

## COUNTRY BASELINE UNDER THE ILO DECLARATION ANNUAL REVIEW

Armenia - 2021

*THE ELIMINATION OF ALL FORMS OF FORCED OR COMPULSORY  
LABOUR Protocol of 2014 P029 to the Forced Labour Convention*

### REPORTING

#### Fulfillment of Government's reporting obligations

p29 Fulfillment of Government's reporting obligations

Yes

#### Involvement of Employers' and Workers' organizations in the reporting process

92. To which employers organizations was the report sent? [12] Please provide the list

A copy of the report will be sent to the Republican Union of Employers of Armenia in parallel with the submission to the ILO. If we receive the replies, we will send them to the ILO as well.

93. To which workers organizations was the report sent? [13] Please provide the list

A copy of the report will be sent to the Confederation of Trade Unions of Armenia in parallel with the submission to the ILO. If we receive the replies, we will send them to the ILO as well.

### OBSERVATIONS BY THE SOCIAL PARTNERS

#### Employers' organizations

95. Did employers organizations comment on the report? [11a]

No

<p><b>97. Please provide URL(s) to the responses and comments of the employers and workers organizations to the above questions, if you have received them</b></p>	<p>A copy of the report will be sent to the social partners (the Republican Union of Employers, the Confederation of Trade Unions of Armenia) in parallel with the submission to the ILO. If we receive the replies from them, we will send them to the ILO as well.</p>
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**Workers' organizations**

<p><b>96. Did workers organizations comment on the report? [11b]</b></p>	<p>No</p>
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<p><b>97. Please provide URL(s) to the responses and comments of the employers and workers organizations to the above questions, if you have received them</b></p>	<p>A copy of the report will be sent to the social partners (the Republican Union of Employers, the Confederation of Trade Unions of Armenia) in parallel with the submission to the ILO. If we receive the replies from them, we will send them to the ILO as well.</p>
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**EFFORTS AND PROGRESS MADE IN REALIZING MEASURES TARGETED BY THE PROTOCOL**

**Ratification**

**Ratification status**

<p><b>p29 Ratification status</b></p>	<p>C 29 and C 105: ratified P 29: not yet ratified</p>
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**Ratification intention**

<p><b>61. If you have ratified Convention No. 29 but not the 2014 Protocol to Convention No. 29, what are the prospects for ratification of the Protocol?</b></p>	<p>Likely</p>
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<p><b>62. What, if any, are the impediments to the ratification of the 2014 Protocol to Convention No. 29?</b></p>	<p>The system does not allow changing the answers to the questions of point 61, 70 and 87. Thus, we kindly ask you, within the framework of this report , consider ,</p>
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	that no answers is provided to the above questions, given the fact, that these three questions are not included in the list of questions that require a mandatory answer or enable the system to modify the answers to those questions.
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<b>Existence of a policy and or plan of action for the suppression of forced or compulsory labour</b>	
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<b>63. Is there a national policy and plan of action aimed at realizing the principle of effective and sustained suppression of all forms of forced or compulsory labour through prevention, victim protection and access to remedies? [1.1]</b>	Yes
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<b>65. Please also indicate the manner in which employers' and workers' organizations have been consulted. [1.3]</b>	Within the framework of the Draft amendments to the RA Labour Code, there were also held working discussions with social partners. In the Draft, among other regulations, it is proposed to give the definition of forced or compulsory labour by the Labour Code.
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<b>68. Is there a national policy and plan of action setting out measures and specific action for combatting trafficking in persons for the purposes of forced or compulsory labour? [1.5]</b>	Yes
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<b>69. Please describe these measures. [1.5]</b>	As mentioned previously, the government's National Action Plan (NAP) Against Trafficking in Persons went into effect in June 2020, and implementation in several areas began immediately. In addition, the government adopted a new referral mechanism to provide assistance to minor victims of trafficking in persons.
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<b>70. Does the Government collect and analyse statistical data and other information on the nature and extent of forced or compulsory labour? [1.6]</b>	No
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## Measures taken or envisaged for systematic and coordinated action

**64. Please describe the measures envisaged, the established objectives and the authorities responsible for the implementation, coordination and assessment of these measures. Please provide any relevant URL(s) [1.2]**

Part 5 of Article 57 of the RA Constitution stipulates that compulsory or forced labour is prohibited. The following shall not be considered as compulsory or forced labour: (1) work performed, in accordance with law, by a sentenced person; (2) military or alternative service; (3) any work required in emergency situations posing danger to the life or well-being of the population. According to the point 2 of the Part 1 of the Article 3 of the RA Labour Code one of the principles of the labour legislation is the prohibition of any types of compulsory work (of any nature) and violence with respect to employees. Part 4 of the Article 132, of the RA Criminal Code (Human Trafficking - Exploitation) stipulates that by the same article as well as by the Article 132.2 of the RA Criminal Code (trafficking or exploitation of a person deprived of the opportunity to realize or control the nature and significance of his or her act due to a child or mental disorder) an exploitation of another person for the purpose of prostitution or other forms of sexual exploitation, forced labour or services, enslavement or putting in slavery-like situation, purchase or sale, seizure of organs or tissues is considered as an exploitation. Part 5 of Article 132 of the RA Criminal Code stipulates, that a person who has suffered from crimes envisaged by the Article 132, as well as by the Article 132.2 is released from criminal liability for those crimes of minor or medium gravity, in which he was involved during the time of trafficking or exploitation conducted against him and he committed his acts under the compulsion. At the same time, we consider it necessary to mention, that the answers presented within the framework

	<p>of this report are more global and concern Trafficking in Persons (which includes sexual exploitation and labour exploitation forced labour). The Government of Armenia adopted, the sixth National Action Plan (NAP) for 2020-2022 on the fight against Trafficking in Human Beings and Exploitation on 4 June 2020 by the Government Decree. The actions set out in the NAP are intended to make the fight against human trafficking and exploitation (sexual exxploiatiaion or forced labor) more comprehensive and to consolidate the efforts of the parties involved, to strengthen the capacity of specialists, to more effectively prevent incidents, identify victims, improve support and simplify protection mechanisms.</p>
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**Measures taken or envisaged to prevent forms of forced labour**

<p><b>74. Have measures been taken or are measures envisaged for the prevention of all forms of forced or compulsory labour? [2.1]</b></p>	<p>Yes</p>
<p><b>75. If so, please indicate the type of measures, [2.2]</b></p>	<p>a) Information, education and awareness raising targeting especially people in vulnerable situation and employers, b) Strengthening and broadening of the coverage of legislation, particularly labour law, h) Capacity building for the competent authorities</p>

**Measures taken or envisaged to protect victims of forced labour**

<p><b>76. Have measures been taken or are measures envisaged for the identification, release, protection, recovery and rehabilitation of victims of all forms of forced or compulsory labour? [3.1]</b></p>	<p>Yes</p>
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<p><b>77. If so, please indicate the type of measures [3.2]</b></p>	<p>a) Training of relevant actors for identification of forced labour practices,b) Legal protection of victims,c) Material assistance for victims,d) Medical and psychological assistance for victims,e) Measures for the rehabilitation and social and professional reintegration of victims,f) Protection of privacy and identity,g) Appropriate accommodation</p>
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**Measures taken or envisaged to facilitate access to remedies**

<p><b>78. Have measures been taken or are measures envisaged to provide victims of all forms of forced or compulsory labour with access to remedies? [4.1]</b></p>	<p>Yes</p>
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<p><b>79. If so, please indicate the type of measures, [4.2]</b></p>	<p>b) Free legal assistance,c) Cost-free proceedings,e) Access to remedies and compensation,f) Capacity building and enhanced resources for the competent authorities, such as labour inspection, law enforcement, prosecution services and judges</p>
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<p><b>80. Please indicate whether the measures aimed at providing access to justice and remedies apply to all victims of forced or compulsory labour, irrespective of their presence or legal status in the national territory. [4.3]</b></p>	<p>Yes</p>
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**Non-prosecution of victims for unlawful acts that they would have been forced to carry out**

<p><b>79.g. Please provide a description of measures taken or envisaged:</b></p>	
<p><b>79.g. Please indicate the population groups benefiting from these measures and the relevant forced labour practices:</b></p>	

## Cooperation with other Member States, international / regional organizations or NGOs

**81. Does the Government cooperate with other member States, international and regional organizations, or non-governmental organizations to achieve the effective and sustained suppression of forced or compulsory labour? [5.1]**

Yes

**82. Please briefly describe the modalities of this cooperation. [5.2]**

Partnerships between the main actors, prevention of cases of trafficking through the development of interdepartmental cooperation, as well as effective organization and control of measures to support and protect victims. Collaboration and cooperation continued among various government stakeholders, international and local NGO's International (UMCOR, World Vision, USAID) Local (Democracy Today, Hope and Help) for the purpose of effective fight against human trafficking and exploitation.

## Special initiatives or Progress

**85. Please describe any significant changes which have taken place since your last report (for example, changes in the legislative and institutional framework, launching of major programmes, new data, changes in the number of persons in forced labour who have been identified, released and protected, penalties imposed on perpetrators). [7]**

- Legal acts related to child trafficking have been improved.
- Amendments have been made to the "Procedure for Providing Assistance to Potential Victims of Human Trafficking and Exploitation, Victims and Special Category Victims".
- The Labour Code is in the process of being amended, which proposes to define the concept of "compulsory or forced labour".
- The Rules of Procedure of the Commission on identification of victims of trafficking is in the process of being amended, thus the work of the commission will be further improved.
- Amendments are expected to the Law on identification of and support to persons subjected to trafficking in human beings

and exploitation to ensure that minimum standards for the quality of services provided are developed, as well as the introduction and implementation of pre-identification indicators for potential victims.

## TECHNICAL COOPERATION NEEDS

### Request

**87. Does your Government think that it should establish technical cooperation activities with the ILO or pursue those that already exist for the prevention and effective suppression of forced or compulsory labour, victim protection and access to remedies? [9.1]**

Yes