including “forced begging” and “child labour”. Exploitation of child labour in formalized and non-formalized sectors of agriculture, cattle breeding, construction, industry, trade and service provision, as well as in their own homes and in the streets, has been noted as a key concern in the literature, though information is severely lacking (Arm 6, pp. 7–9; Gen 1). Boys have been subjected to forced labour; women and girls have been subjected to trafficking for the purpose of prostitution; and boys, girls and women have been trafficked internally for forced begging (Gen 1, p. 23; Arm 8, p. 26). Five of the six survey respondents flagged “the streets” as a common place of exploitation. Three respondents noted the need to focus more on child labour, one specifying begging in particular.

A 2015 report of the Organization for Security and Co-operation in Europe (OSCE) noted that “labour exploitation in Armenia can be mostly attributed to the breach of Labour Code rather than forced labour and labour trafficking” (Arm 30, p. 8), concluding that “there is no human trafficking in the private sector of Armenia’s economy or even if there is, the scale is so small that it is not revealed through the limited number of observations”. However, the report confirmed significant vulnerability among large and financially unstable families to becoming victims of forced labour and trafficking for the purpose of labour exploitation (Arm 30, p. 22). The OSCE study concluded that violations of children’s rights, the worst forms of child labour, and in some cases forced labour, require intervention by relevant bodies (Arm 30, p. 41).

For the first time in 2014, Chinese women trafficked for sexual exploitation in the Republic of Armenia were identified (Gen 1), with a criminal case against Chinese nationals filed in December 2014, under Article 132 of the Criminal Code (Arm 27, p. 1). Also, in 2006, four trafficked striptease dancers from the Russian Federation and the Ukraine were identified in the Republic of Armenia (Arm 15, p. 12), Russian trafficking victims were also identified in the Republic of Armenia in 2008 and 2009 (13 and 11, respectively), and increased trafficking within the Republic of Armenia has also been observed (Arm 20, p. 10). Of the five interviewees who discussed trafficking trends, three considered it to be a declining problem, with the remaining two considering that it is neither increasing nor decreasing.

**Profiles of traffickers and victims of trafficking:** A needs assessment conducted in 2007 noted that there was a perception among Armenian authorities that traffickers operate alone and not as part of a wider organized crime network (Arm 16, p. 8). This perception was confirmed during the present assessment, raising questions about what an “organized criminal group” is understood to be and whether that understanding is consistent with the meaning in Article 2(a) of the United Nations Convention against Transnational Organized Crime (UNTOC). During the validation workshop, it was reported that the threshold for what constitutes an organized crime group is lower in Article 41 of the Armenian Penal Code than in the UNTOC, raising questions of how trafficking is understood not to be perpetrated by organized crime. Insight into profiles of traffickers and victims was only offered by one interviewee, who noted that traffickers can be male or female but are generally ethnically Armenian and from the Republic of Armenia, the Russian Federation, Turkey or the United Arab Emirates. That respondent also noted that trafficking in the Republic of Armenia is not organized as such.

## 2.1. Identification and referral

The 2014 Law of the Republic of Armenia on Identification of and Support to Persons Subjected to Trafficking in Human Beings and Exploitation (hereinafter referred to as Law on Identification and Support) entered into force in June 2015, essentially superseding the 2008 National Referral Mechanism (NRM),<sup>2</sup> and upgrading the status of the referral mechanism to law (Arm 27, p. 34). That earlier NRM outlined three stages of identification carried out by cooperating non-governmental organizations (NGOs), police, the Ministry of Labour and Social Affairs (MLSA) and courts. These three stages included:

- **preliminary identification**, the initial detection of the victim, which was carried out by responsible bodies or by applying certain established criteria;
- **intermediate identification**, carried out by the investigating body to decide whether to recognize the person as a victim of trafficking in criminal cases filed under the Criminal Code; and
- **final identification**, carried out by the court. Where cases did not come to the court, the decision made by the criminal prosecution body as to whether or not the person would be recognized as aggrieved serves as ground for final identification.

In 2012, the Council of Europe's Group of Experts on Action against Trafficking in Human Beings (GRETA) reported that these stages of identification resulted in victims in the preliminary identification stage having access to considerably less assistance than those identified at intermediate and final stages (Arm 20, p. 28). The Law on Identification and Support was enacted partly in response to that finding.

### Identification process

The Law on Identification and Support establishes standard procedures for identification, support, protection, and reintegration of suspected and identified trafficking victims across national and local government bodies, NGOs, international organizations and civil society (Articles 1 and 2). It creates the Identification Commission, the sole body with authority to recognize a person as a "victim", defined by article 4(1)(4) as a person subjected to trafficking in human beings and/or exploitation or as a "victim of special category" per Article 4(1)(5), "a person subjected to trafficking in human beings and/or exploitation, who, at the time of his or her detection, was a child or a person, who, as a result of mental disorder, is devoid of the ability to fully or partially realize the nature and meaning of his or her actions or to control those." According to Article 11 of the Law, NGO and State bodies shall be equally represented in the Commission, which is comprised of representatives from NGOs, the Office of the Prosecutor General, the MLSA and the Police. The Commission determines status by open ballot and majority vote; where votes are equal, the views of

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<sup>2</sup> Republic of Armenia Government Decree N1385-N of 20 November 2008.

NGOs are given priority or where they do not align, the vote of the Chairperson is decisive (Article 11(1)).

The Commission, chaired by the MLSA, consists of State and non-State actors competent to conduct pre-identification, collect as much information as possible about the potential victim and independently decide how to obtain information (e.g. through interviews with the detected person or others, examination, documents or other means) (Article 12). Diplomatic missions, international organizations, NGOs and other organizations, as well as law enforcement authorities, may assist if detected persons are in foreign States (Article 15). The transfer of information is to occur within 24 hours of receiving the detected person; the competent body informs the Chairperson of the Identification Commission (and the Ministry of Foreign Affairs and the Police if the person is detected elsewhere or is a foreigner in the Republic of Armenia) (Article 16). After the pre-identification period, the competent body gives written notice to the Chairperson of the Identification Commission who convenes a session within two days. The person physically attends the session only at his or her initiation or if the Commission requires it. As a result of the session, the Commission: (1) may recognize the person as a victim or victim of special category, granting him or her special status and the right to receive support and protection under the Law on Support and Protection; or (2) may not recognize the person as a victim/victim of special category, thereby terminating protection and support; or (3) may extend the pre-identification stage. The decision of the Commission may be appealed (Article 18).

### **How victims become known to authorities**

The State Migration Service (SMS) of the Ministry of Territorial Administration and Emergency Situations in the Republic of Armenia conducts interviews with asylum-seekers in line with the Law on Refugees and Asylum. The Law has recently been amended so that, where victims of trafficking who have applied for asylum are identified as having special needs (Article 8), the SMS has certain procedural obligations (Article 50). In practice then, the SMS is required to take steps to ensure implementation of its obligations. While the SMS has an identification mandate under the Law on Identification and Support, in practice, no single case has been identified among asylum-seekers. While during the interview process it was mentioned that asylum-seekers or refugees applying to the SMS were not otherwise vulnerable (mostly being educated, professional ethnic Armenians), information received subsequently suggested that there were indeed vulnerable people among them, including survivors of torture, persons with mental health issues, and single parents, among others, suggesting that there may be scope to strengthen and harmonize understanding of what constitutes vulnerability in identifying persons with special needs. It is apparent that there are no standard questions pertaining to trafficking in any of the forms used for preliminary registration and interviews with asylum-seekers. One interviewee raised concerns about the disconnection between screening of asylum-seekers and identifying potential victims of trafficking as a key gap to address.

Border guards, who are part of the National Security Service (NSS), are the first point of contact for victims leaving or returning to the Republic of Armenia. Before the passage of the 2014 Law on Identification and Support, lack of identification by border guards was noted as a point of weakness in the Republic of Armenia, owing to a lack of clear criteria for identification, lack of methodological guidance, and lack of agreed-upon standards, tools and methods that hampered cooperation among and between State agencies and civil society (Arm 15, p. 20; Arm 16, p. 25). The Law on Identification and Support gives the NSS a mandate to forward to police information about presumed victims and entitles it to use operational investigative techniques to proactively investigate trafficking. However, during the interview process, NSS respondents stated that if a person does not identify him- or herself as a victim of trafficking, border officials are unable to identify victims in their day-to-day work and can only intervene where there is some suspicion that the people leaving are victims of trafficking. Respondents additionally stated that those coming into the country generally do not declare themselves as victims. In the few cases of potential trafficking identified in 2015, all were of Armenians deported from the countries in which they were exploited.

Serious concerns were raised in relation to the reduced identification capacity of the labour inspectorate in a quarter of interviews (n=4). The State Labour Inspectorate of the MLSA was merged with the State Hygiene and Anti-Epidemic Inspectorate of the Ministry of Health in 2013.<sup>3</sup> In January 2015, the Government amended the Labour Code to remove the mandate of State Health Inspectorate (SHI) to conduct labour inspection, restricting inspections to those based on complaints related to occupational safety and health violations. The US Department of State Trafficking in Persons (TIP) Report emphasizes the need to strengthen the role of labour inspectors in identification and referral, through unannounced visits and raising awareness of employers about practices that can lead to forced labour (e.g. holding identity documents to ensure compliance with contracts). GRETA also notes that concerns about labour exploitation are exacerbated by high tolerance of poor labour conditions in general, such that most labour disputes remain outside the justice system (Arm 20, p. 28), and the fact that forced labour is criminalized in Armenian legislation but not defined.<sup>4</sup>

In identifying victims of trafficking abroad, the role of diplomatic and consular missions, the Armenian Apostolic Church, and the cultural centres and organizations of Armenian diaspora has been noted in some literature (Arm 12, p. 84). However, no respondents pointed to the positive role played by the Ministry of Diaspora or the Armenian Church in identifying potential victims of trafficking; one respondent could not foresee a role for the former but could imagine that the key role of the Church in Armenian life could be harnessed for awareness-raising purposes.

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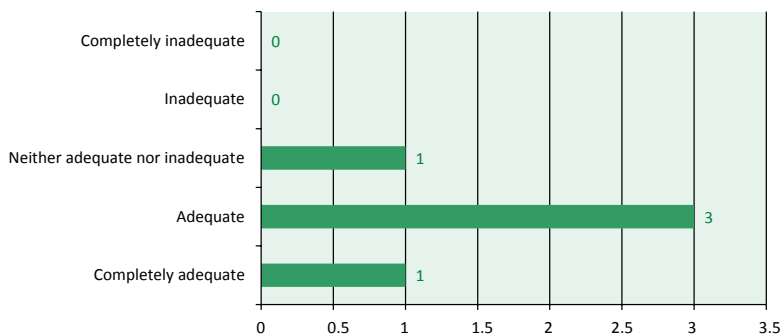
<sup>3</sup> Decision No. 857-N of 25 July 2013.

<sup>4</sup> See section on investigation and prosecution.

### Self-identification

Reliance on self-identification emerged during the interview process; more than a quarter of interviewees (n=5) noted that actions to identify potential victims can only be taken if the person identifies him- or herself to authorities. And yet, self-identification in the Republic of Armenia is reportedly low. One problem noted in the literature and in the interviews was that exploited men rarely identify themselves because of the shame associated with what they have endured; often, even their families remain unaware of their victimization. It is unclear whether victims of trafficking have adequate access to information on how to self-identify. The NGOs United Methodist Committee on Relief (UMCOR) and Hope and Help operate hotlines, both of which are used not only as sources of information on migration and trafficking but also on services available to trafficked victims and others. Those hotlines reportedly receive few calls, and only a small number of received calls concern trafficking-related issues. One reason suggested for this is the fact that there are several hotlines in the Republic of Armenia relating to different issues (e.g. domestic violence), so some queries go to alternative hotlines.

#### Q. 3.1.5. Indicators, screening checklists and other identification tools



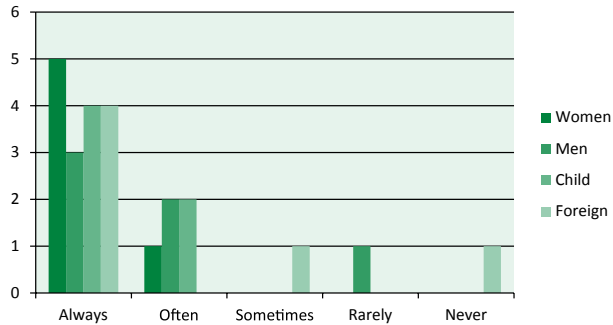
### Criteria and indicators for identification

Half of survey respondents (n=3) considered that indicators, screening checklists or other identification tools were “adequate”, and two respondents considered them “completely adequate”. However, of the five interview respondents who answered questions about indicators and screening checklists, all stated that no such tools are used to support victim identification, with the exception of the NSS that reportedly distributed IOM booklets and materials, including an identification checklist to support identification of women and girls, to all border points. Lack of criteria to identify male victims of trafficking was noted.

In 2014, an inter-agency working group consisting of State and non-State actors was reportedly established to focus on inter-agency cooperation on borders and identification and referral of asylum-seekers and other persons with specific special protection needs, and to develop draft instructions and practical tools

for identification and referral and to make recommendations to the relevant authorities on adoption of such documents (Arm 27, p. 34). The Working Group on Combating Trafficking in Human Beings reportedly began drafting standard operating procedure on referrals from borders of asylum-seekers to support the implementation of amendments made to the Law on Refugees and Asylum that entered into force in January 2016.

### *Victims identified and referred*



Survey respondents categorized identification and referral mechanisms, as either “completely adequate” (n=3) or “adequate” (n=3). Four out of six respondents considered that victims are “always” identified and referred to support services, and two out of six saying that this happens “often”. However, responses varied when asked about specific categories of victims. One respondent noted that men are “rarely” identified and that foreigners are “never” identified, explaining that men often refuse to acknowledge they have been victims and that foreigners are immediately transported back to their countries of origin. In practice, it is believed that actual incidents of trafficking far exceed the cases identified (Arm 20, p. 10). Almost half of interview respondents (n=7) stated that identification is a key barrier or challenge to combating trafficking in the Republic of Armenia, raising concerns that victims are often not identified owing to the reduced mandate of the labour inspectorate, victims’ lack of willingness to self-identify and the fact that much exploitation occurs in other countries.

Identification of children has been raised as a concern. The recent US report on the worst forms of child labour notes that because not all children who are referred to social service providers by police are registered as victims, statistics for forced begging and commercial sexual exploitation may underreport the problem (Arm 19, p. 4). No cases of detecting juvenile foreign victims or stateless juvenile victims have been placed on record in the Republic of Armenia (Arm 27, p. 15). The fourth National Action Plan (NAP) against trafficking for 2013–2015 gives significant attention to strengthening identification of child trafficking, including by raising awareness and training staff working with children to identify children who may be victims of trafficking (Arm 17).

### Identification and referral indicators

		FRAMEWORK Indicators		OPERATIONAL Indicators	
		Level 1	Level 2	Level 1	Level 2
1.1	<b>National Referral Mechanism (NRM) for trafficking in human beings (THB), specifying roles and responsibilities</b>	NRM specific to THB is in place	NRM outlines stakeholder competencies, coordination, protection and assistance	State and non-State actors are included in an NRM and are aware of their role(s)	State and non-State actors are referring and assisting victims through an NRM framework
1.2	<b>Formal processes for identification</b>	Formal processes for victim identification are in place	Formal processes for victim identification are linked to referral mechanisms	Formal processes for identification are consistently used	Stakeholders perceive that identification processes increase access to services
1.3	<b>Indicators, screening checklists and other identification tools</b>	Identification tools are in place, and stakeholders are aware of and have access to them	Identification tools are relevant to trafficking in practice (e.g. all types)	Identification tools are used by some stakeholders (partially effective)	Identification tools are used by all stakeholders (fully effective)
1.4	<b>Self-identification mechanisms (e.g. hotlines, posters, advertisements)</b>	Self-identification mechanisms are in place	The public is adequately aware of self-identification mechanisms	Some victims self-identify (partially effective)	Stakeholders perceive that self-identification is increasing
1.5	<b>Link between referral mechanisms and protection and assistance services</b>	Referral mechanisms in place are linked to protection and assistance services	Referrals of victims are delinked from victim cooperation with law enforcement	Referral mechanisms result in services provided to some identified victims	Referral mechanisms result in services provided to all identified victims

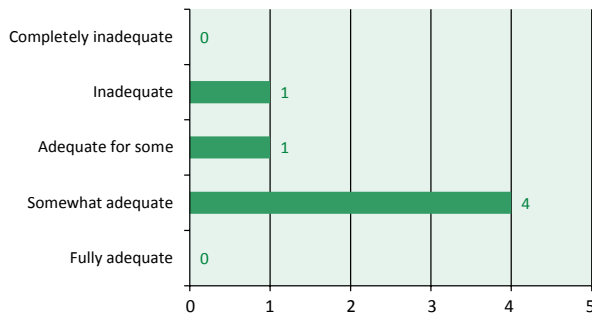
Note: Green background denotes areas identified for potential improvement.



## 2.2. Assistance and protection

The 2013–2015 NAP includes the provision of assistance and support as a key objective. The Law on Identification and Support specifies that support is provided by the MLSA through its regional departments in cooperation with municipalities, and protection is provided by the Police (Article 20(3)). Article 20 sets out the support and protection that “victims” and “victims of special categories” are entitled to in the pre-identification phase (Article 21). Article 24 entitles “victims of special category” to support and protection received by other victims, as well as additional support, including legal representation and support to child victims until the age of majority.

### Q. 4.1.5. Risk assessments



Survey respondents considered medical and psychological care to be “fully adequate” (n=1), “somewhat adequate” (n=4) or “adequate for some victims only” (n=1). In relation to the support services that victims receive in practice, survey respondents generally considered them to be of high quality. Four respondents “agreed” that foreign and national victims of trafficking receive the same level of services, and two “strongly agreed”. Gaps were evident in relation to risk assessments carried out to determine dangers, threats, security and protection needed by victims: four respondents considered risk assessments to be “somewhat adequate”; one respondent considered them “adequate for some victims only”; and one respondent considered them to be “inadequate”.

Inadequate assistance for victims unwilling to cooperate with authorities had been noted in the past (Arm 1, p. 174; GRETA Arm 20, pp. 7, 28). However, the 2014 Law on Identification and Support extends to citizens of the Republic of Armenia, foreign citizens or stateless persons, as well as persons who have refugee status in the Republic of Armenia and are elsewhere at the time of being detected (Article 5). Article 20(2) of the law further clarifies that:

*“...forms, types, duration, scale of the protection and support to victims and victims of special category may not in any way be interrelated with or conditioned by their participation in the activities carried out by the*

*law enforcement bodies in a manner prescribed by law of the Republic of Armenia. The provision of support and protection may not pursue an expectation of receiving other services or any compensation in return for the provided services.”*

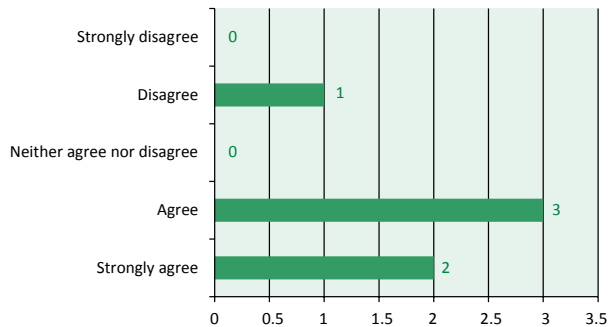
This explicit confirmation that cooperation or lack of cooperation is delinked from services provided to victims is a strength of the law. Survey respondents were equally divided between “agreeing” (n=2), “strongly agreeing” (n=2) or “neither agreeing nor disagreeing” (n=2) that victims who do or do not cooperate with authorities receive the same level of services.

### **Shelters**

All survey respondents (n=6) considered short- and long-term shelter services for trafficked victims to be either “fully adequate” or “somewhat adequate”. Two respondents “strongly agreed” and three “agreed” that male and female victims receive the same level of services, one respondent “disagreed”, pointing to the lack of shelter available for male victims. This gap was also evident in the literature (Arm 1, p. 174; Arm 27, p. 40; Arm 20, p. 31). Interviewees confirmed that shelters do not have capacity to accommodate male victims of trafficking (with the exception of male minor dependents, who may be accommodated with their mothers). There are two shelters that provide support services to female victims of trafficking in Yerevan, being the short-term shelter provided by the NGO Hope and Help and the long-term shelter provided by UMCOR. If shelter is needed for male victims, alternative accommodation is provided in rented apartments. Interviewees stated that there had been no situation in which men needed shelter and did not receive it.

The short-term Hope and Help shelter operated in cooperation with Democracy Today for female victims of trafficking has accommodated 120 people since 2003. It provides legal, psychological, medical assistance and vocational training. It accommodated two people in 2015 but was empty at the time the assessment was undertaken. The long-term UMCOR shelter (also operated in cooperation with Democracy Today) provides long-term reintegration support services, and can continue to work with people who are reclassified from victims of trafficking as another category of concern. It provides psychological and material assistance, medical care (both emergency and other types of medical assistance), translation and interpretation services, access to education for children and legal assistance during criminal proceedings (Arm 1, p. 173; Arm 15, p. 22). While the small number of victims currently in shelters can be explained by the small number of victims of trafficking identified in the Republic of Armenia in general, the literature notes that many victims of sexual exploitation opt not to seek assistance, preferring to return to their homes anonymously to avoid stigmatization where rendering of commercial sexual services is categorically condemned (Gen 2, p. 43). UMCOR works with people outside of the shelter system or who have left shelters.

### Q.4.2.1. Male and female victims receive the same level of services



The literature points to a lack of specialized protection for child victims, with no separate shelters established on account of their small number. Juvenile victims stay in adult shelters or are referred to relevant institutions; depending on their age, minors can return to families or be referred to a children’s assistance centre (Zatik Children Assistance Centre, Fund for Armenian Relief Centre) or other childcare institutions (Arm 27, pp. 8–9; Arm 1, p. 174; Gen 1; Arm 20, p. 31). Under the new Law on Identification and Support, children are included as victims of “special category”. The Law on Identification and Support does not elaborate on the assistance and protection services provided to unaccompanied children but notes they shall be provided with “social and living conditions mostly resembling family conditions” and “general education” (Article 22(10) and (12)). During the interview process, it was noted that the absence on specific identification and referral mechanisms for child trafficking was being addressed by a Working Group to develop such mechanisms.

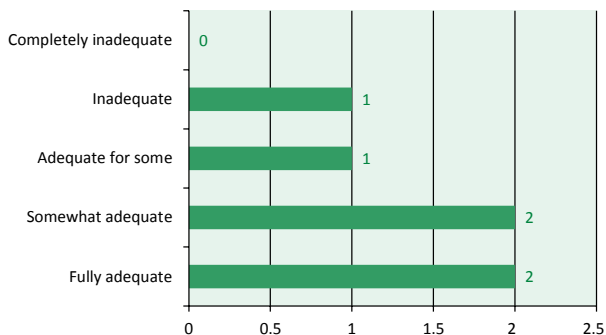
### Rehabilitation, reintegration and return

Hope and Help and UMCOR/Democracy Today are noted in the literature to suffer from a lack of funding to support victims leaving shelters and facing difficulties finding jobs and secure housing. Access to microcredits for victims was noted as being potentially valuable, but funding for such credits was missing (Arm 15, p. 24). If the victim consents, UMCOR remains in touch with those who have left shelters, and psychologist and social workers regularly contact them on the phone and visit them if necessary. Main concerns relate to training and employment and provision of accommodation (Arm 27, p. 41). In relation to the latter concern, an interviewee noted that victims of trafficking are a priority group for social housing, but was unsure how this would be provided for in practice. However, another respondent stated that victims of trafficking are not included as a priority group for social housing.

Of the six survey respondents, five considered education/job/skills and vocational training to be “somewhat adequate”, and one considered it “adequate for some”. Support to integrate victims into countries of destination was considered “adequate for some” by three respondents, and “somewhat adequate” by two. There was a wide range of perspectives about the adequacy of support in returning victims to countries of origin. Two considered such support to be “fully adequate” and two considered it “somewhat adequate”, but one found it “adequate for some victims only” and another found it “inadequate”. The responses offered in explaining the inadequacy of returning and reintegrating victims to countries of origin concerned the lack of diplomatic relations with Turkey, the need for better cooperation with countries of origin, and the need for funding to return and reintegrate victims. One respondent cited rehabilitation as the key challenge in counter-trafficking response, noting that victims are often simply returned to the communities where the push factors that made them vulnerable to trafficking in the first place are still present; the lack of social workers available to continue to work with people compounds rehabilitation challenges. At the time the assessment was being conducted, a sub-legislative act concerning return of trafficked victims to the Republic of Armenia was reportedly in circulation.

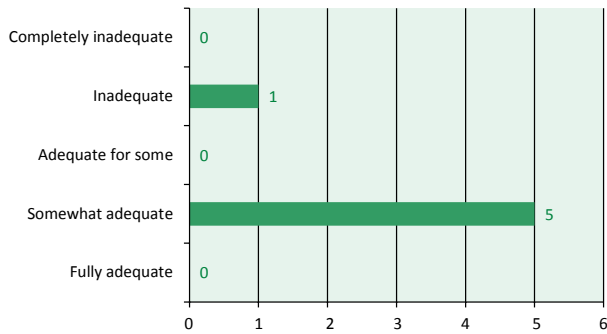
The NAP flags the introduction of “new initiatives for the reintegration of citizens returning to the Republic of Armenia as victims of trafficking in persons” (objective 4, strategy 4), but it does not specifically speak to the integration of foreign victims of trafficking in the Republic of Armenia who cannot be returned to their countries of origin. During the interview process, reintegration was raised in two interviews of the six that discussed protection and assistance services. Both mentioned that reintegration services are in practice provided by NGOs, and suggested that there is more scope for State involvement in providing reintegration services to victims of trafficking.

#### Q. 4.1.9. Support to return to countries of origin



Article 22(15) provides for the safe return of victims of trafficking to or from the Republic of Armenia to countries of origin, to be coordinated by the Ministry of Foreign Affairs. The procedure for arranging safe return is to be defined by a decision of the Government. In practice, IOM also provides assistance through assisted voluntary return procedures (Arm 20, p. 33). Article 22(17) of the Law on Identification and Support provides that a foreign victim may be given a temporary residence permit and/or a work permit.

#### Q. 4.1.10. Support to reintegrate into countries of origin



### Legal aid and compensation

According to the Law on Identification and Support, the State – under the auspices of the MLSA – is to provide legal aid for victims defined in Article 22(9) as “legal consultation, as well as the arrangement of attorney’s support, for the purpose of protecting the rights and legal interests of the person concerned”. The law lacks details as to the process for providing such aid and requires a sub-legislative act to give it practical effect. The Law on Advocacy also ostensibly provides for free legal aid to persons who have been recognized as victims of trafficking by the Identification Commission. In 2015, the Civil Code was amended to provide for non-pecuniary damages compensation. One survey respondent considered civil and criminal legal support for victims to be “fully adequate” and one considered it “adequate for some victims only”. The majority (n=4) considered it to be “somewhat adequate”. During the interview process, it was explained that legal aid is currently provided by NGOs which contract lawyers and cover costs from their own budget. Concern was also raised that some judges and lawyers can have negative attitudes towards victims of trafficking, and inadequate understanding of the vulnerable situation victims were in and their reasons for remaining in exploitative situations. Accordingly, respondents emphasized the importance of ensuring that the legal aid scheme ensures the quality of legal services and the professionalism of the lawyers appointed.

Of the six interviews that touched on issues of protection and assistance, four pointed to compensation as a key issue. Article 22(2)(2) of the Law on Identification and Support provides for the provision of lump-sum monetary compensation to victims of trafficking. Article 22(16) provides that all victims

*“shall be given an opportunity to receive a lump-sum monetary compensation. Provision of the monetary compensation is aimed to partially compensate the damages suffered during the trafficking in human beings and/or exploitation and in no way can substitute or restrict the right of the victim to receive compensation from the perpetrator, in the manner prescribed by law.”*

In raising compensation as a key priority, one interviewee pointed to the inclusion of compensation in the legislation as a positive step but emphasized the need for an implementing mechanism. The 2013–2015 NAP provides for the development of recommendations on the creation of such a mechanism, and was noted as being on the Working Group’s agenda. A subgroup in the Working Group has been established, which includes police and NGO representatives, to determine the amount of lump-sum compensation to be paid and the mechanism by which it is paid. A sub-legislative act drafted by the MLSA was in circulation at the time the assessment was being conducted. In that context, one interviewee expressed the view that compensation should be paid to victims from the earliest stage of their protection and assistance (soon after identification) rather than at the end of the protection and assistance process, as has apparently been proposed.

### **Monitoring**

Article 26 of the Law on Identification and Support determines that the Identification Commission and competent bodies submit a quarterly report to the Council on Trafficking in Persons, and that the Council submit an annual summary report to the National Assembly. Section V of the fourth and current NAP concerns surveys (studies), monitoring and evaluation, in accordance with which the Working Group under the Council on Trafficking Issues is responsible “to carry out interim (annual) and final (three-year) monitoring of the implementation of this program.” These mechanisms are aimed at monitoring the implementation of the NAP, but they do not prescribe any minimum standards for assistance and protection by which to measure that support, nor to measure whether the beneficiaries of the protection and assistance are actually benefiting from the services provided to them. At the time the assessment was being carried out, the Working Group was receiving inputs from stakeholders for the purpose of compiling its final NAP implementation report, which feeds into the development of the fifth NAP. One interviewee raised concerns that monitoring was only undertaken on whether or not activities were implemented, not whether or not those activities had a positive impact.

Monitoring by international organizations was stressed during the interview process as being of key importance, with findings of the GRETA and US Department

of State reports on trafficking in persons used to shape the development of the NAPs. The MLSA also reportedly carries out some monitoring of assistance and protection services, and visits shelters on an ad hoc basis. The Office of the Ombudsman is mandated only to report on human rights abuses and violations in its ad hoc or annual reports, but it has not reported any deficiencies in relation to counter-trafficking. In short, monitoring of assistance and protection services provided to victims of trafficking takes place on an ad hoc basis and is not guided by any framework of criteria or minimum standards. A framework of indicators for use in shelters has reportedly been developed and is being circulated among stakeholders, including the Working Group members.

### *Protection and assistance indicators*

		FRAMEWORK Indicators		OPERATIONAL Indicators	
		Level 1	Level 2	Level 1	Level 2
2.1	<b>Funding for protection and assistance (shelter) services</b>	State budget provides allocation for direct protection and assistance services	State budget provides allocation for NGO/ civil society support services	Committed budget allocation partially meets funding needs	Committed budget allocation fully meets funding needs
2.2	<b>Accessibility of temporary protection and assistance services specific to trafficked persons</b>	Full package of services is available (medical, psychosocial, legal) within a shelter setting	Full package of services (medical, psychosocial, legal) is available to victims not in shelters	Some services are available to most victims of trafficking, with few conditions	All services are available to all victims of trafficking with no conditions
2.3	<b>Long-term rehabilitation, reintegration and return services</b>	A framework for rehabilitation and reintegration is in place	A framework for residence and return is in place	The State provides adequate support for rehabilitation and reintegration	The State is adequately involved in carrying out safe and voluntary return
2.4	<b>Differentiation of protection and assistance services</b>	Protection and assistance services are differentiated according to specific needs	Specific needs of children (e.g. best interests determination of the child) and non-citizens (e.g. residency) are addressed	Protection and assistance services meet some specific needs of some persons	Protection and assistance services meet all specific needs of all persons

		FRAMEWORK Indicators		OPERATIONAL Indicators	
		Level 1	Level 2	Level 1	Level 2
2.5	<b>Appropriate standard of protection and assistance services</b>	A minimum standard of protection and assistance services is specified	A framework for monitoring protection and assistance services is in place	Protection and assistance services are monitored by internal evaluation	Protection and assistance services are monitored by external evaluation (including victim feedback)

Note: Green background denotes areas identified for potential improvement.

### 2.3. Investigation and prosecution

The Republic of Armenia is party to key international instruments, though it has not yet ratified or acceded to the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families.

International instrument	Year of ratification/ accession by the Republic of Armenia
<b>UNTOC</b> — United Nations Convention against Transnational Organized Crime (2003)	2003
<b>Trafficking Protocol</b> — Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children (2003)	2003
<b>ICCPR</b> — International Covenant on Civil and Political Rights (1976)	1993
<b>ICESCR</b> — International Covenant on Economic, Social and Cultural Rights (1976)	1993
<b>ICERD</b> — International Convention on the Elimination of All Forms of Racial Discrimination (1969)	1993
<b>CEDAW</b> — Convention on the Elimination of All Forms of Discrimination against Women (1981)	1993
<b>CAT</b> — Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (1987)	1993
<b>CRC</b> — Convention on the Rights of the Child (1990)	1993
<b>CRPD</b> — Convention on the Rights of Persons with Disabilities (2008)	2010
<b>ICRWM</b> — International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (2003)	Signed in 2013; not ratified/accesed



International instrument	Year of ratification/ accession by the Republic of Armenia
<b>COE Trafficking Convention</b> — Council of Europe Convention on Action against Trafficking in Human Beings [CETS No. 197] (2008)	2008 (ratified)
<b>C029</b> — Forced Labour Convention 1930 (No. 29)	2004
<b>C105</b> — Abolition of Forced Labour Convention 1957 (No. 105)	2004
<b>C182</b> — Worst Forms of Child Labour Convention 1999 (No. 182)	2006

In June 2014 – as mandated by the Law on the Investigative Committee – the Investigative Committee was established to organize and implement pre-investigation of alleged crimes (including Articles 132, 132(2), 132(3), 168, 261 and 262 of the Criminal Code) in line with authority vested under Article 8 of the Criminal Procedure Code. The result was the merging of the Investigation Department of the Police with the Investigative Department of the Ministry of Defence to create a new autonomous Investigative Committee. Functions that were previously carried out by the Unit to Investigate Human Trafficking, Illegal Drug Trafficking and Organized Crime within the Police are now part of the Main Department on Especially Serious Crimes within the Investigative Committee. Police officers respond to allegations of crime and conduct pre-investigation within 10 days to determine whether a crime has been committed, then either transfer the case to the Investigative Committee for full investigation or drop the case due to lack of evidence. The Office of the Prosecutor General plays an oversight role for the Police (and the NSS). Most cases that reach the Office of the Prosecutor General are from the Investigative Committee.

### Legislative framework

Trafficking was first criminalized in 2003 with the introduction of Article 132 into the Criminal Code, with further amendments made in 2006 to align the definition with the UN Trafficking in Persons Protocol, and in 2011 to increase penalties. The National Referral Mechanism of 2008 defined trafficking in General Provision 1(2)(1) as:

...the recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat or use of force or other forms of coercion, abduction, fraud, deception, exploitation of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation.

Exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs. Furthermore:

- a. The consent of a victim of trafficking in persons to the intended exploitation set forth in subparagraph 2(1) of this Regulation shall not matter where any of the means set forth in subparagraph 2(1) have been used;
- b. The recruitment, transportation, transfer, harbouring or receipt of a child for the purpose of exploitation shall be considered “trafficking in persons” even if this does not involve any of the means set forth in this subparagraph.

The 2014 Law on Identification and Support defines “trafficking in human beings or exploitation” in Article 4(1)(1) as:

the recruitment, transportation, transfer, harbouring or receipt of a human being for the purpose of exploitation, as well as exploitation or putting or keeping of a human being in a state of exploitation by use or threat to use force or by other forms of coercion, for the purpose of abduction, deceit or abuse of confidence, using the power and state of vulnerability or receiving the consent of a person controlling him or her, by means of giving or receiving pecuniary or other benefit or by promising such. For the purposes of this Law, the definition of trafficking in human beings or exploitation shall include the recruitment, transportation, transfer, harbouring or receipt, for the purpose of exploitation, of children or persons, who, as a result of mental disorder, are devoid of the ability to fully or partially realize the nature and meaning of their actions or to control those, as well as the exploitation of such persons or putting them into or keeping in a state of exploitation.

Article 132(1) of the Criminal Code defines human trafficking as:

...the recruitment, transportation, transfer, harbouring or receipt of persons for the purpose of exploitation, as well as exploiting persons or placing or retaining them in the state of exploitation, by threat or use of violence not dangerous for life or health, or other forms of coercion by means of abduction, fraud, abuse of a position of vulnerability or of giving, receiving or promising payments or benefits to achieve the consent of a person having control over another person is punishable with imprisonment for the term of 5 to 8 years with or without confiscation of property, forfeiture of the right to hold certain posts or practice certain activities for a maximum of 3 years or without that.

Exploitation is exhaustively defined by Article 132(4) as:

...the implication of others into prostitution or other forms of sexual exploitation, forced labour or services, enslavement or practices similar to slavery or the removal of organs or tissues.

Although the definitions of trafficking are complex and differ from each other, survey respondents were positive about the legislative framework, with most “strongly agreeing” or “agreeing” that the definition is adequate and appropriate, and adequately criminalizes all forms of trafficking.

### Questions on legislative framework

	Strongly agree	Agree	Neither agree nor disagree	Disagree	Strongly disagree
<b>5.1.1.</b> The national definition of “trafficking in persons” is adequate and appropriate	n=3	n=2			
<b>5.1.2.</b> All forms of trafficking in persons that occur are effectively criminalized in law	n=3	n=2			
<b>5.1.3.</b> The legal framework to address trafficking and related issues (such as violence against women, migrants, etc.) is adequate and appropriate	n=1	n=2	n=2		

Notes: Total survey respondents: n=6.  
Total survey respondents to these questions: n=6.

The irrelevance of consent is inconsistently treated across definitions. One interviewee noted that it is possible to prosecute cases of trafficking even when a victim has consented to exploitation, but another considered that while the irrelevance of consent is clear in the legislation, in practice it is challenging to apply because of heavy reliance on victim testimony. The literature suggests that victim consent makes prosecutors reluctant to apply Article 132 (Arm 16, p. 17). Earlier views that women who consent to work as prostitutes could not be considered victims of trafficking (Arm 15, p. 10; Arm 16, p. 7) seem to have largely been overcome at the level of specialized, capital-based practitioners. Interviewees reported that practitioners in the Centralized Department well understand the irrelevance of consent, but it was less clear whether front-line officials who may be in a position to identify victims also have adequate understanding.

In relation to non-criminalization, Article 8 of the 2014 Law on Identification and Support exempts from criminal and administrative liability persons subject to trafficking or exploitation “for those offences in which he or she was involved

under coercion, within the course of the human trafficking or exploitation committed against him or her.” According to Article 131(5) of the Criminal Code, victims of trafficking shall be “relieved of criminal responsibility for minor and medium severity crimes if they were forced to commit them in the situation resulting from their status.” Examples of application of the non-criminalization provision include exemption in 2012 of a victim from liability for committing fraud while being in a state of exploitation, and in 2013 the exemption of a trafficked victim for liability for theft while in a state of exploitation (Arm 27, p. 49). In 2014, there were no reports of identified victims being inappropriately detained; either because there were no such offences committed or because persons were exempted from criminal prosecution for crimes they were forced to commit (Gen 1; Arm 20, pp. 7, 35).

### Investigations, prosecutions and convictions

In 2012, GRETA was informed that most cases considered by courts concerned sexual exploitation of women, forced begging of children and labour exploitation of women; cases of exploitation of men were rarely considered owing to investigative difficulties in differentiating between trafficking for forced labour and employment contract violations (Arm 20, p. 36). This finding was confirmed in the interview process; one interviewee noted that investigative focus has been on sexual exploitation, with a notable lack of experience identifying and investigating forced labour cases, most of which happen abroad.

Reports on the number of cases in recent years differ. One respondent stated that there were 11 cases in 2013 (10 people prosecuted; 19 victims recognized – 8 women, 11 minors). A report of the Government of the Republic of Armenia states that in 2013 there were 17 cases initiated with attributes of THB – 4 of which were carried over from previous years, 2 were reopened owing to new circumstances and 11 cases were initiated. Of the 17 cases, 7 were forwarded to courts, and 15 persons were convicted in 6 criminal cases (Arm 18, Annex 3, p. 36). A report of the United Nations Office on Drugs and Crime states that in 2013 there were 14 cases investigated, 10 people prosecuted and 15 people convicted.<sup>5</sup> The US Department of State TIP Report states that 10 new cases were initiated in 2013, with 12 defendants prosecuted and 15 convicted. For 2014, a respondent stated that there were 10 cases (9 people prosecuted; 13 victims recognized – 11 women, 1 minor and 1 man). The US Department of State TIP Report confirms that there were 10 new trafficking cases in 2014, with 4 additional investigations carried over from 2013 and that 7 defendants were prosecuted in 2014 (1 case from previous years being reopened owing to new circumstances), and 7 traffickers were convicted (5 for sexual exploitation and 2 for labour exploitation). The US Department of Labor reports that a case involving trafficking for forced begging was investigated in 2014, in which two individuals were charged and set to court (Arm 19, p. 4).<sup>6</sup>

<sup>5</sup> The higher number of convictions the prosecutions is owing to the fact that some cases are carried over from the year before.

<sup>6</sup> GRETA also noted that seven cases were filed for subjecting children to labour exploitation by involving them in begging from 2008 to 2014, of which 2 involved labour exploitation by family members (Arm 27, pp. 22–23).

For 2015, a respondent stated that there were 8 cases (4 people prosecuted; 9 victims recognized – 6 women and 3 minors). However, another source suggested that there were 15 cases, and another that there were 14 cases (10 related to sexual exploitation and 4 relating to forced labour). Accordingly, there were also different opinions as to whether or not the number of cases is increasing (which one practitioner said it was, owing to both increased incidents of trafficking as well as increased capacity to investigate) or decreasing (which two respondents considered to be shown by statistics). Another practitioner said there was neither an increase nor a decrease. While one practitioner reported that relative to other countries, the number of investigations and prosecutions is low owing to the low incidents of trafficking in the Republic of Armenia, another noted that proportionate to other countries and their population, the numbers in the Republic of Armenia are not so low.<sup>7</sup>

### **Training and capacity-building**

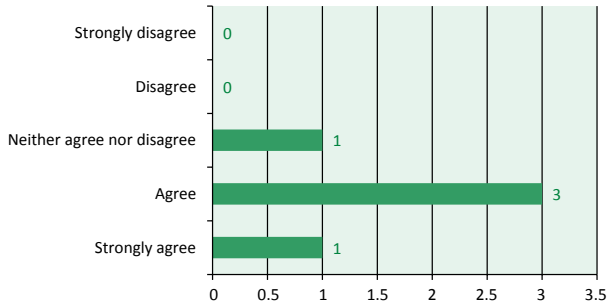
Authorities reported to GRETA that training is conducted in accordance with the 2013–2015 NAP, including police training on trafficking and exploitation and on working with minors. The specialized police subdivision received training from UMCOR and Hope and Help, in cooperation with several government agencies; the NSS received training on forced labour, trafficking, irregular migration and statistics training for border guards. IOM also delivered training on detecting and assisting victims (Arm 27, p. 58). The US Department of State TIP Report states that the Government of the Republic of Armenia trained approximately 600 police employees and officers at the Police Academy in 2014, and that the Ministry of Justice included trafficking topics in mandatory human rights training for 60 officers and 720 employees of corrections institutions (Gen 1).

The US report *2014 Findings on the Worst Forms of Child Labor* notes that the Police and the MLSA employees received anti-trafficking training in 2014, including on interviewing child victims, and that the Police developed modules on juvenile justice and trained 24 officers, yet considered law enforcement training on interviewing child victims of crime to be insufficient (Arm 19, p. 4). This high frequency of training was confirmed during interviews. Representatives of the Investigative Committee noted that investigators trained at the Academy of Justice must have training every two years, including a mandatory two-hour training on trafficking, and noted that 40 investigators received training on child trafficking in 2015. The Police Academy provides short courses on issues including trafficking. Hope and Help also reportedly trains police and works to change attitudes of law enforcers towards victims and to strengthen their capacity to work with children. Also, 43 new border staff reportedly passed training on identification of trafficking victims in 2015.

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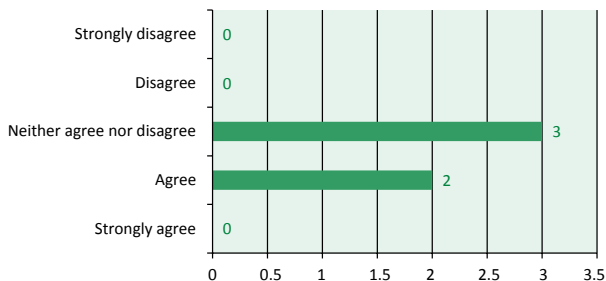
<sup>7</sup> The population of the Republic of Armenia is approximately 3 million people.

### Q. 5.1.6. Training and capacity-building mechanisms for law enforcers on trafficking issues are adequate



While interviewees and survey respondents generally found training to be adequate, it is apparent that training on applying special investigative techniques to trafficking investigations could be strengthened, as could training on the distinction between forced labour and labour exploitation. One interviewee noted that a 2011 OSCE counter-trafficking criminal justice training manual (aimed at prosecutors, police, judges, border guards and labour inspectors) could benefit from being updated to broaden its focus on sexual exploitation to include more content on forced labour and best practices from other countries. The Ombudsman does not play any role in training of criminal justice practitioners and envisages delivering police training on human rights-based approaches in combating trafficking. Three interviewees mentioned training of judges as a key concern; this is because investigators and prosecutors are specialized, but judges are not. Some training of judges in 2015 on the works of NGOs and international organizations was mentioned in this respect. Another key capacity-building challenge was that of maintaining expertise in light of the high turnover of staff from positions of relevance to combating THB. This issue was explicitly raised in two interviews and was evident beyond criminal justice.

### Q. 5.1.9. Training and capacity-building mechanisms for prosecutors and judges on trafficking issues are adequate



### **Victim-witness protection**

Article 98 of the Criminal Procedure Code sets out victim-witness protection provisions for making protective measures mandatory where there are physical threats. According to Article 27 of the Law of Identification and Support, potential victims, victims, and victims of special category and their legal representatives may be provided with additional security when available information and circumstances directly make the necessity of such protection obvious. As yet there are no specific mechanisms or funding in place to give effect to these provisions; one interviewee mentioned that a new act on victim-witness protection will come into operation in April 2016, although this was explained at the Validation Workshop to be a government decision concerning safe return (Government Decree No. 21.04.16). So far, the lack of victim-witness protection mechanism has not proven detrimental to investigations and prosecutions; the US Department of State 2015 TIP Report notes that all victims officially recognized by the Government of the Republic of Armenia assisted police with investigations in the last several years (Gen 1). Three interviewees noted the strong cooperation between the Investigative Committee and NGOs as the reason for strong support from victims. Such cooperation is not based on any memorandum of understanding (MOU) or other arrangements but on an ad hoc basis in accordance with established practice. The Investigative Committee does not work with social service providers to ensure the well-being of children during the investigation period, though it is reportedly drafting a cooperation agreement with Save the Children to better involve child psychologists in investigation processes. The 2013–2015 NAP provides for creating “a separate specialized unit in the law enforcement system of Armenia for the protection of persons participating in court proceedings.” However, police reported that victim protection is generally unnecessary, and that they themselves try not to have information about where victims are being sheltered, contacting them only through the NGOs.

### **Proactive and special investigative techniques**

While respondents generally considered law enforcement capacity to be high, two interviews noted lack of understanding about exploitation in the labour context as a key barrier to prosecution and investigation. A 2007 report noted that heavy reliance on victim testimonies was a barrier to successfully convicting organizers of trafficking, with proactive investigation to uncover evidence of trafficking being extremely rare (Arm 16, pp. 16, 23–25). GRETA echoed this concern in 2012; strengthening proactive investigation and use of special investigative techniques – particularly to investigate cases involving children and cases of labour exploitation – was a key recommendation (Arm 20, p. 37). During the present assessment, three interviewees raised witness testimonies as the key barrier to effective prosecution; two noted that testimonies can change and one pointed to the challenge of obtaining evidence from victims in small communities where people may be asked to testify against their neighbours. Three interviewees pointed to a gap with respect to proactive investigation. Special investigative techniques and parallel financial investigations have reportedly been used (the former in a case in 2010 or 2011 in which an investigation succeeded before

the exploitation had taken place because the recruitment was recorded; the latter in a case involving sexual exploitation of Russian women in the Republic of Armenia) but are generally acknowledged to be inadequate.

### *Investigation and prosecution indicators*

		FRAMEWORK Indicators		OPERATIONAL Indicators	
		Level 1	Level 2	Level 1	Level 2
3.1	<b>Criminalization of trafficking in persons</b>	Key international instruments (United Nations Convention against Transnational Organized Crime (UNTOC) and the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, regional instruments where relevant) are ratified	Trafficking is criminalized in line with the international definition (e.g. key elements; most forms criminalized)	Trafficking law is used to prosecute trafficking cases	Convictions are achieved with sentences commensurate to the gravity of offence enforced
3.2	<b>Non-criminalization/ Non-punishment of victims of trafficking</b>	Non-criminalization of victims for acts committed while trafficked is codified in legislation	Irrelevance of victim consent to their exploitation is codified in legislation	There is evidence that victims of trafficking are not punished or penalized for acts resulting from trafficking	Awareness among criminal justice practitioners about the irrelevance of consent in trafficking prosecutions
3.3	<b>Investigations, prosecutions and convictions carried out by competent authorities</b>	Specialized actors/ institutions designated are competent in law or policy framework	Law or policy sets out clear roles of competent law enforcement authorities	Specialized institutions are operationally and strategically competent to carry out reactive investigations	Specialized institutions are operationally and strategically competent to conduct proactive investigation
3.4	<b>Capacity of criminal justice practitioners</b>	Legal/policy framework provides for anti-trafficking training	Anti-trafficking training is tailored to national needs and capacity gaps	Criminal justice practitioners receive one-off/occasional training	Criminal justice practitioners receive regular or ongoing training



		FRAMEWORK Indicators		OPERATIONAL Indicators	
		Level 1	Level 2	Level 1	Level 2
3.5	<b>Special investigative techniques</b>	Legislation on the use of special investigative techniques against trafficking	Law or policy guidance on the application of special investigative techniques to human trafficking investigations	Authorities are aware of and/or have occasionally employed special investigative techniques	Authorities regularly/ routinely employ special investigative techniques

Note: Green background denotes areas identified for potential improvement.

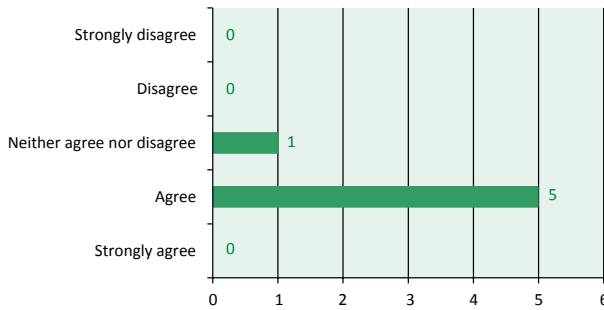
## 2.4. Prevention

The US Department of State TIP Report describes the Republic of Armenia's prevention efforts as "robust", noting its commitment of funds for an anti-trafficking media contest; workshops and seminars targeting youth, labour migrants and community representatives; public service announcements on national and regional standards; and trafficking awareness training for labour inspectors, law enforcers, civil servants, social workers, NGOs, educators, media and students, as well as diplomatic personnel and troops, before their deployment (Gen 1). The 2013 report on action against THB implemented by the Working Group adjunct to the Council on Trafficking in Persons in the Republic of Armenia outlines the extensive measures taken to raise awareness, conduct training, reduce poverty, address unemployment, launch reintegration programmes, produce television programmes, and strengthen journalistic ethics capacity (Arm 18).

### Media and awareness-raising

The 2013–2015 NAP includes "improving public awareness" as a key objective, and outlines eight strategies including awareness-raising among groups at risk; providing information material at border-crossing points; disseminating information from NGOs in outpatient health facilities; organizing discussions, workshops, training and other awareness-raising activities for young people; supporting improvement of youth competitiveness in marketplaces and organizing internships; providing information to Armenians abroad through diplomatic missions; and raising awareness in the army and among peacekeeping forces and among trade unions. The other key awareness-raising objectives outlined in the NAP include raising awareness of employees of State bodies dealing directly with the public and preventing trafficking of minors through training at schools.

### Q. 6.1.3. Prevention programmes to raise awareness of the risks of trafficking are adequate and effective

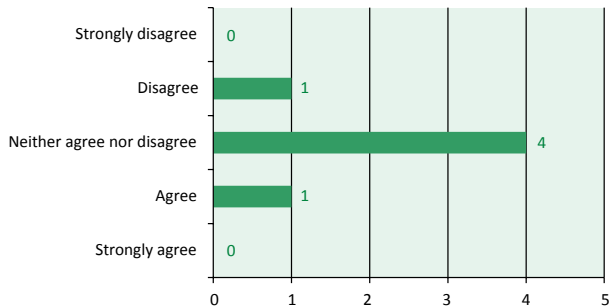


The Ministry of Health provides for the dissemination of anti-trafficking information for outpatients, while the Ministry of Sports and Youth Issues implemented an awareness-raising project in Sisian City in 2014 and the Ministry of Diaspora disseminated materials for Armenians abroad in the first half of 2014 (Arm 27, pp. 24–25). In 2009 and 2010, the Ministry of Education and Science collaborated with IOM to elaborate handbooks for parents, teachers and students to introduce anti-trafficking training into school education (Arm 7, p. 3; Arm 27, pp. 13–14). The Ministry of Education has approved these manuals for use as supplementary educational material in the education system for social science studies in grades 9 and 12.

The NGO UMCOR, along with Democracy Today, has prepared TV clips and public service announcements as well as brochures and passport inserts for distribution by border and air companies (Arm 15, p. 17). UMCOR leaflets have also been disseminated in metro wagons, air-ticket agencies, hostels intended for foreign students, truck drivers, libraries of schools and cultural centres. Hotline phone numbers were publicized in Yerevan's four administrative districts, in 810 elevators of 346 buildings. UMCOR held seminars on forced labour and trafficking prevention for community members in 38 villages (Arm 27, pp. 24–25). In June 2015, the NGO Association of Audio-Visual Reporters showed four public service announcements depicting different forms of trafficking including forced begging of minors and sexual exploitation. A 2013 study on commercial sex workers and trafficking emphasized the need to engage mass media, building awareness in schools and among the public at large to change negative attitudes towards trafficking victims, particularly those who have been involved in the sex industry (Arm 26, p. 46).

A 2007 report questioned the quality of media reporting on trafficking, as often stories of sexual exploitation are sensationalized and real identities of victims are revealed (Arm 15, p. 16). GRETA raised concerns in 2012 about personal data on victims being published by journalists (Arm 20, p. 21). One interviewee also raised this issue, noting that mistakes made by the media in reporting can compromise the safety of victims of trafficking. Several measures have been taken in response. The Freedom of Information Centre of Armenia, an NGO, hosts an awards ceremony to commend the best reporting on human trafficking (Arm 27, pp. 24–25). The Association of Audio-Visual Reporters has implemented a project to increase the competence of journalists; it also operates [www.antitrafficking.am](http://www.antitrafficking.am), a bilingual platform for information (which is also to include Russian content), and has created a Facebook page as a resource for journalists (Arm 2, pp. 3–4; Arm 27, pp. 24–25). Strategies to enhance the role of the media are reflected in the current NAP being cooperation with the mass media, regularly updating [www.antitrafficking.am](http://www.antitrafficking.am), organizing discussions of ethics to raise awareness of journalists and approaches to provision of information.

*Q. 6.1.4. Media involvement in awareness-raising about the risks of trafficking in persons is adequate and effective*



Notwithstanding these commendable efforts, several respondents highlighted the lack of information as a key challenge or barrier to combating human trafficking. Of the seven respondents who talked about prevention-related issues in stating what they considered to be key gaps or challenges, four pointed to the need for more awareness-raising measures. The need to raise awareness among migrants who go abroad was mentioned, with the Republic of Armenia's reluctance to acknowledge that it is a labour-providing country being a potential barrier to concerted information; migrants (for instance, labour migrants to the Russian Federation) often lack information and are vulnerable to exploitation, flagging the need for pre-departure orientation. Women often lack access to information in the context of deteriorating family situations that can result in them falling victim to exploitation. Border authorities reported that posters are displayed at border points and brochures containing information about the risks

of trafficking and conveying hotline information are disseminated to people leaving the Republic of Armenia. No such information is provided to people entering the country.<sup>8</sup>

### Addressing vulnerability and root causes

Unemployment, economic hardship (particularly in rural areas), and gender inequality have been flagged as key drivers of trafficking and exploitation, particularly of women who face challenges finding economic opportunities in the Republic of Armenia and subsequently fall prey to the false promises of traffickers (Arm 11, pp. 7, 23). Armenian children in State residential institutions have been identified as particularly vulnerable to trafficking, as have ethnic Armenian migrants, refugees and internally displaced persons (Gen 1). Armenian women who have or who are engaged in prostitution are highly susceptible to being trafficked into sexual exploitation and the stigmatization of sex workers negatively impacts the employment available to victims of trafficking, increasing their vulnerability to re-trafficking (Arm 15, p. 12; Arm 26, pp. 8, 45). A 2013 report revealed gaps in birth registration processes that may contribute to statelessness,<sup>9</sup> which was suggested in the interview process as contributing to vulnerability to trafficking (Arm 20, p. 26), though one interviewee emphasized that the vast majority of births are now registered. The interview process also revealed concern about the rising rate of school dropout among boys, who are sent to the Russian Federation for work, and seasonal migrants to the Russian Federation for construction (unofficially estimated to be 100,000 people annually) were noted as highly vulnerable, lacking alternative choices of employment.

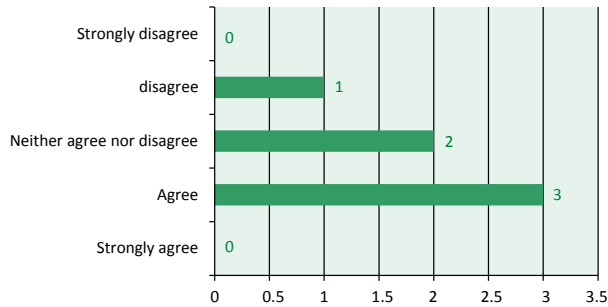
Against this backdrop, a key objective of the 2013–2015 NAP is the implementation of activities to improve socioeconomic conditions for preventing THB. Strategies include business support for vulnerable groups including provision of professional training and financial support; professional training courses for unemployed persons, especially job-seekers that own agricultural land; professional training courses and employment for the social reintegration of victims of trafficking to avoid revictimization; implementation of employment programmes and initiatives to reintegrate returning Armenian victims of trafficking; and support including information for youth competitiveness in the labour market and professional orientation, organizing internships with employers for unemployed persons and persons with disabilities. Without the benefit of the final report on the implementation of the NAP, it is difficult to determine whether these activities were implemented and their impact measured. Stakeholders responsible for implementing these strategies did not specifically discuss them in interviews.

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<sup>8</sup> No posters or brochures were seen or received by the author upon entering or leaving the country.

<sup>9</sup> *Study of Birth Registration Procedure in the Republic of Armenia: Problems and Prospects of Overcoming Them* (Yerevan, (Office of the) United Nations High Commissioner for Refugees and Civil Society Institute, 2013).

### Q. 6.1.1. Prevention programmes to address root causes are improving



The work of the NGO People in Need to develop small businesses to allow people to remain in the Republic of Armenia was mentioned in the interview process. A government initiative to allocate a budget to young adults leaving boarding schools towards renting apartments was suggested as an indirect means of preventing trafficking. The Migrant Resource Service was noted to play a crucial role, being a hub of information for migrants and job-seekers, and victims or potential victims of trafficking among them.

One respondent considered gender discrimination to be insufficiently addressed. GRETA's second round of evaluation sought clarification on specific measures taken to "to address the gender dimension of [THB] and incorporate gender equality into the policies to prevent and combat [THB] and to protect and promote the rights of victims, including through providing privileges to women and girls." No examples of specific policies or measures were offered in response (Arm 27, p. 3), nor does the NAP address gender or other discrimination.

### Research to understand root causes and drivers

No single government actor collates or analyses data collected across different government agencies, and NGOs lack financial and human resources to generalize data they collect from identified victims (Arm 15, p. 10). In 2012, GRETA noted that statistical data on criminal cases is collected by the Police and the Office of the Prosecutor General, and that the MLSA collects data on the number of victims assisted through the NRM and by NGOs outside the NRM and that data is transmitted to the Inter-Agency Council for its reporting. It also noted that NGOs collect data on the number of trafficked victims assisted and calls received through hotlines. However, GRETA also noted the absence of a system for collecting data on all aspects of action against trafficking. Databases were included in the NAP for 2010–2012 and two were established in 2012; one on victims (managed by the MLSA) and one on traffickers (managed by the Police) in cooperation with the International Centre for Migration Policy Development (Arm 20, p. 21). The 2013–2015 NAP makes no reference to research or data collection. Two interview respondents found data collection to be adequate, referring to the role

of various State ministries in collecting data and share it with the Working Group which sends the data to the Inter-Agency Council for analysis. However, four respondents considered research to be inadequate, noting inconsistency of data across the Police, the MLSA and NGOs; the lack of capacity to profile people (e.g. persons who approach the State Migration Service); and the need for more research into specific issues such as labour migration to the Russian Federation and working conditions of Syrians in the Republic of Armenia.

Ad hoc studies have been undertaken by international organizations. The interview process revealed the key importance of ensuring that research methodology is sound: a study by the International Labour Organization (ILO) on forced labour was not accepted on the basis of flawed methodology and its conflation of labour exploitation with trafficking for the purpose of forced labour. More recently, the OSCE's pilot study on forced labour and labour trafficking in the Republic of Armenia, with funding from the US Department of State Bureau of International Narcotics and Law Enforcement Affairs (INL), was better received (Arm 30, referred to in section 2.2). The survey component of the assessment also revealed room for improving research, particularly as conducted by State authorities.

### *Questions on research and data collection on the root causes of trafficking*

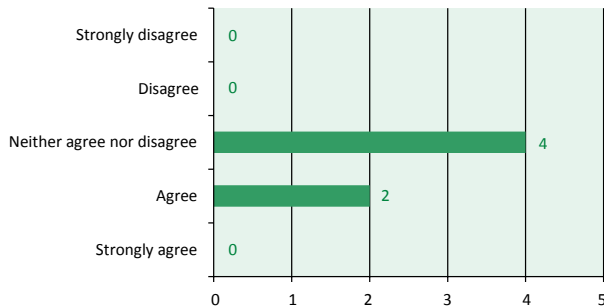
	Strongly agree	Agree	Neither agree nor disagree	Disagree	Strongly disagree
<b>6.1.5.</b> Research by <b>State authorities</b> is adequate and effective		n=3	n=1	n=2	
<b>6.1.6.</b> Research by <b>non-governmental authorities</b> and institutions is adequate and effective		n=5		n=1	

Total survey respondents: n=6.

### **Addressing demand**

In April 2011, Article 132.3 of the Criminal Code criminalized the use of services of a person with knowledge that the person is a victim of trafficking. Two respondents mentioned this provision as a measure to address demand, noting that it has been applied only once, where the person had knowledge that the person was a victim because the victim had asked him for help before he used the services she was being exploited to provide. One respondent noted that a major difficulty in implementing this provision is that most cases take place abroad. No other efforts to reduce demand were noted.

*Q. 6.1.7. Prevention programmes to address the demand side of trafficking are adequate and effective*



A study conducted in the Republic of Armenia referred to increased demand for sexual services driven by a “rejuvenation” of clients owing to easy availability of online pornography, an increase in younger clients resulting in demand for younger sex workers, demand from Iranian tourists and the Russian military (based in Gyumri), and the later age that men marry as drivers of demand (Arm 26, pp. 8–9, 26, 45–46). No measures were raised in response to these or other drivers of demand.

### Migration management

In 2013, IOM classified the institutional framework for addressing migration and related issues as decentralized and complex, being comprised of the State Migration Service (part of the Ministry of Territorial Administration), the Consular Department and the Legal Department (part of the Ministry of Foreign Affairs), the Ministry of Diaspora for Armenians abroad, the NSS (border management responsibility and involvement in combating irregular migration), and the Police (responsible for combating irregular migration, taken to include THB). The Ministry of Justice and the Ministry of Health are also involved in specific aspects of migration management. The MLSA is responsible for regulation of labour migration. One of the key outputs mentioned in the 2013–2015 NAP is that “Armenian citizens have greater opportunities for contract-based employment in foreign [S]tates through schemes for regular labour migration, and the protection of the rights and interests of Armenian citizens involved in labour migration is improved.” It could not be ascertained from the study data whether this output has been achieved.

The Republic of Armenia has signed but not yet ratified the 2003 International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, which encourages measures to prevent trafficking of migrant workers.

## Prevention indicators

		FRAMEWORK Indicators		OPERATIONAL Indicators	
		Level 1	Level 2	Level 1	Level 2
4.1	<b>Prevention programmes to address root causes and vulnerability</b>	Strategy/policy is in place to alleviate economic conditions, discrimination and other root socioeconomic causes	Strategy/policy in place recognizes and targets relevant and specific forms of vulnerability/ specifically vulnerable groups	There is evidence of programmes to address root causes of general vulnerability	There is evidence of prevention programmes targeted to specifically vulnerable individuals and groups
4.2	<b>Awareness-raising and involvement of media in information dissemination</b>	Strategy/policy is in place to raise awareness of trafficking and establish a hotline	Strategy/policy is in place to engage and empower media to raise awareness	Awareness-raising efforts are undertaken and hotlines are established and operational	Media reporting is accurate and responsible (does no harm) to victims/potential victims/others
4.3	<b>Research institutions active in research and data collection</b>	State data collection system is in place to collect and disaggregate data on traffickers and victims	Research institutions are formally engaged in data collection and research about trafficking	Research and data collection on the root causes, trends, demand is conducted	There is evidence that prevention strategies are evidence-based (i.e. using data and research)
4.4	<b>Social and economic programmes to address demand</b>	Policy is in place to address demand including by engaging labour markets to prevent exploitative labour practices	Cooperation agreements/ arrangements with private sector/civil society groups are in place to address demand	There is evidence of increased measures to strengthen monitoring and regulation of labour markets	There is evidence of measures taken to target consumers of services provided by victims of trafficking



		FRAMEWORK Indicators		OPERATIONAL Indicators	
		Level 1	Level 2	Level 1	Level 2
4.5	<b>Border measures and migration governance against trafficking in human beings</b>	Strategy is in place to prevent trafficking and exploitation in the context of border and migration-related controls	Strategy is in place to provide regular migration opportunities to reduce vulnerability to trafficking	There is evidence of increased regular migration opportunities provided to reduce vulnerability to trafficking	There is evidence of measures taken to prevent trafficking and exploitation of migrants (e.g. through registration/information for migrants)

Note: Green background denotes areas identified for potential improvement.

## 2.5. Coordination and cooperation

### Inter-agency coordination and cooperation

No National Coordinator has been appointed in the Republic of Armenia. However, coordination of anti-trafficking efforts is performed by the Inter-Agency Council to Combat Trafficking in Human Beings in the Republic of Armenia, formed in 2007.<sup>10</sup> It is chaired by the Deputy Prime Minister, who is also the Minister of Territorial Administration; and it is composed of ministers and officials from 17 government entities as specified in the Law on Identification and Support. A Working Group established to organize the activities of the Inter-Agency Council is chaired by the Director of the Department of International Organizations of the Ministry of Foreign Affairs. The Working Group is composed of representatives of ministries and other public bodies, and meets every two months, with international organizations and NGOs participating. The Working Group submits semi-annual and annual reports to the Council that are posted on the government website.<sup>11</sup> The Council and the Working Group meet regularly to coordinate the implementation of the NAP in partnership with NGOs and international organizations.

MOUs currently exist between State authorities and three NGOs, with permanent State support for UMCOR. The Ministry signs an annual agreement with UMCOR on providing subsidies for the implementation of the project “Social-Psychological Services to Trafficking Victims” (Arm 27, p. 61). In 2012, GRETA reported that cooperation between State actors and NGOs generally worked well, but that existing regulations and memoranda in some cases did not provide sufficient access to potential victims identified by NGOs due to procedural restrictions in

<sup>10</sup> Through Decree N 861-A of 6 December 2007.

<sup>11</sup> At the time of assessment, reports for 2014 and 2015 were not available online.

victim identification. Though NGOs and State authorities generally find ways to assist persons, such cooperation generally depends on personal relationships rather than institutional response in the anti-trafficking system. Of the interview respondents who mentioned the commendable work of the Working Group (n=6), most stated that the cause of its success is “personality based”, citing the “human factor” as essential. Because effective cooperation is dependent on individuals involved, participants noted that it is compromised by the high turnover of police and prosecutors. Therefore, the mandatory requirement to cooperate in the Law on Identification and Support was viewed positively.

### **International cooperation**

The 2013–2015 NAP specifies the objective of improving the international contractual/legal framework, including by signing cooperation treaties against trafficking with countries of destination, developing a list of countries of interest in terms of labour migration, and developing mechanisms for studying labour markets through diplomatic missions, as well as studying the international experience of concluding intergovernmental agreements on the exchange of labour forces. Several relevant bilateral MOUs exist between the Republic of Armenia and relevant countries, including with the United Arab Emirates (on combating trafficking), with the Russian Federation (on labour migration and protecting interests of labour migrants), and with Bulgaria, Georgia, Greece, the Islamic Republic of Iran, the Syrian Arab Republic and Ukraine.

Section IV of the NAP on International and Regional Cooperation outlines strategies to cooperate at the international and regional levels with NGOs and the mass media against THB. The assessment process yielded no insights into concrete international or regional cooperation that had taken place in the field of awareness-raising. More generally, at the NGO level, one interviewee explained that cooperation is hampered with NGOs in Turkey because NGOs there do not specifically work on trafficking issues, meaning that cooperation could only be via the police, who victims are reticent to work with. Interviewees made the same comment with respect to the Russian Federation, where civil society is relatively weak and government response to the issue is not considered to be strong. On the other hand, one respondent noted that NGOs of countries with strained political relationships can often cooperate more effectively with each other than State officials can. The second strategy to strengthen international and regional cooperation against trafficking is to expand and improve cooperation with foreign law-enforcement agencies, specialized international organizations and diplomatic missions. General criminal justice cooperation agreements exist with Latvia, the Russian Federation, Egypt, Cyprus and Poland (Arm 28, p. 3). The Police and the Office of the Prosecutor General may provide information relevant for criminal investigations to other States through diplomatic channels, the National Bureau of Interpol or direct communication through counterparts; direction communication reportedly occurs. Cooperation with many countries is often through exchange of letters rogatory. Respondents noted that cooperation through Turkey is channelled via Interpol.

At the regional level, the Republic of Armenia is involved in the framework of the Commonwealth of Independent States (CIS), through multilateral treaties including “Cooperation of the Ministries of Internal Affairs (Police) of Member States of the Commonwealth of Independent States in the Fight Against Exploitation of (Trafficking in) Human Beings” (2010) and “Agreement on the Cooperation of the Member States of the Commonwealth of Independent States in the Fight against Trade in Human Beings, Organs and Tissues of Human Origin” (2006). Other multilateral arrangements include the Collective Security Treaty Organization (CSTO), which prioritizes joint response to THB, the Black Sea Economic Cooperation Organization (BSEC), and the European Neighbourhood Policy, which includes cooperation in the field of anti-trafficking in its strategy. The European Union–Armenia Mobility Partnership was adopted in 2011, with cooperation against human trafficking (and irregular migration) included therein. The Eurasian Economic Union Agreement also has three chapters in relation to labour migration. An MOU has also been signed with Frontex to provide for bilateral working relations. Interviewees did not mention these mechanisms or cite any concrete examples of effective cooperation against trafficking that has occurred on the basis of them.

### *Cooperation and coordination indicators*

		FRAMEWORK Indicators		OPERATIONAL Indicators	
		Level 1	Level 2	Level 1	Level 2
5.1	<b>National Action Plan against trafficking</b>	National Action Plan against trafficking in human beings is in place	National Action Plan provides for increased national, bilateral and regional cooperation	Operating procedures are in place to practically guide the implementation of the National Action Plan	Operating procedures are used by stakeholders in implementing the National Action Plan
5.2	<b>National Coordinator/Rapporteur</b>	Law/policy designates a National Coordinator/Rapporteur or similar to coordinate on trafficking	The National Coordinator/Rapporteur is given clear mandate and monitoring capacity	A National Coordinator/Rapporteur is appointed	There is comprehensive coordination of all issues concerning trafficking in human beings

		FRAMEWORK Indicators		OPERATIONAL Indicators	
		Level 1	Level 2	Level 1	Level 2
5.3	<b>Cooperation between State and non-governmental organizations (NGOs)/ civil society/ international organizations and other non-State actors</b>	Law/policy provides for cooperation between State and non-State actors (NGOs/ civil society)	Coordination agreements/ mechanisms are in place between State and non-State actors	State and non-State actors meet to cooperate on a case or an ad hoc basis	State and non-State actors cooperate on a routine and proactive basis
5.4	<b>Bilateral and transnational criminal justice networks against trafficking</b>	Bilateral and transnational criminal justice cooperation agreements are in place	Bilateral/ transnational cooperation agreements with all relevant key countries are in place	There is evidence of bilateral/ transnational criminal justice cooperation against trafficking	Bilateral/ transnational cooperation is proactive (i.e. exceeds ad hoc response to cases)
5.5	<b>Bilateral and transnational cooperation beyond criminal justice</b>	Agreements are in place to support counter-trafficking cooperation beyond investigation/ prosecution	Bilateral/ transnational agreements specific to assistance and protection/ prevention of trafficking are in place	There is evidence that agreements result in bilateral/ transnational cooperation beyond investigation/ prosecution	There is evidence that agreements result in bilateral/ transnational cooperation to assist and protect/ prevent trafficking

Note: Green background denotes areas identified for potential improvement.

### 3. RECOMMENDATIONS

In the survey process, respondents were asked to select their top three priorities. Similarly, validation workshop participants were divided into groups and asked to decide their top three priorities for counter-trafficking response. In the table below, “•” denotes which priorities survey respondents and groups of workshop participants flagged as key priorities for response. While there was a wide range of responses, the two priorities that emerged with the most frequency were: I (addressing root causes), which was selected by three survey respondents and two groups at the validation workshop as a top three priority; and E (strengthening the quality of services for victims of trafficking), which was selected by three survey respondents and one group at the validation workshop as a top three priority.

#### *Identification and referral indicators*

<b>Recommendation</b>	<b>Survey</b>	<b>Workshop</b>
A. Strengthening identification and referral mechanisms or their implementation	•	•
B. Expanding the range of assistance and support services available to victims of trafficking	••	•
C. Expanding the range of victims who can access assistance and support services		•
D. Strengthening the legal framework against trafficking		
E. Strengthening the quality of services available for victims of trafficking	•••	•
F. Strengthening the legal framework for criminalizing trafficking and prosecuting traffickers	•	
G. Strengthening the investigation of trafficking in human beings (including by building capacity of law enforcers to investigate and through increased specialization of units)		•
H. Strengthening the prosecution of trafficking in human beings (including by building capacity of prosecutors and judges)		
I. Strengthening efforts to address root causes and vulnerabilities (including socioeconomic factors, discrimination, etc.)	•••	••

Recommendation	Survey	Workshop
J. Strengthening efforts to raise awareness of the risks of trafficking (including by increasing the quality of awareness-raising messages and/or by better targeting them to at-risk groups)	• • •	
K. Strengthening efforts to address the demand side of trafficking	• •	
L. Strengthening research and data collection about trafficking to better understand trafficking	•	
M. Improving cooperation between State actors at the national level		
N. Improving cooperation between State and non-State actors at the national level		
O. Improving cooperation between actors at the bilateral level	• •	
P. Improving cooperation between State actors at the regional level	• •	

### 3.1. Identification and referral

Stakeholders are invited to consider:

- strengthening identification of potential victims of trafficking among asylum-seekers by introducing standard questions to the forms used for preliminary registration and interviews of asylum-seekers, to ascertain whether a person has been or is likely to be exploited;
- referring to guidelines, including UNHCR's *Guidelines on International Protection: The Application of Article 1A(2) of the 1951 Convention and/or the 1967 Protocol relating to the Status of Refugees to Victims of Trafficking and Persons at Risk of Being Trafficked*, and the European Asylum Support Office's Tool for Identification of Persons with Special Needs, as a basis for developing guidelines appropriate for both the State Migration Service and the Identification Commission of the Republic of Armenia;<sup>12</sup> and
- strengthening the identification role of border officials by prioritizing the Inter-Agency Working Group on Borders and Identification to develop specialized indicators for identification and tools for appropriate referral.

<sup>12</sup> See [www.unhcr.org/443b626b2.pdf](http://www.unhcr.org/443b626b2.pdf). Also, see: European Asylum Support Office, Tool for Identification of Persons with Special Needs, available from <https://ipsn.easo.europa.eu>

In reference to the Labour Inspection Act and Article 132(4) of the Criminal Code, which indicate forced labour or services as an exploitative purpose of human trafficking, stakeholders are invited to consider restoring and strengthening the capacity of labour inspectors to identify victims of trafficking and exploitation and refer them as appropriate by:

- defining forced labour in accordance with Article 2(1) of the 1930 Forced Labour Convention (ILO Convention No. 29), which the Republic of Armenia has ratified, being “all work or service which is exacted from any person under the menace of any penalty and for which the said person has not offered himself voluntarily”;
- maintaining a system of labour inspection that applies to all workplaces with respect to which legal provisions relating to conditions of work and the protection of workers apply, in accordance with Article 1 and Article 2 of Labour Inspection Convention No. 81 (1947), ratified by the Republic of Armenia;
- establishing a Working Group subgroup of State and non-State actors, including the ILO and members of the Identification Commission, to formulate recommendations for the next NAP, clarifying the identification and referral mandate of labour inspectors, the scope of cooperation between labour inspectors and the Identification Commission, anchoring their role in national labour and criminal legislation, and ensuring that laws on labour and trafficking are consistent; and
- tasking the Working Group subgroup to formulate indicators to support labour inspectors to identify forced labour and trafficking for the purpose of forced labour, specifically relevant for the Armenian context and the circumstances in which these crimes are likely to occur. Indicators should also support labour inspectors to distinguish situations of forced labour from poor working conditions.<sup>13</sup>

## 3.2. Assistance and protection

In light of the increased attention that exploitation of children (including in begging) will receive, the Working Group subgroup that has been established to create an identification mechanism specifically for children is invited to additionally consider:

- researching the extent to which unaccompanied children are a potential or actual group in need of services within the assistance and protection framework, and the extent to which that framework caters to their specific needs;
- clarifying the shelter accommodation that unaccompanied children are to be provided with in accordance with the Law on Identification and Support,

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<sup>13</sup> See Forced Labour and Human Trafficking: A Handbook for Labour Inspectors (Geneva, International Labour Organization, 2008), available from [www.ilo.org/wcmsp5/groups/public/---ed\\_norm/---declaration/documents/publication/wcms\\_097835.pdf](http://www.ilo.org/wcmsp5/groups/public/---ed_norm/---declaration/documents/publication/wcms_097835.pdf)

which entitles children to be “provided with social and living conditions mostly resembling family conditions”;

- putting in place clear and specific guidelines to ensure provision of appropriate assistance and protection of children in accordance with their best interests and the 1989 UN Convention on the Rights of the Child, from their identification through to the completion of any court proceedings involving children. Such guidelines should address the role of investigative authorities in working with children, child-friendly court proceedings, and the appointment of guardians and other experts throughout any court proceedings involving children, and should underline the fact that the best interests of the child trump criminal justice objectives; and
- ensuring that training of guardians and other actors (including investigators; prosecutors; staff of public or private welfare institutions; providers of physical, psychosocial, legal, educational, housing and health-care services; and others who work with child victims of trafficking) is provided for on a regular basis.

To strengthen the legal and other material assistance provided to victims in accordance with the Recommended Principles and Guidelines on Human Rights and Human Trafficking of the UN Office of the High Commissioner for Human Rights, stakeholders are invited to consider:

- including activities in the 2016–2018 NAP to implement a State mechanism to provide legal aid to victims of trafficking, ensuring that legal aid is free and provided as early as possible to ensure victims are adequately informed of their rights to access remedies, and throughout the duration of any actions against the trafficker, including for the purpose of obtaining compensation;
- establishing a minimum standard of legal aid to ensure that practitioners providing legal aid have adequate understanding of human trafficking and provide victims with adequate assistance to allow them to access remedies; and
- regularly reviewing, revising and updating as necessary the mechanisms in place to provide victims of trafficking with compensation. Specifically, determine whether funding sources and mechanisms can be strengthened in accordance with the Basic Principles and Guidelines on the Right to a Remedy and Reparation for Victims of Gross Violations of International Human Rights Law and Serious Violations of International Humanitarian Law (UN General Assembly, 16 December 2005).

In order to strengthen the monitoring of assistance and protection of victims of trafficking, stakeholders are invited to consider:

- implementing the criteria developed to monitor protection and assistance of victims of trafficking, including but not limited to provision of shelter; and



- determining whether the established criteria are an effective means of monitoring the quality of services provided, particularly in relation to child victims of trafficking.

### 3.3. Investigation and prosecution

Although definitions of THB provided in Armenian legislative framework are broadly compliant with international definitions, stakeholders are encouraged to consider:

- examining whether the fact that irrelevance of victim consent is not explicit in legislation has an impact on the identification of potential victims of trafficking by front-line officials;
- examining whether the fact that irrelevance of victim consent is not explicit in legislation has an impact on the prosecution of trafficking in persons, or poses evidentiary challenges in proving elements of the crime; and
- ratifying and implementing the International Convention on the Protection of the Rights of all Migrant Workers and their Families, and the Council of Europe Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse.

To strengthen counter-trafficking efforts, particularly against the exploitative purpose of forced labour, stakeholders are encouraged to consider:

- implementing and keeping under attention Criminal Code amendments for criminal liability of legal persons to determine whether this legislation effectively supports prosecution of legal persons for victims of trafficking; and
- implementing and keeping under attention the legislation providing the Ombudsman with a mandate to consider horizontal violations of the law (by non-State private actors) to determine whether this legislation effectively strengthens its counter-trafficking capacity.

To ensure that practitioner understanding of organized crime is strengthened in accordance with the Republic of Armenia's National Program to Improve the Effectiveness of the Fight against Organized Crime, and harmonized with national and international legislation:

- examine why human trafficking is not understood as being perpetrated by organized criminal groups despite the reportedly lower threshold for what constitutes an organized group established in Armenian legislation (Article 41 of the Penal Code) relative to the UNTOC.

Stakeholders are invited to consider raising the level of training of and by criminal justice practitioners to make it more technical and tailored to targeted audiences, specifically by:

- engaging the Justice Academy in its work to sensitize prosecutors and judges to the situations and conditions that make people vulnerable to falling victim to trafficking and remaining in exploitative situations;
- considering whether proactive investigations and application of special investigative techniques and parallel financial investigations could be strengthened in relation to human trafficking and related crimes, and if so, how;
- strengthening capacity of criminal justice practitioners to carry out victim-centred interviews, including for special categories of victims. To avoid revictimization during criminal justice proceedings and uphold the rights of victims, the special rights and needs of children should be given particular attention. Child-friendly interview techniques should be implemented throughout criminal justice procedures and assessments should be made to determine whether children involved in human trafficking-related criminal justice procedures benefit from such measures;
- reflecting capacity-building work in the next NAP to develop, adapt, and disseminate existing training material on the application of special investigative techniques and parallel financial investigations to the Armenian context; and
- strategically disseminating material to minimize criminal justice response deficits caused by high staff turnover.

In order to give practical effect to victim-witness protection mechanisms provided for in the Criminal Procedure Code and the Law on Identification and Support, stakeholders are invited to consider:

- building on the strategy provided for in the 2013–2015 NAP and the work done by NGOs to protect victims, by implementing established procedures for carrying out risk assessments for victim-witnesses before, during and after court proceedings, and putting in place victim-witnesses protection plans.

### 3.4. Prevention

In order to target awareness-raising efforts to vulnerable groups and empower them against trafficking, stakeholders are invited to consider:

- taking further measures to provide information to potential migrants before their departure from the Republic of Armenia about legal residence, legal employment in foreign countries, the risks of trafficking and exploitation, and appropriate resources for information in countries of

destination, including by engaging and raising staff capacity of migration centres in various provinces;

- targeting particular groups for awareness-raising campaigns, including seasonal migrants to the Russian Federation as well as to Turkey;
- exploring and expanding the role the Ministry of Foreign Affairs and the Ministry of Diaspora as well as diaspora organizations could play in raising awareness among Armenians abroad; and
- exploring the role that Armenian religious institutions, particularly the Armenian Apostolic Church, currently play and could play in raising awareness both in the Republic of Armenia and abroad, and reducing stigmatization of victims of trafficking.

In order to strengthen the preventative role played by authorities at border points, stakeholders are invited to consider:

- assessing whether information available at borders is seen or used by persons leaving the Republic of Armenia, and the feasibility of making information available at border crossings for persons entering the Republic of Armenia who may be subject to exploitation within the country. Such information could be obtained by using a survey of persons returning to the Republic of Armenia to ascertain what trafficking-related information they received prior to departure and at the point of departure, and whether the information was useful to them; and
- strengthening pre-identification screening by use of profiling techniques to identify persons at risk, separating them from others and referring them to key staff who could conduct further screening and provide individuals with more information about the risks of human trafficking.

In order to strengthen social and economic empowerment measures for vulnerable groups, based on identified root causes and drivers, stakeholders are invited to consider:

- assessing capacities and taking stock of human and financial resources available to local and regional social structures including social departments, guardianship commissioners, integrated social services and others working directly with vulnerable groups in order to determine their needs and capacity gaps;
- examining whether the semi-annual and annual reports of competent authorities on the Working Groups provide for adequate and useful disaggregation of data on sex, gender and other characteristics to inform vulnerability to falling victim to trafficking, perpetrating trafficking or related crimes, or using the services provided by trafficked or exploited persons. On this basis, determine whether research and data collection could be strengthened; and

- on the basis of research and data collection, reflecting strategies to address gender and other relevant forms of discrimination in the next NAP, in consideration of discrimination on the basis of race, ethnicity, sex, language, religion, political or other opinion, natural or social origin, property, birth of other status, nationality, migration status, age, disability, statelessness, marital and family status, sexual orientation or gender identity, health status, and economic or social situation.

Related to the recommendations above concerning a labour inspectorate, stakeholders are invited to consider:

- reviewing regulations, powers, and functions of labour inspectors to ensure they have an adequately robust remit to address circumstances that make workers vulnerable to THB and other exploitation;
- implementing a mechanism to license, regulate, and educate local employment agencies and agents so they can help prevent the forced labour of Armenians abroad;
- posting labour attachés in countries with significant numbers of migrant workers from the Republic of Armenia; and
- establishing a network of civil society organizations abroad to work with Armenian migrants and to prevent forced labour and other forms of exploitation. The Armenian Apostolic Church – through its diocese abroad – could be engaged to interface with relevant actors.

In order to strengthen evidence-based, information-led response to THB, stakeholders are invited to consider:

- listing data collection and research needs and capacities of stakeholders towards determining priorities and designing mechanisms for coordinated and secure data collection; and
- developing and maintaining a comprehensive and coherent information system on trafficking by compiling reliable statistical data from all main actors and allowing disaggregation (concerning age, sex, type of exploitation, country of origin and/or destination) to be accompanied by data protection measures.

### 3.5. Coordination and cooperation

In order to strengthen coordination and cooperation against trafficking in persons, stakeholders are invited to consider:

- whether appointing a National Coordinator would strengthen national coordination and international cooperation or whether the working group mechanism is sufficient; and
- whether territorial and local governments could be better engaged towards strengthening counter-trafficking response.

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Building on the strength of international NGO cooperation, NGOs are invited to consider:

- establishing relationships with counterparts in countries of relevance to their work, for the purpose of collaboratively designing and disseminating awareness-raising information about risks of trafficking and support services available in both the Republic of Armenia and countries of destination.

In order to strengthen counter-trafficking capacity of stakeholders across the Republic of Armenia, beyond criminal justice practitioners, consider:

- implementing capacity-building measures, including for civil servants of the relevant government ministries such as the MLSA and others active in addressing trafficking in persons from, to and within the Republic of Armenia.

Needs Assessment:

# Counter-trafficking Response in the Republic of Armenia

# ANNEXES

## A. Bibliography

Source #	Reference	Author/s, Date
Gen 1	<i>Trafficking in Persons Report July 2015</i>	US Department of State, 2015
Gen 2	Evaluation summary: Strengthening of comprehensive anti-trafficking responses in Armenia, Azerbaijan and Georgia (Phase II)	International Labour Organization (ILO), 2011
Gen 3	<i>Migration Facts and Trends: South-Eastern Europe, Eastern Europe and Central Asia</i>	International Organization for Migration (IOM), 2015
Arm 14	Government of the Republic of Armenia Order, 28 November 2008, N 1385-A, on Approving the National Referral Procedure of Trafficked Persons	Government of the Republic of Armenia, 2008
Arm 15	<i>Trafficking in Human Beings in the Republic of Armenia: An Assessment of Current Responses</i>	Hana Snajdrova and Blanka Hancilova, Organization for Security and Co-operation in Europe (OSCE), 2007
Arm 16	<i>Republic of Armenia Law Enforcement Anti-Trafficking Training Needs Assessment: Report</i>	Government of the Republic of Armenia, Government of Norway, United Nations Development Programme, European Union, ILO, International Centre for Migration Policy Development, OSCE, December 2007
Arm 17	National Action Plan on the Fight against Trafficking in Persons during 2013–2015 in the Republic of Armenia	Annex to the Republic of Armenia Government Decree 186-N, dated 28 February 2013
Arm 18	<i>Report on Action Aimed at Fight of Trafficking in Persons in the Republic of Armenia Implemented by the Working Group adjunct to the Council on Trafficking in Persons in the Republic of Armenia in 2013</i>	Government of the Republic of Armenia, 2013
Arm 19	<i>2014 Findings on the Worst Forms of Child Labor</i>	US Department of Labor, Bureau of International Labor Affairs, 2015

Source #	Reference	Author/s, Date
Arm 20	<i>Report Concerning the Implementation of the Council of Europe Convention on Action against Trafficking in Human Beings, by Armenia, GRETA(2012)8</i>	Group of Experts on Action against Trafficking in Human Beings (GRETA), Council of Europe, 21 September 2012
Arm 21	<i>Trafficking in Armenia, Explanatory Note 13/53</i>	Ruben Yeganyan, Consortium for Applied Research on International Migration-East (CARIM-East) 2013
Arm 22	Law of the Republic of Armenia on Identification of and Support to Persons Subjected to Trafficking in Human Beings and Exploitation	Government of the Republic of Armenia, adopted 17 December 2014
Arm 23	2010–2012 National Anti-Trafficking Response in the Republic of Armenia	Government Decree of the Republic of Armenia N 1140-N of 3 September 2010
Arm 24	Extracts of the Criminal Code of the Republic of Armenia	Government of the Republic of Armenia
Arm 25	Rationale for the Adoption of the Law of the Republic of Armenia on Identification of and Support to Persons Subjected to Trafficking in Human Beings and Exploitation	General Department for Combating Organized Crime of the Police of the Republic of Armenia, 2014
Arm 26	<i>Assessment of Risk in Human Trafficking among Women in Commercial Sex Work</i>	Mariam Mkhitarian, 2013 (Braind company)
Arm 27	GRETA questionnaire – Second round of the evaluation of the implementation of Council of Europe Convention on Action against Trafficking in Human Beings	Secretary of the Inter-Agency Working Group on Combating Trafficking in Human Beings in the Republic of Armenia (Human Rights and Humanitarian Issues Division of the Department of International Organizations of the Ministry of Foreign Affairs), 2015
Arm 30	<i>Forced Labour and Labour Trafficking in Armenia: Pilot Study</i>	OSCE, US Department of State Bureau of International Narcotics and Law Enforcement Affairs, 2015

Notes: Gen = General reference.

Arm = Reference relevant for the Republic of Armenia.



## B. Interviewed stakeholders

<b>REPUBLIC OF ARMENIA</b>		
<b>State actor</b>	<b>International organization</b>	<b>Non-governmental organization/Other</b>
Border guard troops of the National Security Service	US Department of State Bureau of International Narcotics and Law Enforcement Affairs (INL) (Embassy of the United States)	Democracy Today
Investigative Committee	International Labour Organization	Hope and Help
Ministry of Education and Science	Organization for Security and Co-operation in Europe Office in Yerevan	Independent Expert
Ministry of Foreign Affairs	Office of the United Nations High Commissioner for Refugees	United Methodist Committee on Relief
Ministry of Justice		
Office of the Human Rights Defender		
Office of the Prosecutor General		
Police		
State Inspectorate of Health, Ministry of Health		
State Migration Service		

## C. Interview tool template

Interview Guide Template

Country: **Australia**

Interview No. #: First three letters of country + int + number e.g. AUSint1

### Interview Guide Template

#### Instruction for interviewer:

1. Give the interview a unique code: E.g. first three letters of country + int(erview) + number. E.g. AUSint1).
2. Read the information note to participants before commencing the interview. Offer a hard and/or electronic copy to participants. Ensure that you have enough hard copies on hand.
3. Ask questions 1.1. and 1.2 to determine which sets of questions to ask respondents.
4. Ask each set of questions, using bullet point prompts as necessary.

#### INFORMATION NOTE

Thank you for taking the time to participate in this study, which I would like to give you some information about before we commence the interview.

#### **Background information**

I am an independent consultant carrying out a study commissioned by International Organization for Migration (IOM) [*refer to specific IOM office*].

The purpose of this study is firstly to analyse the counter-trafficking landscape to inform future results-oriented interventions and ensure a more holistic approach to addressing human trafficking at the national, and where possible, the regional level.

The purpose of this interview today is to learn your views about the human trafficking situation and response to it in your country, and how response could be strengthened.

The study will benefit most from your honest responses. You are encouraged to speak as honestly as you can; there are no right and wrong answers.

The interview is expected to take approximately 60 minutes. I will take notes during our conversation.

#### **Risks and benefits of participation**

There is a small risk that someone other than the research team may find out about your responses to the questions asked, however we are taking steps to ensure your confidentiality. Your responses will not be shared beyond the research team. Any information you provide will be combined with other information and not attributed to you in any way in the final Assessment Report.

There are no direct benefits to you from participating in this study, but we hope you will gain satisfaction from contributing to identification of gaps, needs and priorities and supporting efforts to strengthen counter-trafficking responses.

#### **Further information about the study**

- Do you have any questions about the study or this interview?
- Would you like a hard or electronic copy of this information?

If you have any further comments or qualification to make in relation to this interview, please contact [insert name and contact details for person carrying out in-depth interviews].

If you have any further questions or complaints about the study, please contact [insert name and contact details for person overseeing research at IOM].

## INTERVIEW QUESTIONS AND ANSWERS

<b>Country:</b>	
<b>Interviewer name:</b>	
<b>Interviewer organization:</b>	
<b>Respondent name (optional):</b>	
<b>Respondent organization:</b>	
<b>Respondent official title:</b>	
<b>Interview date/time:</b>	
<b>Interview format:</b>	
<b>Number and sex of participants:</b>	

### 1. Introductory questions

1.	Respondent profile
1.1.	What is your official title? What are your primary work responsibilities?
	<i>Answer</i>
1.2.	What is your work with respect to trafficking in human beings?
	<i>Answer</i>
Plan	<p>Instructions for interviewer:</p> <p>Based on respondent's answers above, chose 2 to 3 sets of questions (from among 2–6 below) to ask the respondent in addition to 7 and 8. Delete No/Yes as appropriate.</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> 2. Trafficking situation and trends? No (skip)/Yes (go to Section 2).</li> <li><input type="checkbox"/> 3. Identification and referral? No (skip)/Yes (go to Section 3).</li> <li><input type="checkbox"/> 4. Protection and assistance? No (skip)/Yes (go to Section 4).</li> <li><input type="checkbox"/> 5. Investigation and prosecution? No (skip)/Yes (go to Section 5).</li> <li><input type="checkbox"/> 6. Prevention? No (skip)/Yes (go to Section 6).</li> </ul> <p>Regardless of answers above, all participants should be asked questions under:</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> 7. Cooperation among stakeholders Yes (go to Section 7).</li> <li><input type="checkbox"/> 8. Closing questions Yes (go to Section 8).</li> </ul>

## 2. Trafficking situation and trends

2.	The trafficking situation in the countries of the South Caucasus
2.1.	What trafficking routes exist from, in, through and/or to the country/region, subregion? What are the key source, transit and destination countries/places?
	<i>Answer</i>
2.2.	What are the key forms of exploitation you encounter in your work? What key industries are involved (e.g. for what kinds of labour are people exploited)?
	<i>Answer</i>
2.3.	What are the key methods traffickers use to involve victims?
	<i>Answer</i>
2.4.	What is the key profile of individual or groups of traffickers?
	<i>Answer</i>
2.5.	What is the profile of victims (e.g. age, gender, nationality, other)?
	<i>Answer</i>
2.6.	How are routes and trends changing? Why do you think they are changing? Do you think trafficking is an increasing or decreasing problem, or neither? Why?
	<i>Answer</i>

## 3. Identification and referral

3.	The legal and policy framework for identification and referral of (potential) victims of trafficking
3.1.	How do trafficked/exploited persons become known to authorities or organizations who can assist them? <ul style="list-style-type: none"> <li>□ Who identifies them? (e.g. self-identification, friends, family, police, border guards, labour inspectors, consulates)</li> </ul>
	<i>Answer</i>
3.2.	Which authorities or organizations have authority to officially designate a person as a victim of trafficking? <ul style="list-style-type: none"> <li>□ Where do they get their mandate? E.g. law, policy?</li> <li>□ What does formal/official designation entitle an identified person to (e.g. social assistance and protection? Residence permit? Work permits? Other?)</li> </ul>
	<i>Answer</i>
3.3.	What criteria (e.g. indicators) are used to identify victims of trafficking? <ul style="list-style-type: none"> <li>□ Are screening checklists or other identification tools used?</li> <li>□ Who uses them and how are the checklists shared?</li> <li>□ How effective are they? Do they adequately capture all victim profiles?</li> <li>□ What indicators are the most effective in your country context?</li> </ul>
	<i>Answer</i>

3.4.	<p>What avenues can victims use to self-identify (e.g. hotlines, posters, advertisement)?</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> How effective are they?</li> <li><input type="checkbox"/> What proportion of victims is identified through these avenues?</li> </ul>
	<i>Answer</i>
3.5.	<p>Are referral mechanisms in place in relation to identification, referral and support at the national and regional level?</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Which agencies/institutions are involved?</li> <li><input type="checkbox"/> How are these mechanisms established (e.g. MoUs? legislation)?</li> <li><input type="checkbox"/> Are mechanisms operational and effective in practice? Why/why not?</li> <li><input type="checkbox"/> Are statistics available on how many people have been identified?</li> </ul>
	<i>Answer</i>

#### 4. Protection and assistance

4.	The legal and policy framework for protecting and assisting victims of trafficking
4.1.	<p>What institutions currently provide protection and assistance to victims of trafficking?</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Where do they get their mandate? E.g. law, policy?</li> </ul>
	<i>Answer</i>
4.2.	How do people in need of services come into contact with providers of assistance and protection?
	<i>Answer</i>
4.3.	<p>What protection and assistance services do they provide to trafficked/exploited persons? For instance:</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Shelter, medical, psychosocial</li> <li><input type="checkbox"/> Reflection period</li> <li><input type="checkbox"/> Legal aid</li> <li><input type="checkbox"/> Residence rights</li> <li><input type="checkbox"/> Compensation</li> <li><input type="checkbox"/> Rehabilitation, return and reintegration (job placement, training)</li> </ul>
	<i>Answer</i>
4.4.	<p>In what respects are the services provided to victims dependent or differentiated on the basis of:</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> The type of exploitation they are subject to (e.g. sexual/labour/other)</li> <li><input type="checkbox"/> Age (e.g. children versus adults)</li> <li><input type="checkbox"/> Gender (e.g. men versus women)</li> <li><input type="checkbox"/> Nationality or status (e.g. citizen versus non-citizen, regular versus irregular migrant) or</li> <li><input type="checkbox"/> Willingness or not to cooperate with authorities</li> <li><input type="checkbox"/> Other criteria/limitations? (e.g. must victims be in shelters or do those outside shelter system also have access? Must persons be officially designated as victims of trafficking?)</li> </ul>
	<i>Answer</i>

4.5.	<p>Are monitoring systems in place to ensure that assistance and protection services are appropriate? (e.g. standards, external evaluation programmes, victim feedback mechanisms)</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Against what standards are they measured?</li> <li><input type="checkbox"/> How effective are they? Are services adequate and relevant to meet needs?</li> <li><input type="checkbox"/> In what ways are services deficient? What are the gaps?</li> </ul>
	<i>Answer</i>
4.6.	<p>What are the sources of funding (government, donor, private)? Is funding for these services adequate? Is funding sustainable or time-bound (e.g. tied to a project)?</p>
	<i>Answer</i>

### 5. Investigation and prosecution

5.	The legal and policy framework for investigating and prosecuting trafficking
5.1.	<p>What institutions are involved in the investigation and prosecution of human trafficking and exploitation?</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Are the specialized law enforcement units, prosecutors' offices and other judicial representatives addressing trafficking?</li> <li><input type="checkbox"/> Where do they get their mandate? E.g. law, policy?</li> </ul>
	<i>Answer</i>
5.2.	<p>Does the legislative framework adequately address trafficking and related issues (e.g. including exploitation, forced labour, slavery, sexual exploitation, discrimination and violence against women, violations against migrants' rights)?</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> What are the legislative gaps and challenges?</li> <li><input type="checkbox"/> What is the relevance of the international legal framework?</li> </ul>
	<i>Answer</i>
5.3.	<p>How many investigations, prosecutions and convictions for trafficking and related crimes have been carried out in the country?</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Is the number increasing or decreasing? Why?</li> </ul>
	<i>Answer</i>
5.4.	<p>Which legal codes/provisions have mostly been used to prosecute trafficking?</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Why do you think these codes have been used?</li> <li><input type="checkbox"/> What are the key challenges of applying relevant legal provisions? (e.g. understanding definition, understanding irrelevance of consent, etc.)</li> </ul>
	<i>Answer</i>
5.5.	<p>Are training/capacity-building mechanisms in place to promote understanding of criminal justice practitioners?</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Are law enforcers, prosecutors and judges given regular training?</li> <li><input type="checkbox"/> Is anti-trafficking training incorporated into established curricula for criminal justice practitioners (e.g. police academies, law schools, judicial academies)?</li> <li><input type="checkbox"/> Is training appropriate and effective?</li> </ul>
	<i>Answer</i>

5.6.	Are mechanisms in place to promote cooperation between law enforcement officers, prosecutors and judges, as well as non-governmental service providers to assist and protect victims and witnesses during court proceedings?
	<i>Answer</i>
5.7.	Are investigation and prosecution measures adequate and effective? <ul style="list-style-type: none"> <li><input type="checkbox"/> Are proactive investigations carried out?</li> <li><input type="checkbox"/> Are special investigative techniques/parallel financial investigations used?</li> <li><input type="checkbox"/> Are investigation and prosecution measures victim-centred?</li> </ul>
	<i>Answer</i>

## 6. Prevention

6.	The legal and policy framework for preventing human trafficking
6.1.	Which institutions work to prevent human trafficking and related exploitation? <ul style="list-style-type: none"> <li><input type="checkbox"/> Where do they get their mandate? E.g. law, policy?</li> </ul>
	<i>Answer</i>
6.2.	Are media and awareness-raising programmes carried out to prevent trafficking? If so, who have they targeted and what has their message been? <ul style="list-style-type: none"> <li><input type="checkbox"/> How effective have such efforts been?</li> </ul>
	<i>Answer</i>
6.3.	Are programmes in place to alleviate vulnerability factors and create alternative livelihoods for people at risk (e.g. birth registration, poverty, underdevelopment, discrimination)? <ul style="list-style-type: none"> <li><input type="checkbox"/> How effective have such efforts been?</li> </ul>
	<i>Answer</i>
6.4.	Are measures in place to address demand (e.g. for exploitative services)? Are there social and economic programmes in place to counter exploitative labour practices?
	<i>Answer</i>
6.5.	Are border governance measures in place to prevent trafficking across borders? Are strategies in place to provide regular migration opportunities to reduce vulnerability to trafficking?
	<i>Answer</i>
6.6.	Are research institutions active in strengthening understanding of and research on the root causes and drivers of trafficking in human beings? What are the gaps in research?
	<i>Answer</i>
6.7.	Are prevention measures adequate? If not, what are the gaps? In what ways are they deficient?
	<i>Answer</i>

### 7. Cooperation among stakeholders (partnerships)

7.	National/bilateral/regional/subregional partnerships, networks and collaborations
7.1.	<p>Are mechanisms in place for coordinating, monitoring and evaluating an anti-trafficking strategy at the national level? (e.g. National Plan of Action)</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Who is involved? (e.g. government, civil society, trade unions?)</li> <li><input type="checkbox"/> On what do they cooperate (e.g. identification, referral, protection, assistance, investigation, prosecution, return, reintegration, other)?</li> <li><input type="checkbox"/> Is implementation of the mechanism monitored and evaluated on a regular basis (e.g. by national human rights institution/ombudsman)?</li> <li><input type="checkbox"/> Does the Government fund the coordination mechanism?</li> <li><input type="checkbox"/> Can you give examples of effective cooperation?</li> </ul>
	<i>Answer</i>
7.2.	<p>Are there bilateral, regional or subregional mechanisms for coordinating, monitoring and evaluating anti-trafficking strategy in place? (e.g. MLA and extradition agreements/MOUs)</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Who is involved? (e.g. specialized units, diplomatic staff, NGOs)</li> <li><input type="checkbox"/> On what do they cooperate (e.g. identification, referral, protection, assistance, investigation, prosecution, return, reintegration, other)?</li> <li><input type="checkbox"/> Are transnational judicial and law enforcement cooperation agreements assessed regularly?</li> <li><input type="checkbox"/> Can you give examples of effective cooperation?</li> </ul>
	<i>Answer</i>
7.3.	How effective and sustainable are these partnerships or not? If not, what are the gaps? In what ways are services deficient?
	<i>Answer</i>

### 8. Closing questions

8.	Final recommendations
8.1.	What do you think are key challenges and barriers to effective counter-trafficking? (e.g. Lack of resources? Capacity? Policies? Procedures? Protocols? Political will?)
	<i>Answer</i>
8.2.	What are your key recommendations for strengthening counter-trafficking response in the areas that we have discussed?
	<i>Answer</i>
8.3.	Are there any other questions that you would have liked to have been asked today? How would you answer them?
	<i>Answer</i>
8.4.	Can you recommend any colleagues who you think would like to participate in brief (20-minute) self-administered electronic survey along these lines?
	<i>Answer/e-mail address</i>

Final instructions for the interviewer:

- Thank the participant for their time.
- Make any other (internal) observations about the interview below.

Interviewer observations/comments/notes (e.g. follow-up reminders to self):



## D. Survey tool template

Survey Tool Template

Survey #: First three letters of country + sur + number e.g. AUSsur1

### **SURVEY TOOL**

#### **IOM Needs Assessment of Trafficking Situation in Response in Countries of the South Caucasus**

You are invited to participate in a Web-based survey about the human trafficking situation and response in countries of the South Caucasus.

#### ***Background and Purpose***

This survey is being conducted in the context of a study commissioned by the International Organization for Migration (IOM) Regional Office for South-Eastern Europe, Eastern Europe and Central Asia to analyse the counter-trafficking landscape and identify gaps and needs in national and regional response to human trafficking. The secondary purpose of this study is to develop a rapid needs assessment tool that can be adapted to different regions, and to test and implement the tool in Azerbaijan, Georgia and (the Republic of) Armenia.

The purpose of this survey is to learn your views about the human trafficking situation and response in your country, and gather your opinions about how response could be strengthened towards mounting more effective, results-oriented interventions.

#### ***Confidentiality***

Your responses will be kept confidential; any information you provide will be combined with information collected from other survey responses and will not be attributable to you. You are encouraged to be candid in responding to these questions; the more candid you are, the more useful the information, recommendations and priorities you identify will be.

#### ***Instructions***

You are invited to complete this survey now, which is estimated to take around 15 to 20 minutes to complete. You have been provided with a copy of the survey translated by IOM (attached); if you are able to complete the survey in English, please do so.

When you have completed the survey, please save it and return it to Dr Marika McAdam (independent consultant) at [marika\\_mcadam@yahoo.com.au](mailto:marika_mcadam@yahoo.com.au). Please also contact Marika if you have any questions or comments about the survey, or would like to qualify any answers provided.

If you have any further questions or complaints about the study, please contact Project Lead, Ms Myra Albu, at the IOM Regional Office for South-Eastern Europe, Eastern Europe and Central Asia, tel.: +43 1 581 22 22 19, [malbu@iom.int](mailto:malbu@iom.int).

If you know of any colleagues who would also be interested in completing this survey, please forward it to them.

Thank you very much for your participation.

## 1. Introductory questions

*This section asks questions about you and your work.*

1.1. In which country do you primarily work? Select answer.

1.2. Please choose the response that best describes your current position: (Choose one.)

- Law enforcement – government official
- Law enforcement – police
- Law enforcement – border guard
- Law enforcement – State migration service
- Justice system – judge
- Justice system – prosecutor
- Justice system – other (including defence counsel)
- Government official – trafficking victim support
- Government official – social protection and/or health care (not trafficking specific)
- Government official – labour inspector
- Government official – other
- Non-governmental organization – victim support worker (e.g. shelter)
- Non-governmental organization – other local NGO
- Non-governmental organization – other international NGO
- Intergovernmental organization – UN or multilateral organization
- Intergovernmental organization – IOM
- Intergovernmental organization – international development agency (IDA)
- Other – independent counter-trafficking expert
- Other – academic
- Other – please specify

1.3. How long have you been employed by your current organization? (Choose one.)

- Less than one year
- 1 to 3 years
- 3 to 5 years
- 5 to 10 years
- More than 10 years

1.4. How long have you worked on counter-trafficking issues? (Choose one.)

- Less than one year
- 1 to 3 years
- 3 to 5 years
- 5 to 10 years
- More than 10 years

1.5. What is your age? (Choose one.)

- 18 to 34
- 35 to 50
- 51 to 65
- 66+

1.6. What is your gender? (Choose one.)

- Female
- Male

## 2. Trafficking situation and trends

*This section asks your opinions about the trafficking situation and trends in the country in which you primarily work.*

2.1. How would you describe the country in which you primarily work? (Choose all that apply.)

- Country of origin for victims of trafficking
- Country of transit for victims of trafficking
- Country of destination for victims of trafficking

2.2. Which are the three most common forms of exploitation that people are subject to in the country in which you primarily work? (Choose three.)

- Exploitation in prostitution
- Other forms of sexual exploitation
- Forced labour or services
- Slavery or practices similar to slavery, or servitude
- Removal of organs
- Forced marriage
- Other – please specify:

2.2.1. Of the three you selected, which do you think is the most prominent form?

2.3. Which are the industries/sectors that people are most commonly exploited in, in the country in which you primarily work? (Choose no more than three.)

- Sex industry
- Agriculture
- Cattle breeding
- Construction
- Producing and packaging
- Oil extraction
- Service sector (e.g. restaurants/catering/healthcare/retail)
- In private homes (e.g. domestic servitude/forced marriage)
- On the streets (e.g. for begging/petty crime)
- Other (please specify):

2.4. Please rank the following in order of most to least trafficked group (1 being most trafficked, 4 being least trafficked):

Group	Rank from 1 (most) to 4 (least) trafficked
Adult females	
Adult males	
Female children (<18 years old)	
Male children (<18 years old)	

2.5. Is trafficking a growing or declining problem in the country you work? Select answer.

- Growing
- Declining
- Neither growing nor declining

2.6. Please briefly explain the reasons why trafficking is growing, declining or neither growing nor declining in the country in which you primarily work:

### 3. Identification and referral

This section asks your opinions about identification and referral mechanisms in the country you primarily work in.

3.1. Please read the statements below and check the box that best reflects your opinion about the existence and operation of these mechanisms (check only one box per line).

	Mechanism	Completely adequate	Adequate	Neither adequate nor inadequate	Inadequate	Completely inadequate
3.1.1	National or local referral mechanism	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3.1.2	Transnational (cross-border) referral mechanisms	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3.1.3	Formal processes for identifying victims	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3.1.4	Capacity of competent authorities to accurately identify victims	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3.1.5	Indicators, screening checklists, other identification tools	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3.1.6	Self-identification mechanisms (e.g. government/NGO hotlines)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3.1.7	The link between referral mechanisms and assistance services for victims	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

3.2. Please read the statements below and check the box that best reflects your opinion about the existence and operation of these mechanisms (check only one box per line).

	Statement	Always	Often	Sometimes	Rarely	Never
3.2.1	Victims of trafficking are identified	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3.2.2	Identified victims of trafficking are referred to support services they need	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3.2.3	Female (adult) victims of trafficking are identified and referred to support services they need	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3.2.4	Male (adult) victims of trafficking are identified and referred to support services they need	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

3.2.5	Child victims of trafficking are identified and referred to support services they need	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3.2.6	Foreign victims of trafficking are identified and referred to support services they need	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

#### 4. Protection and assistance

*This section asks your opinions about identification and referral mechanisms in the country you primarily work in.*

4.1. Please read the statements below and check the box that best reflects your opinion about the existence and operation of these mechanisms (check only one box per line).

	Mechanism	Fully adequate	Somewhat adequate	Adequate for some victims only	Inadequate	Completely inadequate
4.1.1	Short-term shelter services for victims of trafficking	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4.1.2	Long-term shelter services for victims of trafficking	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4.1.3	Medical care services (including physical health)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4.1.4	Psychosocial care services	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4.1.5	Risk assessments to determine dangers, threats, security and protection needed by victims	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4.1.6	Legal support for victims (civil and criminal)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4.1.7	Education/Job/Skills/Vocational training	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4.1.8	Support to integrate into the country of destination	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4.1.9	Support to return to countries of origin	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4.1.10	Support to reintegrate in countries of origin	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

4.2. Please read the statements below and check the box that best reflects your opinion (check only one box per line).

	Statement	Strongly agree	Agree	Neither agree nor disagree	Disagree	Strongly disagree
4.2.1	Male and female victims of trafficking receive the same level of services	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4.2.2	Foreign and national victims of trafficking receive same level of services	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4.2.3	Victims who cooperate with authorities and victims who do not cooperate receive the same level of services	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4.2.4	Victims of trafficking for sexual exploitation and victims of trafficking for non-sexual forms of exploitation receive the same level of services	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4.2.5.	There are adequate and effective procedures and protocols in place for supporting victims	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

## 5. Investigation and prosecution

5.1. Please read the statements below and check the box that best reflects how much you agree or disagree with each statement (check only one box per line).

	Statement	Strongly agree	Agree	Neither agree nor disagree	Disagree	Strongly disagree
5.1.1	The national definition of “trafficking in persons” is adequate and appropriate	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5.1.2	All forms of trafficking in human beings that occur are effectively criminalized in law	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5.1.3	The legal framework to address trafficking and related issues (such as violence against women, migrants, etc.) is adequate and appropriate	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

5.1.4	Investigations of trafficking and related crimes are adequate and effective	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5.1.5	Investigations of trafficking and related crimes are carried out in accordance with the rights of victims and presumed victims	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5.1.6	Training and capacity-building mechanisms for law enforcers on trafficking issues are adequate	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5.1.7	Prosecutions of trafficking and related crimes are adequate and effective	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5.1.8	Prosecutions of trafficking and related crimes are carried out in accordance with the rights of victims and presumed victims	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5.1.9	Training and capacity-building mechanisms for prosecutors and judges on trafficking issues are adequate	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5.1.10	Criminal justice practitioners cooperate adequately and effectively with non-governmental stakeholders	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

## 6. Prevention

6.1. Please read the statements below and check the box that best reflects how much you agree or disagree with each statement (check only one box per line).

	Statement	Strongly agree	Agree	Neither agree nor disagree	Disagree	Strongly disagree
6.1.1	Prevention programmes to address root causes (e.g. economic disadvantage, discrimination) are improving	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6.1.2	Prevention programmes to address vulnerability are appropriately targeted to vulnerable populations	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6.1.3	Prevention programmes to raise awareness of the risks of trafficking are adequate and effective	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

6.1.4	Media involvement in awareness raising about the risks of trafficking in human beings is adequate and effective	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6.1.5	State authorities conduct adequate research and data collection into the root causes of trafficking	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6.1.6	Non-governmental authorities and institutions conduct adequate research and data collection into the root causes of trafficking	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6.1.7	Prevention programmes to address the demand side of trafficking are adequate and effective	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6.1.8	Programmes to prevent re-trafficking are adequate and effective	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

### 7. Cooperation among stakeholders (partnerships)

7.1. Please read the statements below and check the box that best reflects how much you agree or disagree with each statement (check only one box per line).

	Statement	Strongly agree	Agree	Neither agree nor disagree	Disagree	Strongly disagree
7.1.1	National action plans/policies provide for adequate cooperation between State and non-State actors at the national level	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
7.1.2	Cooperation between State and non-State actors is adequate and effective	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
7.1.3	There are adequate mechanisms in place to provide for cooperation with other countries within the region	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
7.1.4	Cooperation with other countries within the region is adequate and effective	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>



7.2. Please read the statements below and check the box that best reflects what you consider to be the frequency of cooperation (check only one box per line).

	Statement	Always	Often	Sometimes	Rarely	Never
7.2.1	Relevant State agencies/ institutions cooperate with each other on trafficking issues	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
7.2.2	State agencies/institutions invite non-State actors (NGOs, civil society groups, trade unions) to trafficking-related meetings	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
7.2.3	States invite international organizations to trafficking-related meetings	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
7.2.4	State and non-State actors implement anti-trafficking activities jointly	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
7.2.5	There are bilateral meetings (with other countries) on trafficking issues	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
7.2.6	There are regional and interregional meetings on trafficking-related matters	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

7.3. Please read the statements below and check the box that best reflects what you think about various types of cooperation (check only one box per line).

	Statement	Very easy	Easy	Neither easy nor difficult	Difficult	Very difficult
7.3.1	Between State actors/agencies at the national level	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
7.3.2	Between State actors/agencies at the bilateral level	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
7.3.3	Between State actors/agencies at the regional level with other countries in the South Caucasus	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
7.3.4	Between State and non-State actors at the national level	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
7.3.5	Between State and non-State actors at the bilateral level	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
7.3.6	Between State and non-State actors at the regional level with other countries in the South Caucasus	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

## 8. Priorities

8.1. Please choose what you think are the top three priorities for action against trafficking, and rank them according to priority (1 is highest priority).

	Priority (Choose three)	Rank (from 1 to 3)
A. Strengthening identification and referral mechanisms or their implementation		
B. Expanding the range of assistance and support services available to victims of trafficking		
C. Expanding the range of victims who can access assistance and support services		
D. Strengthening the legal framework against trafficking		
E. Strengthening the quality of services available for victims of trafficking		
F. Strengthening the legal framework for criminalizing trafficking and prosecuting traffickers		
G. Strengthening the investigation of trafficking in human beings (including by building capacity of law enforcers to investigate and through increased specialization of units)		
H. Strengthening the prosecution of trafficking in human beings (including by building capacity of prosecutors and judges)		
I. Strengthening efforts to address root causes and vulnerabilities (including socioeconomic factors, discrimination, etc.)		
J. Strengthening efforts to raise awareness of the risks of trafficking (including by increasing the quality of awareness-raising messages and/or better targeting them to at-risk groups)		
K. Strengthening efforts to address the demand side of trafficking		
L. Strengthening research and data collection about trafficking to better understand trafficking		
M. Improving cooperation between State actors at the national level		
N. Improving cooperation between State and non-State actors at the national level		
O. Improving cooperation between actors at the bilateral level		

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P. Improving cooperation between State actors at the regional level		
Q. Other (please specify):		

8.2. Please briefly explain why you chose these top three priorities, and how these priorities should be addressed? What resources exist to address them?

8.3. Are there any other comments/qualifications/recommendations you would like to make?

Please return this survey (as an email attachment) to [marika\\_mcadam@yahoo.com](mailto:marika_mcadam@yahoo.com).

Thank you for taking time to participate in this survey.

## E. Assessment indicators

### Identification and referral indicators

		FRAMEWORK Indicators		OPERATIONAL Indicators	
		Level 1	Level 2	Level 1	Level 2
1.1	<b>National Referral Mechanism (NRM) for trafficking in human beings (THB), specifying roles and responsibilities</b>	NRM specific to THB is in place	NRM outlines stakeholder competencies, coordination, protection and assistance	State and non-State actors are included in an NRM and are aware of their role(s)	State and non-State actors are referring and assisting victims through an NRM framework
1.2	<b>Formal processes for identification</b>	Formal processes for victim identification are in place	Formal processes for victim identification are linked to referral mechanisms	Formal processes for identification are consistently used	Stakeholders perceive that identification processes increase access to services
1.3	<b>Indicators, screening checklists and other identification tools</b>	Identification tools are in place, and stakeholders are aware of and have access to them	Identification tools are relevant to trafficking in practice (e.g. all types)	Identification tools are used by some stakeholders (partially effective)	Identification tools are used by all stakeholders (fully effective)
1.4	<b>Self-identification mechanisms (e.g. hotlines, posters, advertisements)</b>	Self-identification mechanisms are in place	The public is adequately aware of self-identification mechanisms	Some victims self-identify (partially effective)	Stakeholders perceive that self-identification is increasing
1.5	<b>Link between referral mechanisms and protection and assistance services</b>	Referral mechanisms in place are linked to protection and assistance services	Referrals of victims are delinked from victim cooperation with law enforcement	Referral mechanisms result in services provided to some identified victims	Referral mechanisms result in services provided to all identified victims

*Protection and assistance indicators*

		FRAMEWORK Indicators		OPERATIONAL Indicators	
		Level 1	Level 2	Level 1	Level 2
2.1	<b>Funding for protection and assistance (shelter) services</b>	State budget provides allocation for direct protection and assistance services	State budget provides allocation for NGO/ civil society support services	Committed budget allocation partially meets funding needs	Committed budget allocation fully meets funding needs
2.2	<b>Accessibility of temporary protection and assistance services specific to trafficked persons</b>	Full package of services is available (medical, psychosocial, legal) within a shelter setting	Full package of services (medical, psychosocial, legal) is available to victims not in shelters	Some services are available to most victims of trafficking, with few conditions	All services are available to all victims of trafficking with no conditions
2.3	<b>Long-term rehabilitation, reintegration and return services</b>	A framework for rehabilitation and reintegration is in place	A framework for residence and return is in place	The State provides adequate support for rehabilitation and reintegration	The State is adequately involved in carrying out safe and voluntary return
2.4	<b>Differentiation of protection and assistance services</b>	Protection and assistance services are differentiated according to specific needs	Specific needs of children (e.g. best interests determination of the child) and non-citizens (e.g. residency) are addressed	Protection and assistance services meet some specific needs of some persons	Protection and assistance services meet all specific needs of all persons
2.5	<b>Appropriate standard of protection and assistance services</b>	A minimum standard of protection and assistance services is specified	A framework for monitoring protection and assistance services is in place	Protection and assistance services are monitored by internal evaluation	Protection and assistance services are monitored by external evaluation (including victim feedback)

### Investigation and prosecution indicators

		FRAMEWORK Indicators		OPERATIONAL Indicators	
		Level 1	Level 2	Level 1	Level 2
3.1	<b>Criminalization of trafficking in persons</b>	Key international instruments (United Nations Convention against Transnational Organized Crime (UNTOC) and the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, regional instruments where relevant) are ratified	Trafficking is criminalized in line with the international definition (e.g. key elements; most forms criminalized)	Trafficking law is used to prosecute trafficking cases	Convictions are achieved with sentences commensurate to the gravity of offence enforced
3.2	<b>Non-criminalization/punishment of victims of trafficking</b>	Non-criminalization of victims for acts committed while trafficked is codified in legislation	Irrelevance of victim consent to their exploitation is codified in legislation	There is evidence that victims of trafficking are not punished or penalized for acts resulting from trafficking	Awareness among criminal justice practitioners about the irrelevance of consent in trafficking prosecutions
3.3	<b>Investigations, prosecutions and convictions carried out by competent authorities</b>	Specialized actors/institutions designated are competent in law or policy framework	Law or policy sets out clear roles of competent law enforcement authorities	Specialized institutions are operationally and strategically competent to carry out reactive investigations	Specialized institutions are operationally and strategically competent to conduct proactive investigation
3.4	<b>Capacity of criminal justice practitioners</b>	Legal/policy framework provides for anti-trafficking training	Anti-trafficking training is tailored to national needs and capacity gaps	Criminal justice practitioners receive one-off/occasional training	Criminal justice practitioners receive regular or ongoing training

		FRAMEWORK Indicators		OPERATIONAL Indicators	
		Level 1	Level 2	Level 1	Level 2
3.5	<b>Special investigative techniques</b>	Legislation on the use of special investigative techniques against trafficking	Law or policy guidance on the application of special investigative techniques to human trafficking investigations	Authorities are aware of and/or have occasionally employed special investigative techniques	Authorities regularly/ routinely employ special investigative techniques

### Prevention indicators

		FRAMEWORK Indicators		OPERATIONAL Indicators	
		Level 1	Level 2	Level 1	Level 2
4.1	<b>Prevention programmes to address root causes and vulnerability</b>	Strategy/policy is in place to alleviate economic conditions, discrimination and other root socioeconomic causes	Strategy/policy in place recognizes and targets relevant and specific forms of vulnerability/ specifically vulnerable groups	There is evidence of programmes to address root causes of general vulnerability	There is evidence of prevention programmes targeted to specifically vulnerable individuals and groups
4.2	<b>Awareness-raising and involvement of media in information dissemination</b>	Strategy/policy is in place to raise awareness of trafficking and establish a hotline	Strategy/policy is in place to engage and empower media to raise awareness	Awareness-raising efforts are undertaken and hotlines are established and operational	Media reporting is accurate and responsible (does no harm) to victims/ potential victims /others
4.3	<b>Research institutions active in research and data collection</b>	State data collection system is in place to collect and disaggregate data on traffickers and victims	Research institutions are formally engaged in data collection and research about trafficking	Research and data collection on the root causes, trends, demand is conducted	There is evidence that prevention strategies are evidence-based (i.e. using data and research)

		FRAMEWORK Indicators		OPERATIONAL Indicators	
		Level 1	Level 2	Level 1	Level 2
4.4	<b>Social and economic programmes to address demand</b>	Policy is in place to address demand including by engaging labour markets to prevent exploitative labour practices	Cooperation agreements/ arrangements with private sector/civil society groups are in place to address demand	There is evidence of increased measures to strengthen monitoring and regulation of labour markets	There is evidence of measures taken to target consumers of services provided by victims of trafficking
4.5	<b>Border measures and migration governance against trafficking in human beings</b>	Strategy is in place to prevent trafficking and exploitation in the context of border and migration-related controls	Strategy is in place to provide regular migration opportunities to reduce vulnerability to trafficking	There is evidence of increased regular migration opportunities provided to reduce vulnerability to trafficking	There is evidence of measures taken to prevent trafficking and exploitation of migrants (e.g. through registration/information for migrants)

### Cooperation and coordination indicators

		FRAMEWORK Indicators		OPERATIONAL Indicators	
		Level 1	Level 2	Level 1	Level 2
5.1	<b>National Action Plan against trafficking</b>	National Action Plan against trafficking in human beings is in place	National Action Plan provides for increased national, bilateral and regional cooperation	Operating procedures are in place to practically guide the implementation of the National Action Plan	Operating procedures are used by stakeholders in implementing the National Action Plan
5.2	<b>National Coordinator/ Rapporteur</b>	Law/policy designates a National Coordinator/ Rapporteur or similar to coordinate on trafficking	The National Coordinator/ Rapporteur is given clear mandate and monitoring capacity	A National Coordinator/ Rapporteur is appointed	There is comprehensive coordination of all issues concerning trafficking in human beings



		FRAMEWORK Indicators		OPERATIONAL Indicators	
		Level 1	Level 2	Level 1	Level 2
5.3	<b>Cooperation between State and non-governmental organizations (NGOs)/ civil society/ international organizations and other non-State actors</b>	Law/policy provides for cooperation between State and non-State actors (NGOs/civil society)	Coordination agreements/mechanisms are in place between State and non-State actors	State and non-State actors meet to cooperate on a case or an ad hoc basis	State and non-State actors cooperate on a routine and proactive basis
5.4	<b>Bilateral and transnational criminal justice networks against trafficking</b>	Bilateral and transnational criminal justice cooperation agreements are in place	Bilateral/transnational cooperation agreements with all relevant key countries are in place	There is evidence of bilateral/transnational criminal justice cooperation against trafficking	Bilateral/transnational cooperation is proactive (i.e. exceeds ad hoc response to cases)
5.5	<b>Bilateral and transnational cooperation beyond criminal justice</b>	Agreements are in place to support counter-trafficking cooperation beyond investigation/prosecution	Bilateral/transnational agreements specific to assistance and protection/prevention of trafficking are in place	There is evidence that agreements result in bilateral/transnational cooperation beyond investigation/prosecution	There is evidence that agreements result in bilateral/transnational cooperation to assist and protect/prevent trafficking





