

MINIMAL ADVANCEMENT – EFFORTS MADE BUT CONTINUED LAW THAT DELAYED ADVANCEMENT

In 2018, Armenia made a minimal advancement in efforts to eliminate the worst forms of child labor. The government adopted a new program to protect children's rights. In addition, it continued to pursue labor inspection reform, including establishing the Health and Labor Inspection Body; this body, however, will have limited ability to monitor prohibitions on hazardous child labor. Despite new initiatives to address child labor, Armenia is receiving an assessment of minimal advancement because the government has lacked a functioning labor inspectorate since the 2014 repeal of Article 34 of the Labor Code, which previously established the government's authority to implement labor legislation and collective agreements. Since that time, the government has lacked a mechanism to monitor, inspect, and enforce child labor laws, including a mechanism with the authority to conduct unannounced inspections. Children in Armenia engage in the worst forms of child labor, including in commercial sexual exploitation, sometimes as a result of human trafficking. Children also perform dangerous tasks in agriculture. The government lacks a mechanism to coordinate its efforts to address all forms of child labor, including its worst forms. In addition, no government programs exist to aid children engaged in work activities in agriculture.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Armenia engage in the worst forms of child labor, including in commercial sexual exploitation, sometimes as a result of human trafficking. (1-6) Children also perform dangerous tasks in agriculture. (1,2,7-12) Table 1 provides key indicators on children's work and education in Armenia.

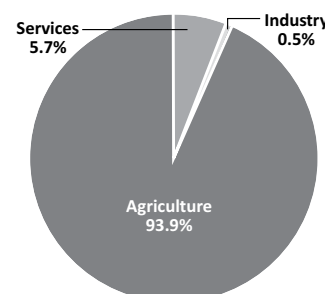
Table 1. Statistics on Children's Work and Education

Children	Age	Percent
Working (% and population)	5 to 14	7.0 (24,602)
Attending School (%)	5 to 14	95.4
Combining Work and School (%)	7 to 14	8.6
Primary Completion Rate (%)		91.6

Source for primary completion rate: Data from 2017, published by UNESCO Institute for Statistics, 2019. (13)

Source for all other data: International Labor Organization's analysis of statistics from National Child Labor Survey, 2015. (14)

Figure 1. Working Children by Sector, Ages 5-14



Based on a review of available information, Table 2 provides an overview of children's work by sector and activity.

Table 2. Overview of Children's Work by Sector and Activity

Sector/Industry	Activity
Agriculture	Farming, including planting and harvesting potatoes (7-12) Raising livestock, including cattle breeding, cattle herding, and shepherding (7,1,9,10,16)
Industry	Construction, activities unknown (9,10,12,13,17)
Services	Vehicle maintenance (1,10,12) Selling food (10) Street work, including gathering scrap metal, selling flowers, and begging (1,7,9,12)

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Table 2. Overview of Children’s Work by Sector and Activity (Cont.)

Sector/Industry	Activity
Services	Working in shops (9,10)
	Dancing in clubs (1,9)
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation, sometimes as a result of human trafficking (1,2,3-5,6)
	Forced begging, sometimes as a result of human trafficking (1,3,6)

‡ Child labor understood as the worst forms of child labor per se under Article 3(a)–(c) of ILO C. 182.

Reports indicate that significant numbers of children, including some below the age of 14, leave school to work in informal sectors in agriculture and construction, and increasing numbers of children are engaged in begging. (17)

Although Article 38 of the Constitution of Armenia and Article 6 of the Law of the Republic of Armenia on Education guarantee free universal education, children from ethnic minority and low-income families continue to have reduced access to education. (18,19) Children of families who travel for seasonal labor and work on farms in remote rural areas are also less likely to be enrolled in school and are vulnerable to the worst forms of child labor, including forced child labor in agriculture. (11)







In addition, the Law on Public Education requires all schools to be inclusive for children with disabilities by 2025. (20,21) However, NGOs report that children with disabilities face difficulty accessing mainstream education due to the inaccessibility of school buildings, lack of community-based support services, and general social stigma against individuals with disabilities. (22,23)

Despite government efforts to decrease institutionalization of children, nearly 3,500 children remain in government boarding schools, orphanages, and special education institutions. (24) These children are more likely to experience physical and psychological violence and are at a higher risk of becoming victims of human trafficking. (15,24) Children living in these institutions are reportedly also vulnerable to exploitation in child labor, including labor within the institutions. (25,26)

II. LEGAL FRAMEWORK FOR CHILD LABOR

Armenia has ratified all key international conventions concerning child labor (Table 3).

Table 3. Ratification of International Conventions on Child Labor

Convention	Ratification
 ILO C. 138, Minimum Age	✓
 ILO C. 182, Worst Forms of Child Labor	✓
 UN CRC	✓
 UN CRC Optional Protocol on Armed Conflict	✓
 UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓
 Palermo Protocol on Trafficking in Persons	✓

The government has established laws and regulations related to child labor (Table 4). However, gaps exist in Armenia’s legal framework to adequately protect children from the worst forms of child labor, including definitions of forced labor and light work.

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards	Age	Legislation
Minimum Age for Work	Yes	16	Articles 15 and 17 of the Labor Code; Article 57 of the Constitution (19,27)
Minimum Age for Hazardous Work	Yes	18	Article 257 of the Labor Code (27)

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Table 4. Laws and Regulations on Child Labor (Cont.)

Standard	Meets International Standards	Age	Legislation
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Decree on Approval of the List of Occupations and Work That Are Likely to be Heavy and Hazardous for Persons Under the Age of 18 Years, Pregnant Women, and Women Taking Care of a Child under the Age of 1 Year; Articles 140, 148–149, 153, 155, 209, 249, and 257 of the Labor Code (27,28)
Prohibition of Forced Labor	Yes		Article 57 of the Constitution; Article 3 of the Labor Code; Articles 132 and 132.2 of the Criminal Code (19,27,29)
Prohibition of Child Trafficking	Yes		Articles 132 and 132.2 of the Criminal Code (29)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Articles 132.2, 166, and 261–263 of the Criminal Code (29)
Prohibition of Using Children in Illicit Activities	Yes		Articles 63, 165, 166.1, and 266 of the Criminal Code (29)
Minimum Age for Voluntary State Military Recruitment	Yes	16‡	Law on Military Service and Status of the Military Servant; Article 11 of the Law on Conscription; Government Decree No. 525-N of April 26, 2012. (30,31, 61)
Prohibition of Compulsory Recruitment of Children by (State) Military	Yes		Article 11 of the Law on Conscription (31)
Prohibition of Military Recruitment by Non-state Armed Groups	No		Article 29 of the Law on the Rights of the Child; Articles 165 and 224 of the Criminal Code. (29,32)
Compulsory Education Age	Yes	17	Article 18 of the Law on Education (33)
Free Public Education	Yes		Article 38 of the Constitution; Article 6 of the Law on Education (19,33)

‡ Age calculated based on available information (61)

The Labor Code allows for children ages 14 and 15 to work restricted hours with the permission of a parent or guardian, but does not list specific activities that constitute light work. (27) In addition, the Constitution, Criminal Code, and Labor Code prohibit forced labor, but enforcement of this prohibition may be hindered by the lack of a definition of “forced labor” in Armenian law. (34)

As the minimum age for work is lower than the compulsory education age, children may be encouraged to leave school before the completion of compulsory education. (19,27,33)

III. ENFORCEMENT OF LAWS ON CHILD LABOR

The government has established institutional mechanisms for the enforcement of laws and regulations on child labor (Table 5). However, the absence of worksite inspections conducted at the national level in Armenia may impede the enforcement of child labor laws.

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Health and Labor Inspection Body (HLIB)	Enforces limited range of labor laws for persons up to age 18, and for pregnant or breastfeeding women and workers with children under their care. In 2018, the Health Inspection Body was reorganized and renamed the Health and Labor Inspection Body (HLIB). (12,35)
Police	Enforce anti-human trafficking laws. Every Republic of Armenia police unit throughout the country has a designated officer whose portfolio includes human trafficking issues. (12,36) All cases suspected to be human trafficking are referred to the anti-trafficking unit within the national police. (37)
Department of Investigation of Crimes on Human Trafficking and Illegal Drugs within the General Department of Investigation of Particularly Important Cases within the Investigative Committee	Investigates all cases of human trafficking and the commercial sexual exploitation of children referred to the Investigative Committee by the police. (22,37,38)

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Table 5. Agencies Responsible for Child Labor Law Enforcement (Cont.)

Organization/Agency	Role
Department on Defending the Rights of Minors and Combating Domestic Violence Within the Police	Identifies and conducts preliminary investigation of crimes in which children are victims or perpetrators. (22,38) Enforces laws against the worst forms of child labor under the General Department of Criminal Intelligence. Refers identified crimes to the Investigative Committee for further investigation. (22)
Anti-Trafficking Unit Within the Police	Identifies and conducts preliminary investigation of crimes related to human trafficking and the commercial sexual exploitation of children through a staff of seven field officers. (36,39) Operates within the Department of Combating High Tech-related (Cyber) Crimes, Human Trafficking, Illegal Migration, and Terrorism of the General Department on Combating Organized Crime. (39) Refers identified crimes to the Investigative Committee for further investigation. (22)
Police Hotline	Receives complaints related to human trafficking and migration issues. (40)

As part of a broader inspection reform agenda, Armenia's labor inspectorate was abolished in 2013 and the responsibility for conducting labor inspections was transferred to the new State Health Inspectorate, created the same year. (39) In 2014, legislative changes repealed Article 34 of the Labor Code, which had previously established the government's authority to implement labor legislation and collective agreements. (41) In 2015, subsequent changes to legislation regulating labor inspections left the State Health Inspectorate unable to conduct labor inspections. (34,42) In 2017, continued inspection reform led to the dissolution of the State Health Inspectorate and the creation of the Health Inspection Body, which is tasked with monitoring occupational safety and health standards for employees, along with monitoring a variety of public health standards. (43) In 2018, a law on the State Bodies of Governance Systems came into force changing the Health Inspection Body to the Health and Labor Inspection Body. (44) The Health and Labor Inspection Body has the ability to respond to complaints in relation to legislation protecting workers under the age of 18, but cannot proactively inspect for child labor issues. (45) Additional legislation and regulations need to be passed for the Health and Labor Inspection Body to begin conducting labor inspections. (11) As a result, in 2018 the Health and Labor Inspection Body was unable to enforce child labor laws in Armenia. (12,36)

Labor Law Enforcement

In 2018, the absence of worksite inspections conducted at the national level in Armenia may have impeded the enforcement of child labor laws (Table 6).

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2017	2018
Labor Inspectorate Funding	Unknown	Unknown
Number of Labor Inspectors	9 (11)	23 (12)
Inspectorate Authorized to Assess Penalties	Yes (11)	Yes (12)
Initial Training for New Labor Inspectors	Yes (11)	Unknown
Training on New Laws Related to Child Labor	Yes (11)	Unknown
Refresher Courses Provided	Yes (21)	Unknown
Number of Labor Inspections Conducted	0 (21)	0 (12)
Number Conducted at Worksite	0 (21)	0 (12)
Number of Child Labor Violations Found	Unknown	0 (12)
Number of Child Labor Violations for Which Penalties Were Imposed	Unknown	0 (12)
Number of Child Labor Penalties Imposed that Were Collected	Unknown	0 (12)
Routine Inspections Conducted	No (21)	No (12)
Routine Inspections Targeted	No (21)	No (12)
Unannounced Inspections Permitted	No (11)	No (12)
Unannounced Inspections Conducted	No (11)	No (12)
Complaint Mechanism Exists	Yes (11)	Yes (12)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	No (46)	No (12)

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In 2018, the Health and Labor Inspection Body (HLIB) had 23 labor inspectors. (37) The number of labor inspectors is likely insufficient for the size of Armenia's workforce, which includes more than 1.5 million workers. According to the ILO's technical advice of a ratio approaching 1 inspector for every 20,000 workers in transition economies, Armenia would employ about 75 labor inspectors. (47,48)

In Armenia, some labor inspectors are hired as contractors rather than civil servants. (37,50) Civil servants in Armenia must receive training at least once every 3 years and there is no such requirement for contractors. Officials have expressed concern that a high proportion of contracted labor inspectors will negatively impact the overall training and competency of the labor inspectorate over time. (50)

Criminal Law Enforcement

In 2018, criminal law enforcement agencies in Armenia took actions to combat child labor (Table 7). However, gaps exist within the operations of the criminal enforcement agencies that may hinder adequate criminal law enforcement, including investigation planning.

Table 7. Criminal Law Enforcement Efforts Related to Child Labor

Overview of Criminal Law Enforcement	2017	2018
Initial Training for New Criminal Investigators	Yes (50)	Unknown
Training on New Laws Related to the Worst Forms of Child Labor	N/A	Unknown
Refresher Courses Provided	Yes (51)	Unknown
Number of Investigations	Unknown	1 (12)
Number of Violations Found	1 (51)	0 (12)
Number of Prosecutions Initiated	1 (21)	1 (12)
Number of Convictions	0 (21)	0 (12)
Imposed Penalties for Violations Related to the Worst Forms of Child Labor	Unknown	Unknown
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	No (11)	Yes (12)

In 2018, the national police investigated six criminal cases on the suspicion of labor trafficking and trained 208 officers on human trafficking and exploitation. (12,36) The Ministry of Labor partnered with the United Methodist Committee on Relief to conduct regional trainings on child trafficking for local government agencies, local police and other interested stakeholders. (36) The government reports that nearly 300 police officers and investigators are engaged in investigations of crimes involving children. (38,52,53)

Child victims found during the course of criminal investigations are referred to the Fund for Armenian Relief Children's Center, where they are provided with specialized social services. (52)

A source reported that because not all the children who are referred to social service providers by the police are officially registered as victims, official statistics for begging, forced begging, and commercial sexual exploitation may underreport the scope of the problem. (1)

Research found that, although the police work with social service providers when conducting the pre-investigation, the Investigative Committee does not typically work with social service providers to ensure the well-being of the children during the investigation period. (1) In addition, a source reported that law enforcement officials do not receive sufficient specialized training on interviewing child victims of crime, which in some cases can prevent local investigators from collecting sufficient evidence to build a prosecutable case. (1,42) In 2018, the police created specialized interview rooms for cases involving children. (37) The government's implementation of provisions on victim and witness protection in the Criminal Procedural Code continued to be inadequate, including victim-centered practices relating to prosecution, due to the lack of an appropriate mechanism and insufficient funding for these efforts. (6,36)

IV. COORDINATION OF GOVERNMENT EFFORTS ON CHILD LABOR

The government has established mechanisms to coordinate its efforts to address child labor (Table 8). However, gaps exist that hinder the effective coordination of efforts to address child labor, including efforts to address all forms of child labor.

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Table 8. Key Mechanisms to Coordinate Government Efforts on Child Labor

Coordinating Body	Role & Description
National Commission on the Protection of Child Rights	Coordinates activities of state bodies responsible for child protection, assists in developing state policy and programs aimed at the protection of children's rights, and assists in developing solutions to new child welfare problems as they arise. Facilitates cooperation between state and local government and NGOs. (53) Research was unable to determine whether the National Commission on the Protection of Child Rights was active during the reporting period.
Ministerial Council to Combat Human Trafficking	Implements, coordinates, and monitors government efforts on trafficking in persons. Chaired by the Deputy Prime Minister. (3,36) In 2018, The Ministerial Council to Combat Human Trafficking and the Inter-Agency Working Group Against Trafficking in Persons continued to implement the 2016–2018 national action plan, published semi-annual and annual reports of its activities, and drafted a subsequent national action plan for 2019–2021. (6,36)
Inter-Agency Working Group Against Trafficking in Persons	Advises, organizes, and implements decisions made by the Ministerial Council to Combat Human Trafficking. Comprising officials from government entities; non-governmental stakeholders participate in regular meetings. Reports to the Ministerial Council. (36) In 2018, the Inter-Agency Working Group Against Trafficking in Persons met regularly and worked with the Ministerial Council to publish semi-annual and annual reports on trafficking in persons issues. (36)

The National Commission on the Protection of Child Rights coordinates government efforts to prevent child begging, and the Ministerial Council to Combat Human Trafficking coordinates government efforts on child trafficking. (3) However, Armenia lacks a mechanism to coordinate efforts to prevent child labor in other forms of street work, the services sector, and agriculture. (17)

V. GOVERNMENT POLICIES ON CHILD LABOR

The government has established policies related to child labor (Table 9). However, policy gaps exist that hinder efforts to address child labor, including mainstreaming child labor issues into relevant policies.

Table 9. Key Policies Related to Child Labor

Policy	Description
Strategic Program for the Protection of Children's Rights	Includes an Action Plan for 2017–2021 that calls for the development and introduction of oversight and monitoring mechanisms to prevent the involvement of children in the worst forms of child labor. (21) Research was unable to determine whether activities were undertaken to implement this policy during the reporting period.
2019 Annual Program on Protection of Children's Rights†	Aims to provide social protection for vulnerable children. (12,54)
Concept on Combating Violence Against Children	Defines government priorities for combating violence against children and outlines a list of related activities. Addresses labor exploitation of children, especially in rural communities, and commercial sexual exploitation of children, especially child trafficking. (38) Research was unable to determine whether activities were undertaken to implement this policy during the reporting period.
National Plan of Action Against Trafficking in Persons and Exploitation (2016–2018)	Aimed to improve the legal framework and enforcement of legislation related to trafficking in and exploitation of children. Planned activities included developing tools for identification of the worst forms of child labor, and a guide for the proper identification and referral of child trafficking victims. (34,55)

† Policy was approved during the reporting period.

In 2018, the government's Inter-Agency Working Group Against Trafficking in Persons drafted a new National Action Plan on Trafficking in Human Beings (2019–2021) which is currently in the approval process, including review by the Ministerial Council to Combat Human Trafficking. (36)

The UNDAF Plan for Armenia, which focuses on poverty reduction, lacks specific provisions on child labor. (23) In addition, research found that the National Plan of Action Against Trafficking in Persons and Exploitation lacks funding for identified activities and is not actively monitored for progress. (51) Research was unable to determine whether activities were undertaken to implement the oversight and monitoring mechanisms included in the Action Plan for 2017–2021 of the Strategic Program for the Protection of Children's Rights during the reporting period.

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VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2018, the government funded and participated in programs that include the goal of eliminating or preventing child labor (Table 10). However, gaps exist in these social programs, including the adequacy of programs to address the problem in all sectors.

Table 10. Key Social Programs to Address Child Labor

Program	Description
Country Level Engagement and Assistance to Reduce Child Labor (CLEAR)	USDOL-funded capacity-building project implemented by ILO in 11 countries to build local and national capacity of governments to address child labor. In 2018, a draft hazardous child labor list was developed. (12) Additional information is available on the USDOL website. (57)
Family Benefits Program†	Ministry of Labor and Social Affairs-funded poverty-mitigation program for families with children recorded in the Family Poverty Assessment System. Families receive a monthly payment based on their financial situation, the number of children in the family, and the geographical location of their home. (52) In 2018, poor and extremely poor families with children received benefits on a regular basis; analyses indicated that lack of information about the program may reduce participation rates. (17,58)
UNICEF Country Program for 2016–2020	Seeks to improve child protection systems, including through expanding programs for children in extreme poverty, improving social integration of children with disabilities, and developing a victim-witness protection system. (59) In 2018, the UNICEF Armenia Country Program undertook a Strategic Moment of Reflection (SMR) to analyze the status of the country program implementation and progress. (58)
Day Care Centers‡	Government-supported day care centers that provide alternatives to working children and daytime centers that provide services for children with special needs. (39) Research was unable to determine whether the Day Care Centers were active during the reporting period.
Shelter for Victims of Human Trafficking†	Government shelter co-funded and run by the United Methodist Committee on Relief (UMCOR) that provides medical, psychological, social, and legal services to victims of human trafficking and access to education for children. (4) In 2018, this shelter was operational and assisted 41 individuals, although research was unable to determine how many of these individuals were children. (6)

† Program is funded by the Government of Armenia.

‡ The government had other social programs that may have included the goal of eliminating or preventing child labor. (52,60)

Although the Government of Armenia has implemented programs to address child labor, research found no evidence that it has carried out programs to assist children engaged in child labor in street work or in agriculture.

VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor in Armenia (Table 11).

Table 11. Suggested Government Actions to Eliminate Child Labor

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ensure that Armenian law specifies the types of light work acceptable for children ages 14 to 15.	2014 – 2018
	Facilitate enforcement of labor law by codifying a definition of forced labor.	2016 – 2018
	Ensure that the law criminally prohibits the recruitment of children under age 18 by non-state armed groups.	2018
	Raise the minimum age for work to the age up to which education is compulsory.	2018
Enforcement	Establish a functioning labor inspectorate by ensuring that the legal framework on inspections clearly empowers the Health and Labor Inspection Body to monitor, inspect, and enforce child labor laws. Ensure that the Health and Labor Inspection Body's mandate includes the ability to conduct quality inspections, including targeted, complaint-based, and unannounced inspections; and that data on the number and type of inspections, violations, and penalties are made publicly available.	2017 – 2018
	Make information on the Health and Labor Inspection Body's funding publicly available.	2017 – 2018
	Strengthen labor inspection by increasing the number of labor inspectors to meet the ILO's technical advice and ensuring that labor inspectors are civil servants rather than contractors.	2017 – 2018

Table 11. Suggested Government Actions to Eliminate Child Labor (Cont.)

Area	Suggested Action	Year(s) Suggested
Enforcement	Protect children by providing law enforcement officials with specialized training on interviewing child victims of crime, by ensuring that law enforcement officials coordinate with social service providers during investigations, and by ensuring that all child victims, including those referred to social services, are counted in official statistics.	2018
	Implement and sufficiently fund a victim-witness protection mechanism for criminal proceedings.	2011 – 2018
Coordination	Establish coordinating mechanisms to combat child labor, including all its worst forms.	2009 – 2018
Government Policies	Integrate child labor elimination and prevention strategies into national policies, including the UNDAF Plan for Armenia.	2011 – 2018
	Ensure that the National Plan of Action Against Trafficking in Persons and Exploitation has sufficient oversight and funding to allow for effective implementation.	2017 – 2018
	Publish information about activities undertaken to implement the Concept on Combating Violence Against Children.	2016 – 2018
	Publish information about activities undertaken to implement the Strategic Program for the Protection of Children's Rights.	2018
Social Programs	Ensure that all children, including children in remote areas, those from low-income families and families that travel for seasonal labor, and those belonging to ethnic minorities, have equal access to education.	2010 – 2018
	Increase efforts to prevent institutionalization of children and to ensure that children currently residing in government institutions are not engaged in child labor.	2015 – 2018
	Ensure that mainstream education is accessible to children with special education needs and children with disabilities by improving the accessibility of the physical infrastructure, expanding community-based support services, and ensuring that social stigmas against disabilities do not prevent children from accessing schools.	2014 – 2018
	Implement programs to address child labor in street work and in agriculture.	2009 – 2018
	Publicize information about the Family Benefits Program to encourage participation by eligible families with children.	2018

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