

CHILDREN IN ORPHANAGES AND SPECIAL  
SCHOOLS IN ARMENIA:  
POTENTIAL VICTIMS OF TRAFFICKING AND  
EXPLOITATION?

ARMENIAN RELIEF SOCIETY

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The views, findings, interpretations and conclusions expressed in this report are those of the authors and do not necessarily reflect the views of the US Embassy or the OSCE Office in Yerevan.

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## ***ABBREVIATIONS AND ACRONYMS***

ARS	Armenian Relief Society
CRC	Convention on the Rights of the Child
GoA	Government of Armenia
OSCE	Organization for Security and Co-operation in Europe

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## ***EXECUTIVE SUMMARY***

### **Overview of the Study**

In November, 2004 - April, 2005, ARS implemented a quantitative sociological research aimed at revealing the level of trafficking-related awareness among institutionalized children and care leavers of orphanages and special schools of Armenia, and cases of trafficking among these children, which could eventually contribute to the implementation of special prevention projects and policy development.

Method of structured face-to-face interviewing was used to collect the data from *a)* children in orphanages and special schools, *b)* care leavers from these institutions in Armenia, *c)* care leavers from these institutions, who have emigrated, *d)* family members of children in orphanages and special schools, *e)* teachers working for these institutions and *f)* experts dealing with the problem of trafficking. The interviews were conducted with a representative sample of respondents in Yerevan, Shirak, Lori, Syunik and Gegharkunik regions.

### **Main Findings**

#### ***Risk factors for children in orphanages and special schools***

- According to the results of the survey, the majority of the families of institutionalized children and the care leavers appear to be in bad or critical financial situation. More than one third of the respondents in both groups claimed that their family incomes would not suffice to buy even the most essential food items.
- Along with the financial difficulties, the families have everyday problems connected with employment, housing, and healthcare. In addition, many surveyed children face serious psychological problems such as uncertainty of the future and lack of family warmth.
- The respondents have generally agreed that the institutionalized children and care leavers are among the most unprotected and vulnerable groups of the society. The surveyed children and care leavers bring four key reasons for identifying themselves as vulnerable: material insecurity, unfavorable family environment, psychological insecurity and legal insecurity.

#### ***Trafficking-related awareness***

- More than half of the respondents in each of the target groups stated that they had heard stories about trafficking and perpetrators. Yet, a very substantial percentage of respondents had not heard about the phenomenon of trafficking at all. Expectedly, the level of awareness was the highest among the surveyed experts and teachers and the lowest among the institutionalized children.

- 5-10% of the respondents from each of the groups claimed to personally know people who had been trafficked. In a number of cases the stories were about the respondents' close relatives (mother, uncle, father, sister, brother).
- In total, the respondents reported 93 cases, when children from a particular institution or care leavers were taken abroad to get a profitable job, but in fact they were forced to do another job or were not paid for the work.
- Besides labour exploitation, the survey participants have also spoken about cases of sexual exploitation. The UAE, Turkey, the Russian Federation, the USA, and Greece were mentioned as destination countries where the care leavers were physically abused or sexually exploited.
- However, generally, the results of the survey allow concluding that the institutionalized children and care leavers lack essential knowledge and information about trafficking. This has been manifested in the answers to a number of questions.
- In particular, only 6.7% of the children have stated that they have sufficient knowledge to give necessary advice to people who have been offered a lucrative job abroad by an acquaintance of his/hers. Moreover, when asked about their knowledge of Armenian law in relation to trafficking, about 80% of the children and care leavers confessed they are not aware of it at all.
- These outcomes are not surprising, considering that the majority of the families of institutionalized children and their teachers have also claimed that they lack knowledge of trafficking in general and the trafficking-related legislation in particular.
- Due to the lack of awareness, the role of the families, teachers and care givers in raising awareness about trafficking-related problems among institutionalized children is limited. In the majority of families the issue of trafficking is not discussed at all. Similarly, teachers and care givers appear to initiate few discussions on the issue.
- As for the main sources of information about trafficking, the institutionalized children and care leavers mostly obtain it from the television and their friends and acquaintances. Very few of the survey participants get trafficking-related information from state officials, NGOs, radio, newspapers, Internet and specialized brochures.

### ***Migration tendencies and trafficking risks***

- When asked about their future plans, a substantial percentage of the institutionalized children (9.1%) and care leavers (20.4%) stated they considered emigrating from Armenia. Speaking about the major reasons for leaving Armenia, the respondents highlighted: the lack of jobs in the country, chances to find well-paid jobs abroad, uncertainty of perspectives, and lack of legal protection.
- Majority of the surveyed children and care leavers mentioned the willingness to work as the key motive for emigration. One fourth of the institutionalized children want to



study abroad. Other motives for both institutionalized children and care leavers were plans for getting permanent residence abroad and getting married.

- The most important sources of information for those respondents who choose to leave Armenia are their acquaintances, friends and neighbors. Some respondents stated that people working abroad are their main source of information on issues concerning leaving for a foreign country.
- As for destination countries, the respondents are planning to leave for the Russian Federation, the USA, France, Germany, Poland, the Netherlands, and Greece. It is interesting that although they are willing to go to these countries, more than half of the institutionalized children and almost a third of the care leavers have no idea about the migration regimes in these countries. This is corroborated by the readiness of 34.5% of the institutionalized children and 42.4% of the care leavers to give their passport and other documents to those who would organize their trip abroad.

### ***Training and counseling needs***

- When asked about the demand for information on trafficking, 87.2% of the teachers and caregivers and 53.3% of the family members mentioned that there is great interest in the issue.
- Very few teachers and caregivers have participated in anti-trafficking trainings. 17.6% took part in discussions and 26.4% have watched movies on the problem. The respondents felt that this comparably low level of involvement was due to the limited number of events organized on the issue.
- The majority of the survey participants stressed the need for increased training and counseling activities, as one of the important steps aimed at prevention of trafficking among children in and care leavers from orphanages and special schools.
- Furthermore, 88.5% of the surveyed institutionalized children and 74% of the care leavers expressed willingness to participate in activities and discussions on the issue of trafficking. The overwhelming majority of the children's parents and teachers also expressed their willingness to participate in activities and discussions on the issue of trafficking.
- When asked about suggestions on possible further activities aimed at preventing trafficking in human beings, participants focused primarily on awareness raising and information. Children in institutions favor courses on this subject at schools, TV programs and open discussions. Parents of these children, care leavers from these institutions and teachers list TV programs and press coverage on this issue, as well as publication and free distribution of booklets and brochures.

## Recommendations

Based on the findings of the research, the following recommendations are made with a view to enhance the protection of children in orphanages and special schools from trafficking.

### *Awareness raising*

- **School-based awareness-raising:** A comprehensive awareness raising effort in special schools and orphanages should be undertaken by the Government of Armenia, under the leadership of the Ministry of Education and Science. *Inter alia* this should include incorporating the issue of trafficking into the Human Rights Course of the school curriculum as a separate topic; making anti-trafficking an issue of special concern for teachers through organizing trainings, seminars and discussions for them on trafficking; and providing libraries in these institutions with relevant literature and materials on anti-trafficking.
- **General awareness raising:** The Government should initiate a comprehensive awareness raising campaign aimed at sensitizing and informing the target group and the general public about trafficking at large, as well as about causes and consequences of trafficking. The role of the media in this process is essential, and according to the research findings, television remains a primary source of reliable information among the surveyed population. Given that the marzes of Armenia receive less TV coverage on the issue, a campaign should entail cooperation with local marz TV channels.

### *Special protection measures*

- **General social protection measures:** The Government should increase its efforts to establish an effective and operational social protection system also reaching children in orphanages and special schools and care leavers from these institutions. This should, *inter alia*, include appropriate steps to prevent child exploitation in Armenia. Additional steps should also be taken to secure achievements to date and to avert any possible regress.
- **Employment measures for care leavers:** The Government should be consistent in its activities aimed at reducing unemployment among care leavers from orphanages and special schools and creating job opportunities for them. Prominent employers in Armenia should be encouraged to make special efforts for providing employment and training opportunities for care leavers, possibly through agreements with orphanages, as well as annual quotas.
- **Provision of housing for care leavers:** The Government should introduce legal provisions and practical measures to solve the housing issue for care leavers from orphanages and allocate sufficient financial resources for implementing such measures.

- **Monitoring of child care institutions:** The Government should set up a monitoring system for regular mandatory control visits to orphanages and special schools with a view to inspecting the observance of standards and to ensure implementation of the deinstitutionalization policy.
- **Funding of NGO projects:** The Government should assist NGOs with providing grants and funds for carrying out projects aimed at prevention of trafficking and assistance to victims, in particular with a view for the protection of children in public care.

### *Capacity building for professionals*

- **Anti-trafficking networks:** The Government should facilitate and support the establishment of interagency networks for the prevention of trafficking in children in order to promote harmonized and coordinated activities in the areas of health and psychological services, social work, and law-enforcement. This should entail the formation of particular working groups to address specific aspects of anti-trafficking such as prevention, protection and assistance to the victims and should result in regular monitoring visits to orphanages and special schools.
- **Training on violence prevention and anti-trafficking:** The government should provide medical personnel, psychologists, social workers and representatives of law-enforcement agencies with specialized training to build their capacity in addressing violence against, and exploitation of children, as well as in providing concrete assistance to victims of such abuse. Assistance to victims of trafficking should be a priority issue in these trainings. All trainings should be based on a human rights approach and sensitize participants on the rights of victims and the importance not to discriminate against them.



## INTRODUCTION AND STRUCTURE OF THE REPORT

Starting from nineties of the previous century, the democratic processes in Armenia and the country's integration into the international community has facilitated the free movement of Armenians abroad. Independent experts estimate that over the latest 15 years between 760,000 and one million people have emigrated from Armenia, legally or illegally<sup>1</sup>. Because of the prevalence of irregular migration, trafficking in women and children has become a serious problem, with Armenia being a country of origin, and to a certain extent, also a transit country.

Socio-economic difficulties and large-scale poverty and unemployment in Armenia have contributed to this development. Many Armenians are looking for a better life, a successful marriage, or a well-paid job abroad, only to find themselves in situations of exploitation, sexual abuse, violence, restriction of movement, and sometimes slavery like practices.

According to some studies, cases of trafficking appear to be on the increase in Armenia<sup>2</sup>, but there is insufficient official statistical data and limited experience in analyzing trends. There have been a number of cases in Armenia, when traffickers, making use of these children's unprotected status, have recruited children from orphanages and special schools for sexual exploitation in the United Arab Emirates (UAE).<sup>3</sup>

Among the general population the concept of trafficking is often associated solely with prostitution and sexual exploitation rather than a phenomenon that concerns men, women and children and also includes other forms of forced labor and services, slavery and slavery-like situations, or the removal of organs.

This sociological research concentrates on children presently placed in orphanages and special schools (herein after referred to as "institutionalized children"<sup>4</sup>) in Armenia and children who had previously been placed in these institutions, but have left them (herein after

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<sup>1</sup> In 2001 the population of the Republic of Armenia made 3 mln 213 thousand. Figures of the Republic of Armenia Population Census of 2001. Yerevan, 2003.

<sup>2</sup> Trafficking in Women and Children from Armenia: A Study. International Organization for Migration, September, 2001.

<sup>3</sup> A number of cases of trafficking in children from orphanages and special schools are mentioned in the study conducted by the IOM Armenia office in September, 2001. See "Trafficking in Women and Children from the Republic of Armenia. A Study", Yerevan, 2001.

<sup>4</sup> The term "institutionalized children" generally covers all children placed in institutional care outside a family environment, including e.g. children in detention, children in homes for disabled etc. For the purpose of this report the term refers exclusively to children in orphanages and special schools in Armenia, even when not expressly stated. Likewise, the term "care leavers" only refers to children having left orphanages and special schools.

referred to as “care leavers”). Implementing social projects in the marzes of the Republic of Armenia over recent years, the Armenian Relief Society (ARS) has come across a substantial number of cases where children leaving these institutions became irregular migrants in the hope of finding work aboard. Anecdotal evidence indicates that there are cases of children from these institutions who became victims of trafficking for the purpose of child prostitution, labor exploitation, adoption or sham marriages.

Despite of the vulnerability of this group, there appear to be hardly any official accounts of cases where children from orphanages and special schools have become victims of exploitation and trafficking and little seems to be done against the apparent problem. From the perspective of ARS this discrepancy can partially be explained by the lack of comprehensive information, particularly sociological data on trafficking among institutionalized children and care leavers in Armenia.

It is the intention of this sociological survey to come up with reliable information on levels of awareness among this group – both in relation to trafficking in general and to individual cases – as well to establish how prevention can be strengthened. It is hoped that the analysis of the findings of this study will contribute to strengthening the policy framework in Armenia to help prevent and combat trafficking among this risk group and will inform the implementation of specific project activities to that end.

The formal aim of this study was “To reveal the level of trafficking-related awareness among institutionalized children and care leavers of orphanages and special schools, and cases of trafficking among these children, through a sociological survey, which could eventually contribute to the implementation of special prevention projects and policy development.”

Given the purpose of the study, the project team aimed to achieve the following objectives:

- To reveal the level of trafficking-related awareness among institutionalized children and care leavers from orphanages and special schools;
- To reveal the sources of trafficking-related information and levels of anti-trafficking legal knowledge among institutionalized children and care leavers from orphanages and special schools;
- To reveal cases of trafficking among institutionalized children and care leavers from orphanages and special schools;
- To envisage their future migration behaviour (intentions) and trafficking risks;
- To reveal their training and consultation needs for the prevention of trafficking.

Besides institutionalized children and care leavers from orphanages and special schools in an age range between 14 and 25 years of age, the study also included their family members and professionals working for these institutions, in order to obtain information on how to best prevent exploitation and trafficking among the target group. The research further covered care leavers, who had left Armenia and now live in Greece and the USA. Through ARS offices in these countries, Armenian Embassies and the Armenian Church, ARS sought to establish information about cases of trafficking among this group.

In summary, the research covered the following groups of population:

- children in orphanages and special schools
- care leavers from these institutions in Armenia
- care leavers from these institutions, who have emigrated
- family members of children in orphanages and special schools
- teachers working for these institutions
- experts concerned with the issue of trafficking (public administration and local self-governance; judicial system; educational system; health system; social security system; non-governmental organization; mass media)

The entire research was based on the concept and definition of trafficking in the UN Protocol to Prevent, Suppress and Punish Trafficking in Persons Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime, adopted by the UN General Assembly in November 2000. It defines “Trafficking in persons” in its Article 3 as follows:

- (a) “Trafficking in persons” shall mean the recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse 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;
- (b) The consent of a victim of trafficking in persons to the intended exploitation set forth in subparagraph ( a ) of this article shall be irrelevant where any of the means set forth in subparagraph ( a ) have been used;
- (c) 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 subparagraph ( a ) of this article;
- (d) "Child" shall mean any person under eighteen years of age.

The particular focus on the group of children from orphanages and special schools does not imply that this is the only risk group, and more research should be undertaken to establish risk factors and to inform possible preventive measures for children exposed to other risk factors, including children with physical and mental disorder who do not live in such institutions.

The study was also not in a position to establish information relevant to the related risks associated with HIV/AIDS and sexually transmitted diseases among children from orphanages and special schools.

The report is structured in three parts:

**CHAPTER 1: ANALYSIS OF THE POLCY AND LEGAL FRAMEWORKS** contains relevant background information in relation to (1.1) *Child protection and institutionalization in Armenia* and the (1.2) *Legal Framework for the Combat against Child Trafficking in Armenia*.

**CHAPTER 2: QUANTITATIVE SOCIOLOGICAL SURVEY** starts with a description of the (2.1) *Methodology and information on the interviewees* and then describes the findings on the four main focus areas of the research: (2.2) *Risks Factors for Children in Orphanages and Special Schools*, (2.3) *Awareness and understanding of trafficking*, (2.4) *Migration tendencies and trafficking risks*, (2.5) *Training and counseling needs*, and (2.6) *Information from Armenians abroad*.

**CHAPTER 3: CONCLUSIONS AND RECOMMENDATIONS** then draws conclusions from the survey and makes suggestions for appropriate actions based on the findings of Chapters 1 and 2.



## ***CHAPTER 1: ANALYSIS OF THE POLICY AND LEGAL FRAMEWORKS***

### **Child protection and institutionalization in Armenia**

The situation in child protection in Armenia is characterized by a number of factors that impede the prevention of trafficking in children.

In Armenia today, there still does not exist an integrated system that would facilitate coordination of child protection and care activities across government agencies. At the level of local government, there are three types of municipal commissions mandated to deal with child welfare and protection, being the Commissions on Minors, the Commissions on Guardianship, and the multidisciplinary Medico-Pedagogical Commissions. Among them, only the Commissions on Guardianship are fully functional structures with their legal basis defined in a relevant government decree.<sup>5</sup>

Equally, at present no single agency in Armenia has been mandated to ensure coordinated efforts to prevent and treat child abuse. Yet, combating child maltreatment is a high priority for trafficking prevention, as exposure to abuse and neglect is known to increase the risk of children becoming victims of exploitation and trafficking.

Until 2003, there was no established mandatory reporting procedure for cases of child maltreatment, save for the obligation for medical doctors to report to the police cases of injury that appear suspicious.<sup>6</sup> In response to concerns about this gap, a special governmental working group was formed, which in 2003 developed a concept paper and adopted regulations on the prevention, identification, registration, referral, and treatment of cases of child abuse and neglect. For the first time in Armenia, these regulations introduced mandatory reporting of child abuse by designated professionals. It also provides for the conditions for immunity from law suits (i.e., the reporter can not be held liable if the report was made in good faith) and for the required level of proof (i.e. reasonable assumption to suspect an abuse case) which is in line with international best practices.

Another major concern is the continuously high number of institutionalized children without parental care, a consequence of the massive transformation that Armenian society has undergone in the process of economic and social transition and reforms in recent years.

Most of these institutions were established in the Soviet times with a relatively clear mandate. They were intended for children without parental care and children with special

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<sup>5</sup> Government Decree No 111 on Approving the Charter of Commissions on Guardianship (March 13, 2000).

<sup>6</sup> Decree C-240570 of the Ministry of Health and the Ministry of Interior.

needs, who were considered to require specific care in relation to health care and educational and psychological assistance. Traditionally, because of strong kinship ties and family links in Armenia, children with no parents were often taken care of by their close relatives, such as grandparents, uncles and aunts, or even more distant relatives, where necessary. Only in exceptional cases these children were sent to orphanages.

Today, the diminished role of the state as a provider of social services on the one hand and increased social polarization on the other hand have resulted in growing numbers of “social orphans”. At the same time, this development has also resulted in a decline in the “demand” for national adoptions. Because of this, more and more children are being placed in institutions, who actually do not meet the primary criteria for being admitted there.

In 1998 there were 59 institutions operational in Armenia, 25 of them in Yerevan and 34 in the marzes. The number of children in these institutions was about 10,000<sup>7</sup>. A study in 7 orphanages showed that only 24% of children actually had no parents. 41% had one parent and 35% had both parents. One fourth of this group were children of divorced parents.

As children with no parents at all, or with one or both parents who can not cope with their up-bringing, these children remain without the protection and guidance a functional family can provide and are mostly from particularly socially vulnerable backgrounds. In recent years, many children from vulnerable single parent households and poor families with many children have been admitted to these intuitions, as families struggle to solve their everyday problems<sup>8</sup> and often see no other way but sending their children to orphanages or special schools.<sup>9</sup>

Social difficulties, the absence the parents and prolonged residence in these institutions deeply affect these children, the process of their socialization, their norms of behaviour and their value system. From the point of view of communication and interaction with the outside world, orphanages and special schools must still be considered "locked" institutional structures.<sup>10</sup> Because of the sharp reduction of social services in Armenia as a consequence of the economic decline, care leavers from these institutions sometimes stay homeless, or, getting back to their families, turn into heavy burden for them.

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<sup>7</sup> See Analysis of the Situation with Children and Women in Armenia, Yerevan, 1998, pp. 112-116.

<sup>8</sup> See Analysis of the Situation with Children and Women in Armenia. Yerevan, 1998 , pp. 112-116.

<sup>9</sup> UNICEF Armenia studies show that children in these institutions are mostly from socially vulnerable families. See "Children in Boarding Schools of Armenia", Situation Analysis, Yerevan, August, 2000.

<sup>10</sup> Results form a sociological survey conducted jointly by UNICEF Armenia office and ARS show inter alia that there are cases where children in these institutions are abused not only psychologically and physically, but also sexually. See "Violations towards Children in the Republic of Armenia", Yerevan, 2003.

Concerned with this situation, the Government of Armenia responded with a set of measures aimed to promote deinstitutionalization and to introduce arrangements for alternative care, which lead to the development of a State Strategic Program for the Reform of Institutions Involved in the Care and Maintenance of Children. The deinstitutionalization policy is reflected in the 2003-2015 National Plan of Action on Child Rights. However, as noted in the Concluding Observations of the Committee on the Rights of the Child to Armenia's 2nd Periodic Report on the implementation of the Convention of the Rights of the Child in Armenia, the numbers of institutionalized children are still high.

A key issue is still the absence of provisions in the law that would make periodic reviews of institutional placements mandatory. If introduced, such provisions would help to prevent unnecessary institutionalization and thus institutional abuse, which *inter alia*, would reduce vulnerability to trafficking.

Another important priority is the improvement of social welfare in general, since the lack of adequate social protection after release from institutional care increases the vulnerability of children and exposes them to higher risks of exploitation and abuse, including trafficking. The Law on Social Protection of Institutionalized Children, which is currently being drafted, specifically aims to improve the social protection and to promote post-institutional integration of care leavers.

### **Legal framework for the protection from child trafficking in Armenia**

Armenia is party to a number of international instruments relevant to the protection of children from trafficking and related exploitation.

Armenia is a State Party to the Convention on the Rights of the Child (CRC) and has signed, but not yet ratified the Optional Protocols to the CRC on the Sale of Children, Child Prostitution and Child Pornography, and on the Involvement of Children in Armed Conflict. Armenia has not ratified the ILO Conventions 105 (on the Abolition of Forced Labor) and 108 (to Eliminate the Worst Forms of Child Labor), nor the UN Supplementary Convention on the Abolition of Slavery, the Slave Trade, and Institutions and Practices Similar to Slavery.

### ***Anti-trafficking***

In March 2003 the Republic of Armenia ratified the UN Convention on Transnational Organized Crime and its Supplementary Protocol to Prevent, Suppress and Punish

Trafficking in Persons, Especially Women and Children (hereinafter referred to as Palermo Protocol).

In 2003 the National Assembly of the Republic of Armenia adopted the new Criminal Code<sup>11</sup>, which establishes trafficking in human beings as a criminal offense, and penalizes it as aggravated offense if committed against a minor victim. A number of amendments have been made in the Criminal Code since then (including on issues concerning trafficking in human beings).

It is welcomed that the definition of trafficking given in Article 132 of the Criminal Code does not speak about border crossing as a necessary element of the crime. This makes it possible to also investigate and prosecute cases of internal trafficking, although so far there have not been official reports on internal trafficking in Armenia.

As far as sanctioning is concerned, Armenia's criminal legislation is still in need of amendment to reflect the nature of trafficking in persons as a low-risk crime bringing high financial returns. It is essential that the law provides for effective, dissuasive and proportionate sanctioning for traffickers acting within organized criminal networks. While it is very welcome that the law makes trafficking an aggravated offense when committed by an organized criminal group, the envisaged penalty (5 to 8 years of imprisonment) is not likely to have a deterrent effect for an organized group engaged in a highly lucrative criminal activity such as trafficking in human beings. In comparison, drug smuggling (paragraph 3 of Article 266, Illegal turnover of narcotic drugs or psychotropic materials with the purpose of sale) carries a sanction of imprisonment for a period of 7 to 15 years, with or without property confiscation, if committed by an organized criminal group.

### ***Witness protection***

Under Armenian law, witnesses aged sixteen or older, if they are Armenian nationals, can be compelled to testify and refusal to testify or perjury entails criminal liability. Armenia's law grants privilege against self-incrimination and incrimination of immediate family members. A child under sixteen (the age of criminal responsibility in Armenia) cannot be brought to court for his or her refusal to testify. Armenia's criminal procedural legislation attaches great value to personal confrontation between defendant and witness and does not allow testimony by an anonymous witness nor testimony given in the absence of the defendant. The only exception is made for witnesses under the age of 16, who can testify in the

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<sup>11</sup> Effective as of 1 August, 2003.

defendant's absence "if necessary for a complete, comprehensive and objective examination of the circumstances of the case."<sup>12</sup>

There are limited procedural protection measures in the Armenian Code of Criminal Procedure. Article 99 of the Code of Criminal Procedure provides for two measures which can be categorized as procedural, i.e. (a) official admonition by the court or prosecutor on the criminal liability for threatening the protected person, and (b) restricted access to the information on the protected person. The usefulness of this admonition as a safeguard against witness intimidation in general and in the context of trafficking and organized crime is particular is highly debatable. Also, the law provides for the possibility of *in camera* trial when the protection of public morals, public order or state interests so require.<sup>13</sup> Article 99 of the Code of Criminal Procedure provides for non-procedural protection measures such as physical protection of the person and/or his or her family members and temporary relocation of the protected persons and/or family members. In addition, hindrance to give testimony and acts of witness intimidation are established as criminal offenses,<sup>14</sup> which can be regarded as a non-procedural measure of witness protection.

Armenian law does not set forth a definition of a "vulnerable witness," nor does it provide for any specific criteria of admission to what may be called a "witness protection program." Except for the provision in the Code of Criminal Procedure that it is the Prosecutor's office which decides on whether or not protection measures should be applied,<sup>15</sup> there is no further reference in the law on who should take the responsibility for the implementation of non-procedural measures. Armenia has no Law on Witness Protection, which would be the appropriate framework for the implementation of non-procedural measures such as a witness protection program. The effective application on non-procedural measures of witness protection is further undermined by the high potential costs of implementation and the lack of relevant budgetary allocations. As far as the access of trafficking victim/witnesses to assistance is concerned, Armenia does not have a scheme tailored to the needs of trafficking victims and that would link witness protection and victim support (similar to Germany's "cooperation concept"). Armenia's legislation inadequately addresses witness protection and needs to be reviewed to guarantee proper safeguards against intimidation, retaliation or secondary victimization.

An option to be considered by the Armenian legislator is to complement the Code with a separate legal act on witness protection. Under this case scenario the Code may provide

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<sup>12</sup> Code of Criminal Procedure of the Republic of Armenia, Article 341.

<sup>13</sup> *Id.*, Article 16.

<sup>14</sup> Criminal Code of the Republic of Armenia, Articles 337 and 340.

<sup>15</sup> *Id.*, Article 98.

exclusively for procedural measures for witness protection, while the Law on Witness Protection would cover the non-procedural aspects. It is essential that this future legal framework provides for clearly defined roles of relevant agencies in the implementation of witness protection. Witness protection provisions need to be feasible in terms of potential costs incurred and based on direct and sufficient budgetary allocations. It is recommended that Armenia gives closer consideration to international cooperation in witness protection matters. In particular, bilateral cooperation with Russia or another larger CIS state could be a potential avenue to pursue, should Armenia see witness relocation within the country as non-feasible due to the relatively small size of the country. The existing agreement in the Baltics region on cooperation in witness protection can serve as a best practice model in this regard.

### ***Sexual exploitation, violence and abuse***

The Armenian Criminal Code penalizes the involvement of children in criminal activities<sup>16</sup> and specifically into the production or dissemination of pornography,<sup>17</sup> as well as the involvement of children into prostitution<sup>18</sup> and the use of children for the production of pornography.<sup>19</sup>

As for the protection of children from sexual exploitation and sexual abuse the Criminal Code penalizes rape,<sup>20</sup> sexual violence,<sup>21</sup> statutory rape,<sup>22</sup> lecherous acts with a person obviously under 16,<sup>23</sup> involvement into prostitution,<sup>24</sup> pimping,<sup>25</sup> and the illegal production, sale and distribution of pornography.<sup>26</sup> A number of related crimes are punishable as aggravated offenses if the person involved is a child, including rape, sexual violence, the

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<sup>16</sup> Criminal Code, Article 165.

<sup>17</sup> *Id.*, Article 166 (Involving a Child into Antisocial Activities).

<sup>18</sup> *Id.*, Article 261, para 2.

<sup>19</sup> *Id.*, Article 263, para 3.

<sup>20</sup> *Id.*, Article 138. The definition of rape in Armenia's criminal legislation is not gender-neutral and not applicable to same-sex violence. Acts of same-sex and other sexual violence not meeting the domestic definition of rape are punishable under Article 139 of the Criminal Code (Sexual Violence).

<sup>21</sup> *Id.*, Article 139.

<sup>22</sup> *Id.*, Article 141. The age of consent in Armenia is 16 for both genders.

<sup>23</sup> *Id.*, Article 142.

<sup>24</sup> *Id.*, Article 261.

<sup>25</sup> *Id.*, Article 262.

<sup>26</sup> *Id.*, Article 263.

involvement into prostitution, as well as the production, sale and distribution of child pornography.

Armenia has also signed the European Convention on Cybercrime<sup>27</sup> and the Criminal Code criminalizes the production of child pornography for the purpose of its distribution through a computer system, as well as distributing or transmitting child pornography through a computer system as aggravated offenses.<sup>28</sup> However, as far as the consumers of child pornography are concerned, the Criminal Code does not establish as offenses procuring child pornography, nor possessing it in a computer system or a computer-data storage medium. The law is also silent on what constitutes child pornography. The language of the relevant provisions of the Criminal Code regarding child pornography suggests an interpretation which would not make it punishable to use material depicting a person *appearing to be* a minor, or morphed or computer-generated images of a child.<sup>29</sup>

### ***Adoption***

In Armenia, adoption has its legal basis in the Code on Marriage and Family, the Civil Code and a set of government decrees, most importantly, the decree No 64 of February 12, 2000, regulating the adoption procedure. Illegal adoption does not constitute a criminal offense.

The law explicitly provides that adoption shall be in the best interest of the child.<sup>30</sup> However, a detailed analysis of the law and the set of regulations supporting it shows a parent-centered rather than child-centered approach. Children are directly chosen by prospective adoptive parents instead of being matched with them based on a comprehensive and thorough review by qualified professionals.

The Government Decree on Approving the Procedure of Child Adoption provides that, in case that there is more than one individual registered as a prospective adoptive parent who wishes to adopt a particular child, priority shall be given to the one who was registered first, unless he or she decides not to further proceed with the adoption.<sup>31</sup> Presently, no provision in Armenian law requires that inter-country adoption be only considered when it is

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<sup>27</sup> Not yet in force.

<sup>28</sup> Criminal Code of the Republic of Armenia, Article 263, para 2.

<sup>29</sup> It should be noted, however, that the Convention on Cybercrime reserves the right for states parties not to apply its provisions concerning the criminalization of the procurement and possession of child pornography, as well as to exclude from the definition of child pornography visual images representing a person appearing to be a minor (see Convention on Cybercrime, Article 9, para 4).

<sup>30</sup> Code on Marriage and Family of the Republic of Armenia, Article 111.

<sup>31</sup> Government Decree No 64 on Approving the Procedure of Child Adoption (February 12, 2000), para 27.

impossible to arrange for an adequate placement for the child within the country. In accordance to Armenia's legislation, a child is considered adoptable if:

“his or her single parent or both parents (a) are deceased, (b) their parental rights have been terminated, (c) have been found legally incapable by a court, (d) have consented to the adoption in writing, (e) have lived separately from the child for the past 1 year and, disregarding caution by the adoption and guardianship bodies, have consistently failed to take appropriate care of the child and have not fulfilled their parental responsibilities, (f) in other cases as provided for by the legislation of the Republic of Armenia.”<sup>32</sup>

The decision on adoptability of a street child is taken by the police department no earlier than three months after the decision on recognizing the child as street child was taken.

Children of 10 years of age or older must consent to the adoption,<sup>33</sup> with the exception of those cases when the child has already lived in the prospective adoptive parent's family for an extended period of time, has fully integrated in the family and considers the adoptive parents his or her natural parents. The Commissions on Guardianship are the official bodies authorized by the law to establish whether the child consents to the adoptive placement. Although the Code on Family and Marriage is silent on what the legal form of such consent should be, the Government Decree on Approving the Procedure of Child Adoption expressly requires that it be expressed or evidenced in writing.<sup>34</sup> A decree of the Ministry of Social Security mentions that “the protocol of the interview of the regional or national Commission on Guardianship with the child shall be considered as written evidence of the child's consent or lack thereof.”<sup>35</sup>

Foreign nationals wishing to adopt an Armenian child have to file an application with the national Commission on Guardianship. The Commission reviews the application and, in the case of a positive decision on parental suitability, registers the applicant as a prospective adoptive parent in the centralized registry of the Ministry of Social Security. In the process reviewing the application the Commission can seek recommendations from the Armenian consulate, the Armenian community, or the Armenian Church in the country of residence of the applicant. Once registered, the application to adopt a particular child is then filed by the prospective adoptive parent with the government of the local community where the child lives. The decision on adoption is finally taken by the head of the local government and is conditional upon the official permission by the Cabinet of the Republic of Armenia.

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<sup>32</sup> *Id.*, para 9.

<sup>33</sup> Code on Marriage and Family of the Republic of Armenia, Article 117.

<sup>34</sup> Government Decree No 64 on Approving the Procedure of Child Adoption, para 33 (d).

<sup>35</sup> Decree No 66 of the Ministry of Social Security on the Guidelines on the Implementation of the Procedure of Child Adoption (September 19, 2000), para 21.



Armenian law does not recognize accreditation of bodies other than public authorities to facilitate adoption-related proceedings. Moreover, the new draft Family Code expressly prohibits “the assistance in identification and placement of children left without parental care”<sup>36</sup> by individuals as well as legal entities other than the local government. However, individuals duly authorized by the prospective adoptive parents are permitted to file applications with the central authority on behalf of the adoptive parents.<sup>37</sup>

Armenia has not ratified nor signed the Hague Convention on Protection of Children and Cooperation in Respect of Intercountry Adoption (hereinafter referred to as the Hague Convention). Accession to the Hague Convention should be given priority consideration in view of the limited possibilities under the domestic legislation to safeguard against possible abuse in intercountry adoption and a resulting need to complement the domestic legal framework with a key international agreement, as Article 21 of the Convention on the Rights of the Child requires.<sup>38</sup>

The existing regulation of inter-country adoption places an enormous burden on the Armenian authorities and does not provide for an effective mechanism that would allow Armenia to cooperate with receiving states in ensuring that the prospective adoptive parent is eligible to adopt and the adoption would be in the child’s best interest. Likewise, there are no specific mechanism to continue monitoring the situation of the adopted child once he or she has left Armenia as part of the intercountry adoption procedure. No legal instrument at present allows Armenian authorities to receive from the authorities in the receiving state general evaluation reports or information on a particular adoption case, as it would be possible under the Hague Convention.

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<sup>36</sup> Draft Family Code, Article 138, para 1.

<sup>37</sup> Code on Marriage and Family of the Republic of Armenia, Article 117.

<sup>37</sup> Government Decree No 64 on Approving the Procedure of Child Adoption, para 19.

<sup>38</sup> Article 21 (e) of the Convention on the Rights of the Child, “States Parties [...] shall [...] promote, where appropriate, the objectives of the present article by concluding bilateral or multilateral arrangements or agreements, and endeavour, within this framework, to ensure that the placement of the child in another country is carried out by competent authorities or organs.”

## ***CHAPTER 2: QUANTITATIVE SOCIOLOGICAL SURVEY***

### **Methodology and information on the interviewees**

#### ***Research Methodology***

Personal standardized interview were chosen for conducting the quantitative sociological survey among the target group, using preliminary designed questionnaires as the research instrument.

In the academic year 2003-2004 there were 54 state and three non-state special schools in Armenia. The number of children in the same period came to 10,585 in state special schools and 185 in non-state special schools<sup>39</sup>. 25 of these schools were located in Yerevan and 29 in the marzes. In 2003 there were twelve residential child-care institutions; eight of them state and four non-state. Three of the state-run child-care organizations were in Yerevan, two in Shirak, one in Ararat, Gegharkunik and Lori marzes each. Two of the non-state child-care organizations were in Shirak marz, and one in Kotayk and Lori each. At the end of the school year the number of children in the mentioned orphanages came to 1,160. Of these, 590 were girls, and 570 were boys <sup>40</sup>.

The survey sampling was done among 11,745 children in 12 orphanages and 54 special schools, operating in the Republic of Armenia. The surveyed population represented 10.6% of the target population.

The following factors were taken into consideration for families:

- The location of institutions (Yerevan and marzes)
- The number of institutions
- The type of institutions (specials schools, orphanages)
- The number of children in the institution (and care leavers)

Based on the abovementioned factors, a multilevel proportional random sampling methodology was adopted. The sampling was done in three stages:

- At the first stage, a list of special schools and orphanages operational in the Republic of Armenia was drawn up, according to their location;

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<sup>39</sup> The Social Situation in the Republic of Armenia in 2003 ,National Statistical Service of the Republic of Armenia, Statistical Book. Yerevan, 2004, pp.16-24 and 176-183.

<sup>40</sup> The Social Situation in the Republic of Armenia in 2003 ,National Statistical Service of the Republic of Armenia, Statistical Book. Yerevan, 2004, pp.16-24 and 176-183.

- At the second stage, a list of those schools and orphanages that were to be covered by the survey in Yerevan and in the marzes was prepared, taking into consideration the number of these institutions, their mandate and the number of children placed in them.
- At the third stage, the names of the 7-10<sup>th</sup> grade children who were to participate in the survey were selected based on the lists of the children in these institutions (registration books), using calculated steps and a proportional sampling method.

Initially, project staff faced some difficulties when trying to use the lists of children in orphanages and special schools received from the Ministry of Science and Education<sup>41</sup>. The difficulties were related to discrepancies in the number of children attending orphanages and special schools, particularly concerning the distinction between those staying overnight and those not spending the night at the institutions. However, the problem was resolved after the lists of the children covered by the sample were checked on the spot.

Following the sampling, the survey was conducted in the city of Yerevan, as well as in Gyumri and Artic towns in Shirak marz, Vanadzor and Stepanavan towns in Lori marz, Kapan, Goris and Sisian towns in Syunik marz, Gavar and Sevan towns in Gegharkunik marz, where the institutions were located.

In the ten institutions covered in Yerevan a total number of 434 children participated in the survey, in the five institutions covered in Shirak marz the number was 309, in the four institutions in Lori 248, in the four institutions in Syunik 170, in one school in Kotayk 59, and in three schools in Gegharkunik marz 54 children. Thus, from the institutions located in six marzes of Armenia a total of 1,274 students of upper grades participated in the survey.

Using the same methodology, a total of 235 families of institutionalized children participated in the survey in the mentioned marzes.

Taking into consideration that care leavers from these institutions often live in different locations of Armenia, and given that there is no comprehensive statistical information on them, it was decided to use the snowball sampling approach to identify respondents. For finding care leavers and interviewing them, the interviewers received valuable information on their places of residence from the management of the surveyed orphanages and special schools, as well as from the NGO “Aygabats”, which works with children in institutional care. After each interview in various locations of Armenia the interviewers received new addresses of other care leavers from the respondents. This method made it possible to interview 289 care leavers living in six marzes.

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<sup>41</sup> Special educational institutions under the Ministry of Education and Science of the Republic of Armenia. Yerevan, 2005

In total, 125 teachers and care givers from orphanages and special schools of six selected marzes participated in the survey. Only in orphanages the number of teachers and care givers came to a total of 218 in 2003.

Through its own offices, the Armenian church, and Armenian Embassies abroad, ARS also interviewed 94 Armenian emigrants in Greece and the USA, to establish information about possible cases of trafficking among children and care leavers from orphanages and special schools.

A total of 57 experts representing the public state administration system, local self-government, law-enforcement bodies, the education, health, and social welfare sectors, as well as NGOs and the media in the mentioned marzes were selected to take part in the survey. They were invited to participate because the information received from them was considered to possibly substantially contribute to a thorough treatment of the questions. The experts were selected based on their activity area and their knowledge of trafficking. In total, 2074 persons participated in the survey (more details on the sample can be found in the Annex).

To conduct the interviews, 23 women and two men were selected among ARS staff members. They received a two-day training on trafficking issues and ethical interviewing of trafficking victims, which was conducted by an OSCE-invited expert. In addition they also participated in a one-day training conducted by a team comprised of the project sociologist, psychologist and lawyer. This training covered the goal and objectives of the research project, the specific nature of working with children and care leavers from orphanages and special schools, as well as interview techniques. The actual survey was conducted between November, 2004 and April, 2005.

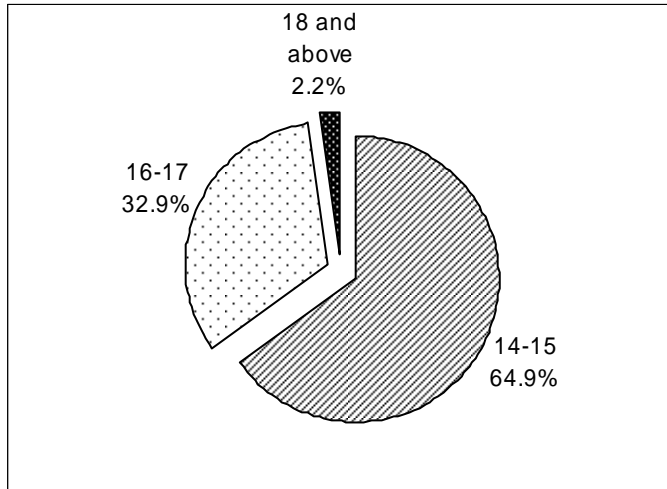
The data received as a result of the survey were computer-analyzed. For developing a computerized data-base, a special data collection method was used on Microsoft Access and SQL Server site. The questionnaire data were checked and entered into the computer; presumed mistakes were corrected, not getting beyond acceptable norms. The collected sociological data were classified according to the interviewees' sex, age, education and marzes.

### ***Socio-Demographic Information on the Interviewees***

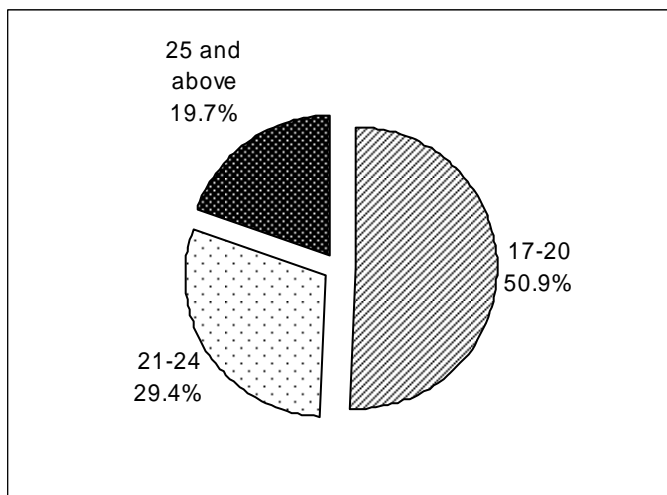
#### ***Gender and Age structure***

Children from orphanages and special schools and care leavers covered by the survey were in the 14-25 age group. 53.8% of the institutionalized children and 54.7% of care leavers were female, and correspondingly 46.2% and 45.3% were male. The most representative age group among the institutionalized children was that between 14 and 15 years of age (64.9%); among the care leavers it was the 19-20 age group (50.9%). The representativeness of these groups was conditioned by the peculiarity of the gender and age distribution of institutionalized children.

**Figure 1: Age structure of institutionalized**



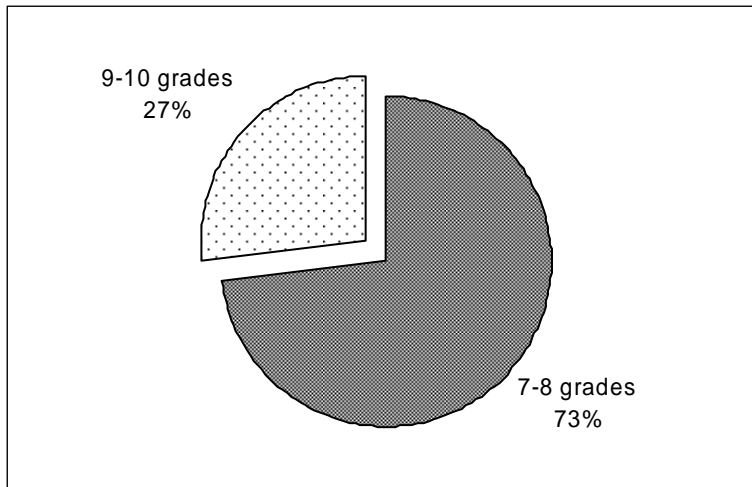
**Figure 2: Age structure of care leavers**



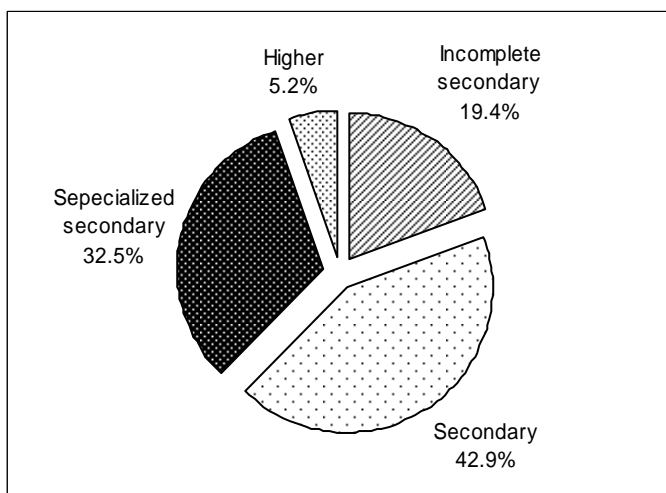
***Educational background***

73% of those interviewed were 7<sup>th</sup> to 8<sup>th</sup> grade students, and 27% were 9<sup>th</sup> to 10<sup>th</sup> grade students. 19.4% of the care leavers had incomplete secondary education levels, 42.9% had secondary, 32.5% had specialized secondary and only 5.2% had higher education levels.

**Figure 3: Education levels of institutionalized children**



**Figure 4: Education levels of care leavers**

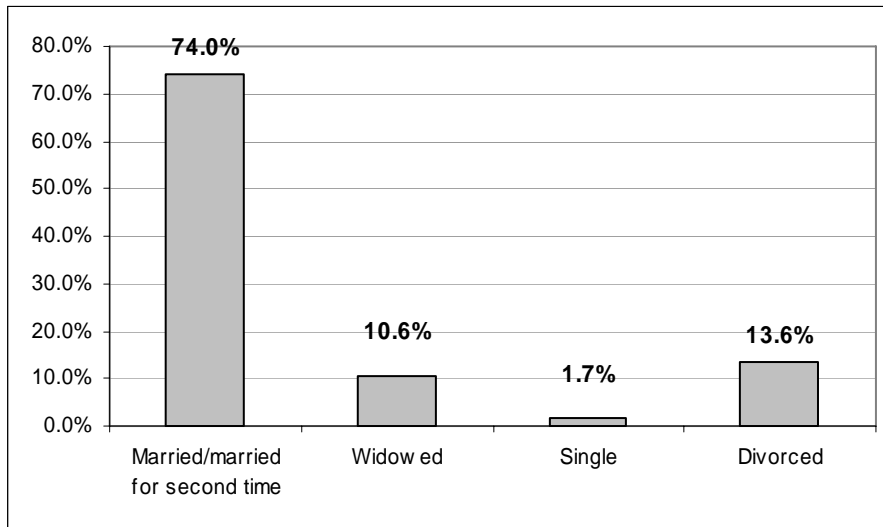


93.4% of the interviewed children studied at special schools, and 6.6% were in orphanages. 66.8% of the care leavers were from special schools, the remaining 33.2% from orphanages.

### ***Family status***

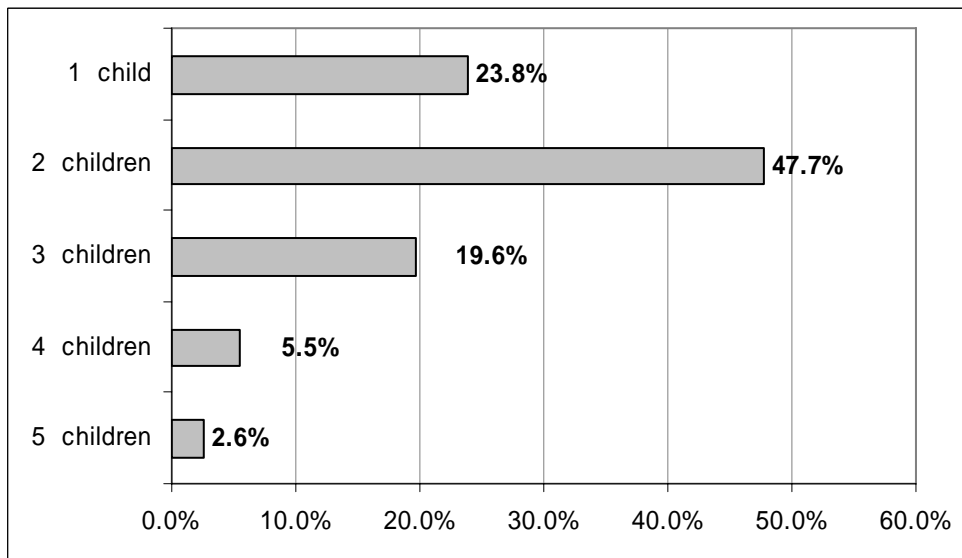
Interviews conducted in 235 families of children in orphanages and special schools revealed that 74% of them were complete families with both parents alive and not separated. 13.6% of the parents of these children were divorced, in 10.6% of the families children had only one parent, and 1.7% lived with their relatives who were not married. Some of the children at orphanages and special schools stay there all the time, and their contacts with their families are limited. In the marzes most of the children stay at these institutions during the day and go home for staying there at night.

**Figure 5: Family status of interviewed parents**



Families with up to three members represented 15.7% of those interviewed, 34% had four members, 15.7% had 5 members, 23.8% had six members, 6.4% had seven members, and 4.3% had between 8-10 members. Families with two and more under-age children made 76.2% of the families covered by the survey.

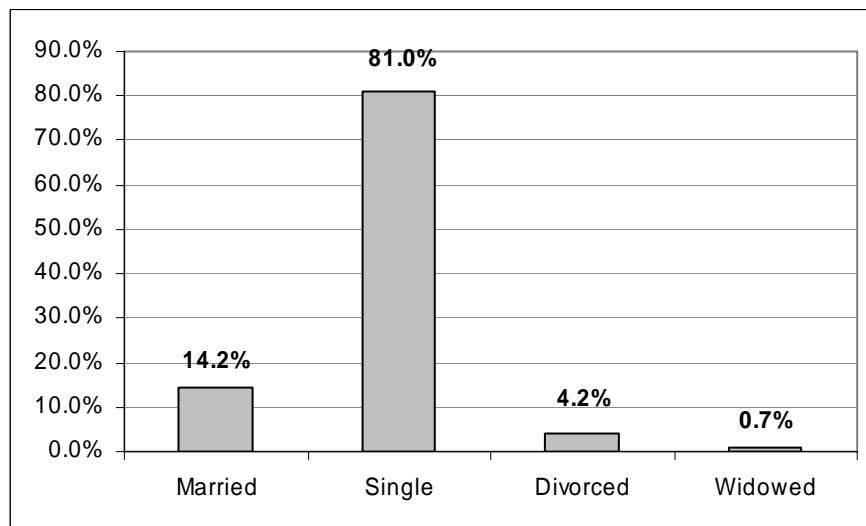
**Figure 6: Number of under-age children in families**



As for the family status of care leavers from these institutions, the vast majority of the interviewed (81%) were still single. Only 14.2% were married, 4.2% were divorced and 0.4% were widows.

**Figure 7: Family status of care leavers**

n = 289



**Risks factors for children in orphanages and special schools**

***Social and economic factors***

When family members of children in orphanages and special schools were asked the question: "How would you describe the financial situation of your family?" more than a third (36.7%) responded that their financial situation would not allow them to cover the cost of purchasing essential food items.

	<b>Care leavers from orphanages and special schools n=289</b>		<b>Families of children from orphanages and special schools n=235</b>	
	Number	%	Number	%
1. Money is not enough to buy most vital food items	106	36.7%	99	42.1%
2. Money is enough only for buying vital food items and clothes	120	41.5%	113	48.1%
3. Money is enough for buying food and clothes, but we cannot do savings	47	16.3%	19	8.1%
4. We are fine and can even save money	5	1.7%	2	0.9%
5. We do not deprive us of anything	1	0.3%		



	Care leavers from orphanages and special schools n=289		Families of children from orphanages and special schools n=235	
	Number	%	Number	%
6. Difficult to answer	10	3.5%	2	0.9%
Total	289	100.0%	235	100.0%

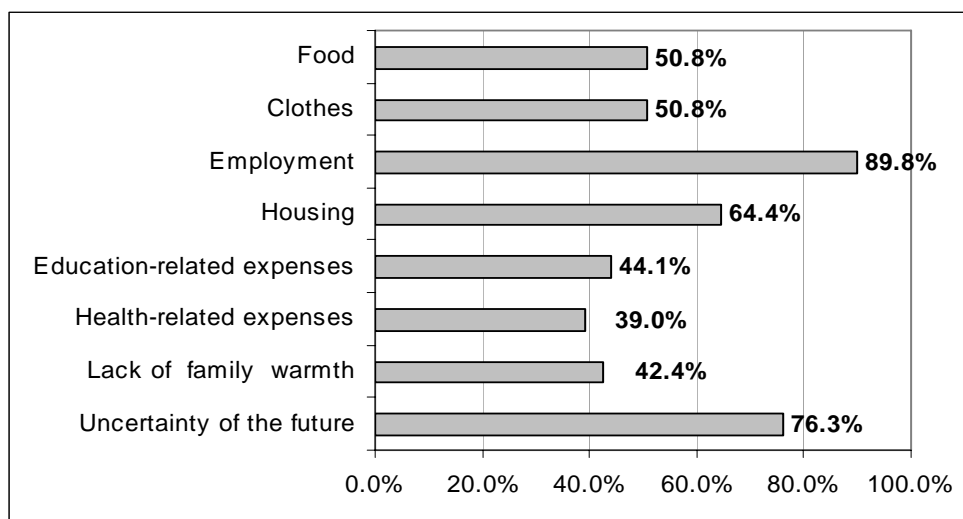
The views expressed may, of course, also be subjective, but still it is possible to conclude based of these responses that 90.2% of the families of children in orphanages and special schools and 78.2% of the families of care leavers are vulnerable.<sup>42</sup>

### *Everyday problems*

According to the survey participants, their families face serious social problems such as low income (66.4%), unemployment (47.2%), problems with procurement of food and clothes for children (45.5%), housing (37.9%), health-related expenses for family members (37.4%), uncertainty about the future, education-related expenses (21.3%), and emigration of a family member (13.6%).

Opinions expressed by families of children in orphanages and special schools on everyday problems differ from those expressed by the care leavers. The latter look as follows:

**Figure 8: Problems faced by care leavers in their every-day life, (n=270)**



<sup>42</sup> For comparison it should be mentioned that an integrated household survey concluded that the specific gravity of the needy population in Armenia came to 50.9% in 2001. Social Picture and Vulnerability in Armenia: Statistical Analytical Report, Yerevan, 2002, p. 33

The above diagram shows that the interviewed care leavers – in addition to the needs concerning employment, housing, clothes and food, as well as education and health-related expenses – face serious psychological problems such as uncertainty of the future and a lack of family warmth. Financial insecurity and the persistence of numerous problems in these families can be considered as one of the risks of trafficking. Traffickers can take advantage of the vulnerability of these children by making false promises about opportunities for making good money and obtaining lucrative jobs.

***Push factors affecting emigration***

44.8% of children from orphanages and special schools and 66.8% of care leavers interviewed have identified themselves as one of the unprotected groups of the society. Unlike care leavers, children presently in institutions considered themselves more protected, which can primarily be explained by the fact that these institutions solve the issues of shelter, food and clothes, as well as basic care and education.

<b>Table 2: Institutionalized children and care leavers as one of the most vulnerable groups</b>				
	<b>Children in orphanages and special schools /n=1274/</b>		<b>Care leavers from orphanages and special schools /n=289/</b>	
	Number	%	Number	%
1. Yes	571	44.8%	193	66.8%
2. No	703	55.2%	96	33.2%
Total	1274	100.0%	289	100.0%

Experts and pedagogues covered by this survey also think that children in orphanages and special schools as well as care leavers are one of the least protected and vulnerable groups of society in Armenia. This opinion was expressed by 73.2% of experts and 82.4% of teachers and caregivers.

Children in orphanages and special schools and care leavers give a number of reasons for the lack of protection they face in society:

	<b>Children in orphanages and special schools N = 1665</b>		<b>Care leavers from orphanages and special schools N = 825</b>	
	Number	%	Number	%
1. Financial difficulties	456	27.4%	137	16.6%
2. High level of unemployment	165	9.9%	111	13.5%
3. Housing and social conditions	229	13.8%	108	13.1%
4. Conflict in families	196	11.8%	88	10.7%
5. Legal insecurity	72	4.3%	69	8.4%
6. Gaps in the legislation	26	1.6%	61	7.4%
7. Uncertainty about the future	131	7.9%	95	11.5%
8. Social insecurity	154	9.2%	83	10.1%
9. Problems in buying proper food and clothes	232	13.9%	71	8.6%
10. Other	4	0.2%	2	0.2%
<b>Total</b>	<b>1665</b>	<b>100%</b>	<b>825</b>	<b>100%</b>

If we classify these responses, four key factors can be distinguished. The first concerns material insecurity, with issues such as financial difficulties, housing and social problems, high levels of unemployment among care leavers, and lack of access to proper food and clothing.

The second factor is conflict within families. Family violence and child abuse are often a key cause of family breakup and subsequent institutionalization. The family environment plays a vital role in the upbringing and socialization of children and problems in this area often affect the child psychologically, and may cause serious behavioral problems<sup>43</sup>

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<sup>43</sup> Surveys among children in orphanages and special schools in Armenia from 2003 showed that family conflicts cause serious psychological problems for children: bad mood, depression, headaches, insomnia, fear, regress in studies, aggression, losing authority among classmates. Besides, according to the survey participants,

The third factor is psychological insecurity, manifested in a lack of plans and uncertainty about the future after leaving the institutions.

The fourth factor is the lack of a protective environment for these children, including gaps in the legislation, and other issues causing legal and social insecurity for them.

### **Awareness and understanding of trafficking**

Assessing levels of awareness on trafficking among institutionalized children and care leavers helps to better understand what has been achieved so far and what gaps exist as a basis for planning further counter-trafficking activities.

What is the level of awareness, is the information sufficient, is it used, and does it help to make informed decisions and take active steps to avoiding being trafficked? In order to get a comprehensive picture on this, the questions were formulated in such a way that it was possible to reveal three different levels of their awareness on trafficking issues:

- Having heard about trafficking at all;
- Having heard stories about trafficking and organizers of trafficking;
- Knowing about specific cases of trafficking

### ***General awareness***

The majority of respondents had some exposure to the issue of trafficking. 50.8% of children in orphanages and special schools, 55.3% of their parents and guardians, 50.8% of the care leavers, 81.6% of teachers and care givers and 86% of the experts present at the interviews stated that they had heard stories about trafficking and perpetrators,

Yet, a very substantial percentage of respondents was completely unaware of trafficking. 43.5% of children in orphanages and special schools, 41.3% of their parents and guardians, 36.7% of care leavers from these institutions, and 12.8% of teachers and care givers in orphanages and special schools responded that they had not heard about trafficking at all.

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about 4.8% of children want to leave school and 4.4% of them want to run away from home because of family conflicts. Violence against Children in the Republic of Armenia, UNICEF and ARS, Yerevan, 2003, pp. 34-35.

<b>Table 4: Awareness about trafficking</b>				
	<b>Children in orphanages and special schools N = 1274</b>		<b>Care leavers from orphanages and special schools n=289</b>	
	Number	%	Number	%
I personally know someone who has been trafficked	73	5.7%	30	10.4%
I have heard stories about trafficked persons and perpetrators	647	50.8%	153	52.9%
I have no idea about trafficking	554	43.5%	106	36.7%
Total	1274	100%	289	100%

The survey showed that awareness depended on educational levels. 73.3% of those with higher education had heard stories about trafficked people and perpetrators, 20% knew people who were trafficked. In contrast, levels of awareness were lower among those with specialized secondary (42.6%) and incomplete secondary education (39.3%).

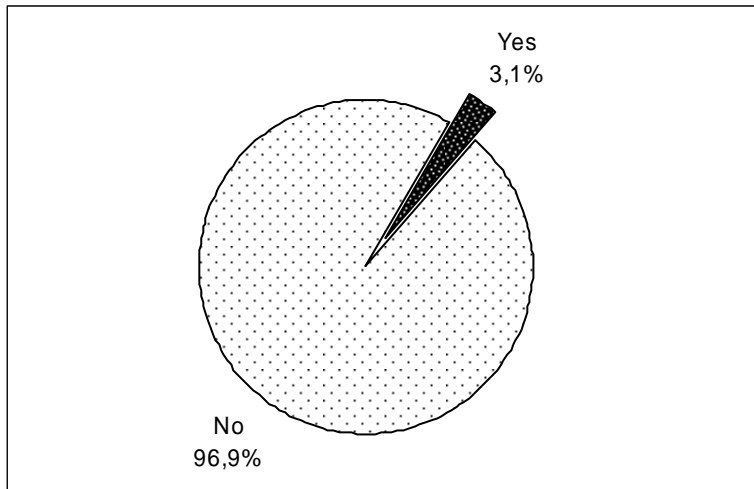
#### ***Awareness of individual cases***

In all respondent groups a fraction of survey participants stated that they had more direct contact with the issue. 5.7% of the children from orphanages and special schools, 3.4% of their parents and guardians, 10.4% of the care leavers 5.6% of the teachers and care givers and 12.3% of the experts present at the interviews said that they personally knew people who had been trafficked. In a number responses these were about concrete cases that happened to close relatives (mother, uncle, father, sister, brother).

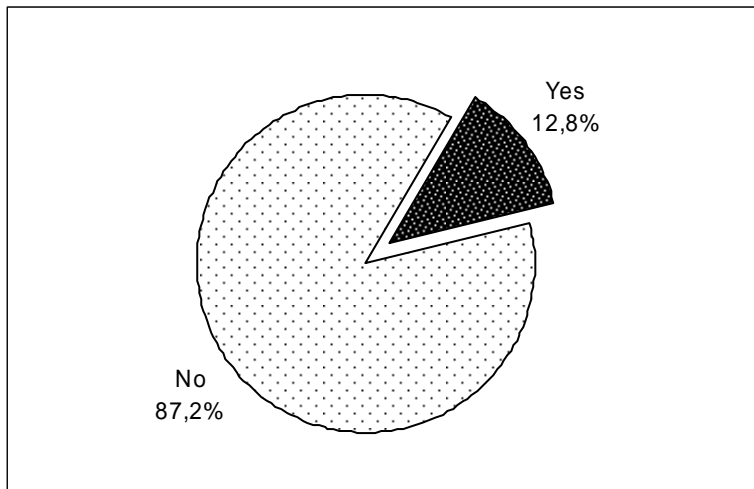
These responses need to be interpreted with some caution. On the one hand, some of the stories may not be true, but a means of distressed institutionalized children to express the suffering and anguish of having been abandoned by their parents, which they otherwise would not speak about directly. On the other hand, some of the respondents may have presented their own fate as a story experienced by someone else, out of shame, reluctance to reveal their feelings, or fear of not being believed. Some of the stories may be the same, or not quite trustworthy.

Still, the information given and the description of cases are a reason for concern. In total, institutionalized children reported 39 cases (3.1% of those interviewed), care leavers 37 cases (12.8%), parents and guardians, and teachers and caregivers 11 cases (4.7% and 8.8%), and experts 6 cases (10.5%), when children from a particular institution or care leavers were taken abroad to get a profitable job, but in fact they were forced to do another job or were not paid for the work done.

**Figure 9: Awareness about labour exploitation among institutionalized children**  
n = 1274



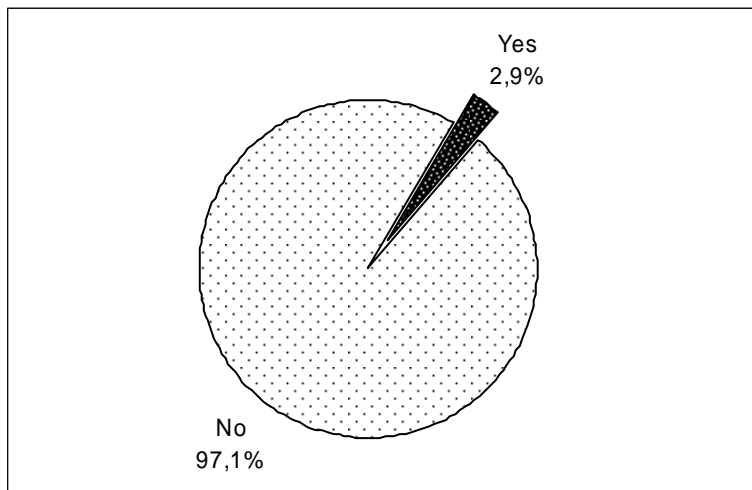
**Figure 10: Awareness about labour exploitation among care leavers**  
n = 289



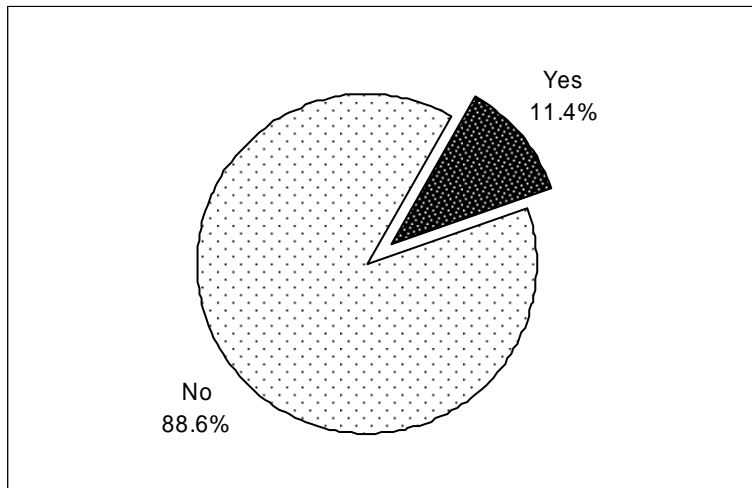
This information indicates that there are cases of labour exploitation among children in orphanages and special schools and care leavers from these institutions.

Besides labour exploitation, participants also mentioned sexual exploitation. The question: *"Do you know about cases in your surrounding, when children (under 18) from your school were involved in prostitution in foreign countries and are now back to Armenia?"* (care leavers were asked the same question) was answered as follows:

**Figure 11: Awareness about sexual exploitation among institutionalized children**



**Figure 12: Awareness about sexual exploitation among care leavers**



2.9% of the institutionalized children and 11.4% of the care leavers were aware of cases of sexual exploitation. Eight cases of sexual abuse among children from orphanages and special schools and care leavers were mentioned by their parents (3.4% of those interviewed), eight cases by their teachers (6.8%), and six cases by the experts involved in the survey (10.5%). According to the experts, two of these cases concerned trafficked girls who approached them for psychological and legal assistance after returning from abroad. The experts also informed that they had come across one case when administrative sanctions were imposed against a perpetrator who had recruited children from orphanages and special schools for sending them abroad, and in four cases criminal proceedings were taken against organizers, but were later suspended.

The group of care leavers provided detailed information about cases of presumed trafficking. 10.7% of them said they knew cases of trafficking or involving others in trafficking, citing a total number of 31 cases. 13.7% mentioned destination countries where these care leavers

were physically abused or sexually exploited. These included the UAE, Turkey, the Russian Federation, the USA, and Greece.

### ***Understanding of the consequences of trafficking***

In order to assess the understanding of respondents in relation to the consequences of trafficking, the survey used a closed-ended question with a corresponding 10-point system to assess the answers, thus allowing for a broad range of answers. According to the survey participants trafficking affects people in the following ways: Isolation from society (3.2 points)

- Illegal status in the countries of destination (3.1 points)
- Labour exploitation (2.7 points)
- STDs (2.7 points)
- Sale and purchase of persons (2.3 points)
- Beating, torture and other types of violence (2.2 points)
- Sexual exploitation (2.2 points)
- Removal of organs (2.1 points)

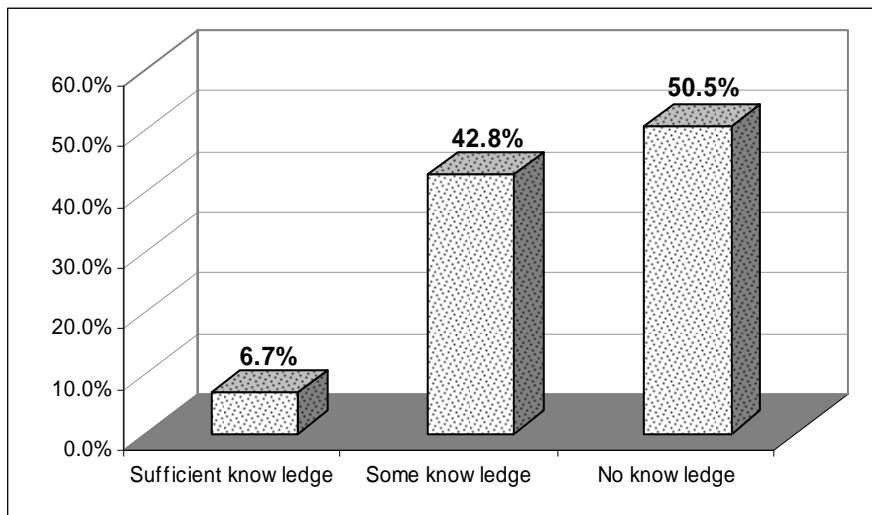
The list shows that participants' understanding of the consequences of trafficking is not very developed, which can be explained by having insufficient knowledge about the issue.

### ***Self-assessment on knowledge about trafficking***

The knowledge about trafficking affects children's actions and decision-making relevant to the issue. The question: "Let us assume that one of your friends is promised a lucrative job abroad by an acquaintance of his/hers. Do you have sufficient knowledge to give necessary advice to your friend about this problem?" was answered "Yes" only by 6.7% of the children. 42.7% thought they had some knowledge, and about half of them (50.5%) said they did not have sufficient knowledge.



**Figure 13: Knowledge of trafficking according to age, N = 1274**



When grouping the responses by age, students aged 14 to 15 do not think they have sufficient knowledge (52.5%), whereas 52.5% in the 16 to 17 age group stated their knowledge was sufficient. This confirms that children’s knowledge of trafficking increases with age. A gender breakdown shows that more girls think they have insufficient knowledge of trafficking (55.1%) than boys do (46.2%).

The group of 85 children who had answered the question on knowledge about trafficking with yes were asked five questions with three possible answers each, in order to assess the level of their knowledge. The majority of the survey participants chose the right version for the advice to be given to their friend prior to his/her trip abroad. The answers on appropriate advice look as follows:

- Not to entrust passports or other documents to others, even to those you know (83.7%);
- Not to trust even acquaintances and not to ask for a work contract for working abroad (77.8%);
- Make copies of documents before departure and keep the copies or leave them with relatives (87%);
- Ask the inviting party for the address and phone numbers in the destination country and leave this information with relatives (about 90%);
- Get the Armenian Embassy, UN and IOM addresses before departure (75.1%).

***Self-assessment on knowledge of legal background***

When asked about their knowledge of Armenian law in relation to trafficking, only 0.5% of the children in orphanages and special schools responded that they are well aware. 13.7% of them were partly aware and 85.8% were not aware at all. As for care leavers, the picture is

similar: In this group 0.3% felt they were well aware of trafficking legislation, 24.2% felt they were partly aware and 75.4% thought they were not aware at all. Equally, 85.1% of the families of institutionalized children and 56% of the teachers and care givers felt they were not aware at all about trafficking-related legislation.

	<b>Children in orphanages and special schools n=1274</b>		<b>Care leavers from orphanages and special schools n=289</b>	
	<b>Number</b>	<b>%</b>	<b>Number</b>	<b>%</b>
1. I am well aware	7	0.5%	1	0.3%
2. I am partly aware	174	13.7%	70	24.2%
3. I am not aware at all	1093	85.8%	218	75.4%
Total	1274	100.0%	289	100.0%

Among younger children, this relatively low level of legal knowledge can be attributed to age and prevalence of other interests. Among adolescents and adults, it can also be seen a result of a lack in availability of appropriate information, relevant literature and materials, and public discussions on the issue, as well as, in the case of families of institutionalized children, as a result of comparably low educational levels.

### ***Sources of information***

As for the sources of information, survey participants considered television as the main and most reliable source for institutionalized children and care leavers to obtain information about trafficking. TV was mentioned by 32.9% of the institutionalized children and 34.1% of the care leavers.

	<b>Children in orphanages and special schools, n=1900</b>		<b>Care leavers from orphanages and special schools, n=451</b>	
	<b>Number</b>	<b>%</b>	<b>Number</b>	<b>%</b>
1. State officials	2	0.1%	2	0.4%
2. NGOs	52	2.7%	21	4.7%
3. School employees	147	7.7%	-----	-----
4. TV	626	32.9%	154	34.1%
5. Radio	84	4.4%	18	4.0%
6. Newspapers	206	10.8%	47	10.4%
7. Brochures, booklets, leaflets	43	2.3%	11	2.4%

<b>Table 6: Sources of information on trafficking</b>				
	<b>Children in orphanages and special schools, n=1900</b>		<b>Care leavers from orphanages and special schools, n=451</b>	
	Number	%	Number	%
8. Internet	26	1.4%	13	2.9%
9. Family members and relatives	280	14.7%	36	8.0%
10. Friends, acquaintances	416	21.9%	116	25.7%
11. From experience of family and friends, as well as own experience	-----	-----	13	2.9%
12. Personal observations	-----	-----	19	4.2%
13. Other	18	0.9%		
Total	1900	100.0%	451	100.0%

The second main source of information for both institutionalized children and care leavers were their friends and acquaintances, mentioned by 21.9% and 25.7% respectively. This is noteworthy, given that there have been trafficking cases in Armenia, where the recruiters were acquaintances who deceived, concealed or provided wrong information about the nature of the job to be done in the destination country.<sup>44</sup>

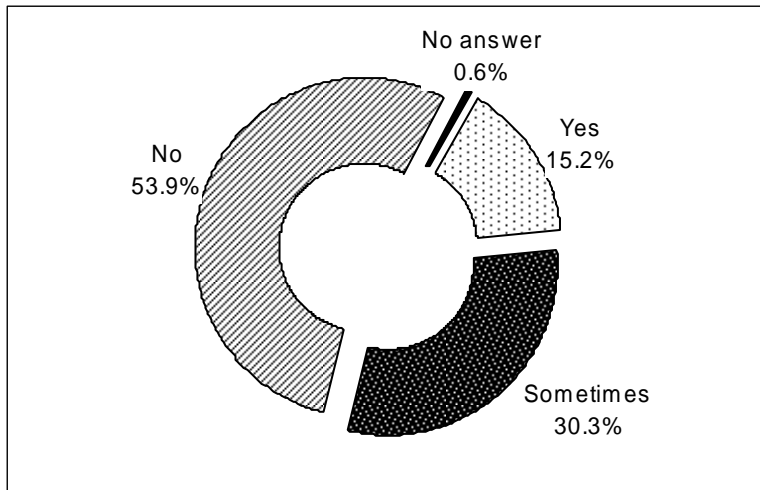
State officials, NGOs, radio, newspapers, Internet, brochures are not considered as main sources of information on trafficking by the majority of the survey participants.

The role of their families, teachers and care givers in raising awareness about trafficking-related problems among institutionalized children is limited. In the majority of families (53.9%) the issue of trafficking is not discussed at all. Only 15.1% of the families regularly discuss trafficking-related issues with their children, while 30.3% of them talk about it sometimes.

**Figure 14: Trafficking discussions in families  
n=1274**

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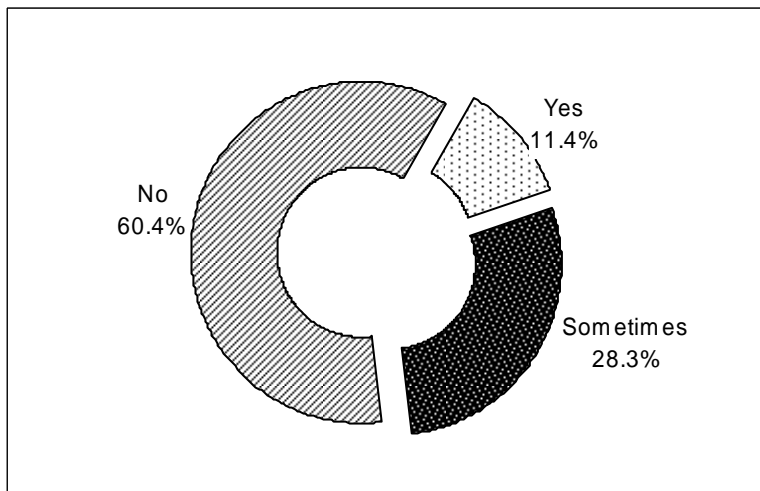
<sup>44</sup> "Zarouhi" bi-weekly, Issue 24, December, 2004, and Issue 2, February, 2005



Similarly, teachers and care givers appear to initiate few discussions on the issue. The question: "Do teachers at your school discuss trafficking-related issues with you?" was answered "Yes" by only 11.4%, "Sometimes" by 28.3% and 60% gave a negative answer.

The teachers and caregivers gave a slightly different account: 16.8% answered the question: "Do you discuss trafficking-related issues with students of high grades?" with yes, 47.2% said they discuss it sometimes, and 36% never raise the issue.

**Figure 15: Trafficking discussions among institutionalized children**



When asked about the demand for information on trafficking, 87.2% of the teachers and caregivers and 53.3% of the family members mentioned that there is great interest in the issue. At the same time, only 27.2% of the teachers and care givers and 16.6% of the families members felt that they themselves had received sufficient information on this issue. 81.6% of the teachers and caregivers felt that school libraries have no relevant information and materials on trafficking at all, while 17.6% found materials to be few, hindering the process of awareness raising through discussions with children.

Only 8% of the teachers and caregivers have participated in anti-trafficking trainings. 17.6% took part in discussions and 26.4% have watched movies on the problem. The

respondents felt that this comparably low level of involvement was due to the limited number of events organized on the issue.

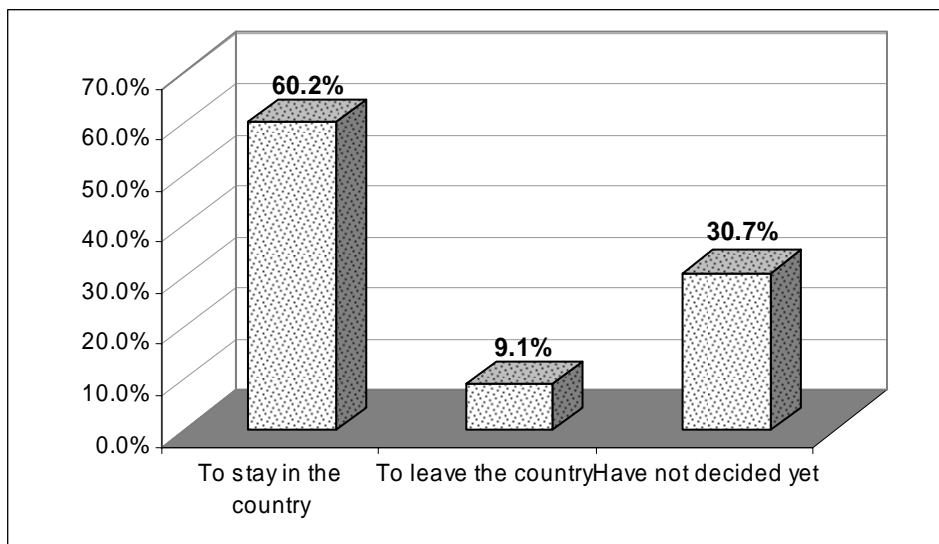
Among the experts participating in the interviews, only 17.5% had relevant work experience in prevention of trafficking; others highlighted the need for trainings and capacity building.

### **Migration tendencies and trafficking risks**

When asked about their future plan, a substantial percentage of children in orphanages and special schools, as well as care leavers from these institutions are considering to emigrate. Among the institutionalized children, 9.1% of the children in orphanages and special schools and 20.4% of the care leavers do not link their future with this country and wish to leave Armenia. Migration moods prevail in the plans for their future, and they like the idea of leaving the country, with boys showing more inclination to emigrate (12.4% of institutionalized boys as apposed to 6.3% of institutionalized girls). Among care leavers, 25.8% of those with secondary education and 21.4% of those with incomplete secondary education expressed willingness to emigrate.

The majority however, intends to stay. Among the children in orphanages and special schools 60.2% expressed willingness to remain Armenia. Half of these children have decided to learn a trade, about one third want to obtain a higher education, while others plan to start a family or to look for a job. A similar picture can be observed for the group of care leavers. 50.2% of them expressed willingness to stay in Armenia. Their priorities for their future plans are finding a job, learning a trade, getting a higher education, and starting a family.

**Figure 16: Future plans of institutionalized children after finishing school**



When speaking about the major reasons for leaving Armenia, children in orphanages and special schools and care leavers from these institutions highlighted:

- the problem concerning the lack of jobs in the country,

- chances to find well-paid jobs abroad,
- uncertainty of perspectives,
- lack of legal protection.

	Children in orphanages and special schools n=157		Care leavers from orphanages and special schools n=81	
	Number	%	Number	%
1. To work	82	52.3%	53	65.4%
2. To study	36	22.9%	5	6.2%
3. For permanent residence	26	16.6%	12	14.8%
4. To get married	7	4.5%	7	8.6%
5. Other	6	3.8%	4	4.9%
<b>Total</b>	<b>157</b>	<b>100.0%</b>	<b>81</b>	<b>100.0%</b>

52.3% of the children in the surveyed institutions and 65.4% of the care leavers mentioned the wish to work as the key motive for emigration. 22.9% of children in orphanages and special schools want to study abroad. Other motives for both institutionalized children and care leavers were plans for getting permanent residence abroad, getting married, and solving other practical issues.

### *Sources of information about going abroad*

When asked about the sources of information on going abroad, acquaintances, friends and neighbours were mentioned as the single most important sources of information with 36.2% among children in orphanages and special schools and 49.1% among care leavers. As mentioned above, this is significant, given that traffickers are known to often operate through personal contact of acquaintances who inspire trust.

	Children in orphanages and special schools n=224		Care leavers from orphanages and special schools n=116	
	Number	%	Number	%
1. Acquaintance, friends, neighbours	81	36.2%	57	49.1%
2. Accidental people offering jobs abroad	11	4.9%	15	12.9%
3. Recruitment agencies	3	1.3%	5	4.3%

	<b>Children in orphanages and special schools n=224</b>		<b>Care leavers from orphanages and special schools n=116</b>	
	Number	%	Number	%
4. Tour agencies	8	3.6%	2	1.7%
5. Marriage agencies	1	0.4%	0	0.0%
6. People working abroad	57	25.4%	23	19.8%
7. Newspapers	22	9.8%	2	1.7%
8. Internet chat rooms	18	8.0%	7	6.0%
9. TV / Radio ads	24	10.7%	2	1.7%
10. Other	19	8.5%	3	2.6%
Total	224	100%	116	100%

The second source of information, mentioned by 25.4% of institutionalized children and 19.8% of care leavers, are people working abroad. People met accidentally who are offering jobs abroad can also be counted in this group.

Some of the survey participants also see announcements and ads as a source of information on issues concerning leaving for a foreign country.

The number of internet cafes is increasing in Armenia, particularly in Yerevan, Gyumri and Vanadzor. 8% of the children in institutions and 6% of the care leavers covered by the survey hope to find jobs or get married abroad using this source of information. It is also worth mentioning that 28.4% of children in orphanages and special schools and 6.8% of care leavers have access to the Internet.

Recruitment agencies, tour agencies and marriage agencies are also considered a viable source of information. 5.3% of the institutionalized children and 6% of the care leavers mentioned them as an important source for finding jobs and opportunities abroad. This is a concern, given that the activities of these agencies are not sufficiently controlled by the state and a number of cases have been reported in Armenia, when people have been trafficked through these services.

As for destination countries, the interviewees are planning to leave for the Russian Federation, the USA, France, Germany, Poland, the Netherlands, and Greece. It is interesting that although they are willing to go to these countries, more than half (57.8%) of the children in orphanages and special schools and almost a third (30.5%) of the care leavers who are planning to emigrate have no idea about the migration regimes in these countries. Only 3.4% of the institutionalized children and 8.5% of the care leavers are informed about the current migration regimes in those states. These figures indicate a degree of naiveté in considering emigration, which raises concerns in relation to falling victims to traffickers.

Table 9: Awareness on the migration regimes in destination countries				
	Children in orphanages and special schools n=116		Care leavers from orphanages and special schools n=59	
	Number	%	Number	%
1. I am well aware	4	3.4%	5	8.5%
2. I am partly aware	45	38.8%	36	61.0%
3. I am not aware at all	67	57.8%	18	30.5%
Total	116	100.0%	59	100.0%

This is corroborated by the willingness of 34.5% of the institutionalized children and 42.4% of the care leavers to give their passport and other documents to those who would organize their trip abroad.

Figure 17: Trust in trip organizers by institutionalized children

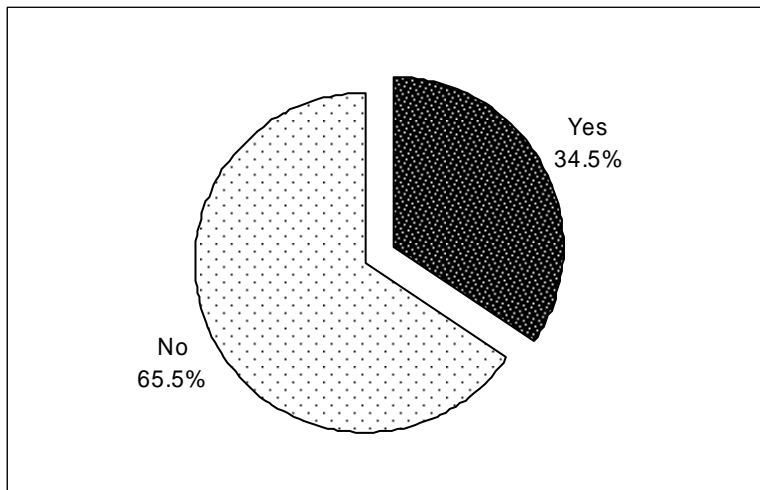
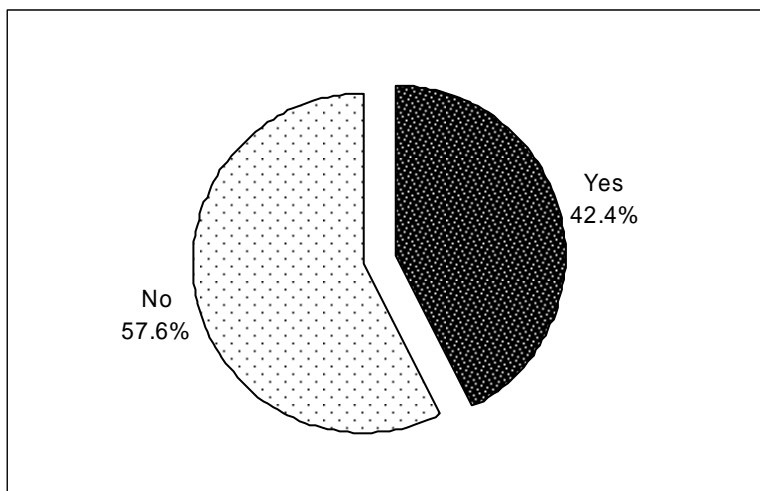


Figure 18: Trust in trip organizers by care leavers





## Training and counselling needs

The majority of the survey participants stressed the need for increased training and counseling activities, as one of the important steps aimed at prevention of trafficking among children in and care leavers from orphanages and special schools. The question: "Do you need legal knowledge on trafficking?" was affirmed by 92.9% of the children in orphanages and special schools, 90.7% of the care leavers from these institutions. 85.6% of family members and 94.4% of the teachers and care givers, whereas the majority of all respondents felt that they only partly needed this information.

	Children in orphanages and special schools n=1274		Care leavers from orphanages and special schools n=289		Families of institutionalized children n=235		Teachers and care givers n=125	
	No	%	No	%	No	%	No	%
1. Greatly need	554	43.5%	99	34.3%	49	20.9%	57	45.6%
2. Partly need	629	49.4%	163	56.4%	152	64.7%	61	48.8%
3. Don't need	91	7.1%	27	9.3%	34	14.5%	7	5.6%
Total	1274	100.0%	289	100.0%	235	100.0%	125	100.0%

88.5% of these school children and 74% of the care leavers expressed willingness to participate in activities and discussions on the issue of trafficking. It should be stressed that 93.3% of those with higher education expressed their wish to participate in similar activities.

	Children in orphanages and special schools n=1274		Care leavers from orphanages and special schools n=289	
	Number	%	Number	%
1. Yes	1128	88.5%	214	74.0%
2. No	146	11.5%	75	26.0%
Total	1274	100.0%	289	100.0%

68.5% of the children's parents and 90.4% of the teachers and caregivers also expressed their willingness to participate in activities and discussions on the issue of trafficking.

When asked about suggestions on possible further activities aimed at preventing trafficking in human beings, participants focused primarily on awareness raising and information.

Children in institutions favour courses on this subject at schools, TV programmes and open discussions. Parents of these children, care leavers from these institutions and teachers list TV programmes and press coverage on this issue, as well as publication and free distribution of booklets and brochures.

Other suggestions of the survey participants concern provision of services for the prevention of trafficking and services for trafficked persons, including psychological, legal and medical services, as well as a more active role of NGOs involved in counter-trafficking projects.

	<b>Children in orphanages and special schools</b>	<b>Care leavers from orphanages and special schools</b>	<b>Teachers and care givers</b>	<b>Parents</b>
	<b>%</b>	<b>%</b>	<b>%</b>	<b>%</b>
1. Organization of trainings	24.4	13.0	17.6	14.0
2. TV programmes	22.6	19.2	22.9	28.0
3. Radio programmes	4.3	7.4	2.7	6.5
4. Press coverage	5.9	9.0	5.3	8.4
5. Publication and free distribution of booklets, brochures	6.5	9.5	11.2	8.7
6. Open discussions	10.1	8.6	6.7	6.6
7. Provision of psychological services	9.8	10.2	11.5	9.0
8. Provision of medical services	6.1	7.9	5.3	5.3
9. Provision of legal services	5.9	7.4	11.2	6.9
10. More active role of NGOs dealing with the issue	3.8	6.9	5.1	6.1
11. Other	0.5	0.8	0.5	0.4

### **Information from Armenians living abroad**

Through its offices in the USA and Greece, ARS conducted interviews with 94 Armenians residing in these countries. 85% of these respondents left for the USA and Greece having been promised to be hired to care for children or the elderly or for other services. The majority (64.9%) had received the information about jobs or marriage opportunities in these countries from their friends and neighbours. A third (33%) of them learned about these opportunities when already in the countries of destination.

37.2% of them stated that before departure they did not have sufficient information on the jobs offered to them. 60.6% said the departure was organized by travel agencies. The remaining respondents said that their trip was organized by relatives, friends, and

acquaintances. Nine respondents mentioned circumstances of their migration that are akin to trafficking. One respondent had been forced to leave against her will, while eight others had to give their passports to the organizer and their movement was restricted. Out of the nine mentioned cases, eight respondents did not have a legal visas for entering the destination country, one refused to answer the question. Seven of them had to get to the destination country through a transit country. Five of them mentioned Turkey as the transit country, and in case of one person it was Mexico. One respondent stated that the organizer had a friend at the airport who "facilitated" her entry, taking a bribe. For these deals and documents the middlemen had asked for different amounts of money from them.

According to one participant, instead of getting a profitable job promised to her, she had to work as a prostitute. One other participant was blackmailed. Four ended up having debts, and five were exploited, as they had to work 16 and more hours a day, but were not paid. One of those interviewed mentioned about abuses by the employer, as she was intimidated and not allowed to use the phone. She even tried to run away and her friends eventual helped her. When speaking about health issues, six of them said they had health problems, as the sanitary hygienic conditions were really bad.

67% of the survey participants had no idea about addresses or phone numbers of the law-enforcement agencies operating in those countries, so couldn't apply to them when needed. Two participants mentioned they did not want to return to Armenia as they were scared of being prosecuted. One said she was afraid that the family would not take her back. Six said they had no money for return tickets.

## ***CHAPTER 3: CONCLUSIONS AND RECOMMENDATIONS***

### **Conclusions**

The results of the survey demonstrate the vulnerability of children in orphanages and special schools. Despite efforts aimed at reforming the social policy frameworks to better meet the needs of this group<sup>45</sup>, their living standard is still very low compared to other groups in society. Many problems remain that require solutions.

These are children with no family at all, or families who for a variety of reasons are often unable or unwilling to provide appropriate care for them. Many families of children in institutional care live in abject poverty. Facing economic hardship and social problems such as low income, unemployment, a high number of children to care for, these families often lack the means to buy food and clothes for their children or to cover their educational and health-related expenses. As a consequence, they often see no alternative to placing their children in child care institutions. While children receive basic care in education in these institutions, growing up in them can not successfully substitute for a functional family environment, where children receive emotional support and educational guidance, learn the necessary life skills, and develop functional social networks that help them to successfully manage the transition to adulthood and independence.

Institutionalized children and care leavers have the very same aspirations as their age mates: to start a family, to continue studies, to learn a trade. These are the possible answers that could be received from the majority of teenagers and young people in Armenia today. Still, they will find it immensely more difficult than most children to realize these hopes for the future. Most will not only have to do without the support (financial and otherwise) of a family. Many will also have to face prejudice in society, a lack of confidence in their own abilities and, most of all, insufficient life skills and guidance to help them manage the challenges of adulthood in the adverse economic and social environment they find themselves in.

Once they finish school and have to leave the institutions they have grown up in, their future becomes quite vague. They are quite vulnerable from a social protection point of view and temptations and alluring promises may determine their decision-making. It is not surprising that the promise of a new start in another country is appealing to them. Many do not see their future in Armenia and express a wish to emigrate. Migration moods prevail in their plans for the future, with vague plans to go to the Russian Federation, the USA, France,

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<sup>45</sup> Starting from October 31, 2002, the Law of the Republic of Armenia on Social Protection of Children Left without Parental Care is in force. The Law defines the legal, economic and organizational base goals, principles, forms of social protection for children left without parental care.

Germany, Poland, the Netherlands, or Greece, with little or no knowledge about migration regimes of the destination countries.

But these children are not only prone to seek their luck abroad without really knowing how to go about it. The results of the survey show that the awareness of and knowledge about trafficking is still way too little to guide these children to make the right choices when tempted with false promises. It seems that information campaigns aiming at awareness raising of the population have not reached this group in any substantial way, despite efforts under the National Action Plan of the Republic of Armenia to combat trafficking.

The study indicates that the role of teachers and caregivers in the process of awareness raising among children in orphanages and special schools is not sufficiently utilized. The majority of children in orphanages and special schools and care leavers have expressed eagerness to participate in discussions and activities on trafficking-related issues. There is a clear need for getting reliable information on the topic of trafficking, including information about Armenian law aimed at combating trafficking and about the realities of labour migration in general. Yet, teachers and caregivers organize very few trafficking-related discussions with the children in their care and have themselves limited knowledge about the issue.

In order to build the teachers' capacity in forming opinions and for using them as important resources for trafficking prevention, a variety of activities should be organized to provide them with sufficient information on the issue. But the results from the survey among the experts in the field of law-enforcement, education, health and social work demonstrated that some capacity building is also required in order for them to properly fulfill their roles in the prevention of trafficking .

On the background of their economic and social vulnerability, and coupled with the apparent lack of awareness of what trafficking actually is about, children from orphanages and special schools need to be considered a high risk group when it comes to potential victims of trafficking and exploitation in connection with labour migration. The state and all interested organizations should direct their activities and efforts to reduce this vulnerability, including first and foremost by redressing the push factors that make these children leave the country. A comprehensive strategy for preventing children from orphanages and special school from falling victims to traffickers has go beyond mere awareness raising, and needs to address the root causes. This should include measures to strengthen vulnerable families to prevent institutionalization in first place, as well as actions aimed at actively assisting care leavers with the transition to independence, a phase during which they are particularly vulnerable to exploitation and in particular to trafficking

## Recommendations

Based on the findings of the research, the following recommendations are made with a view to enhance the protection of children in orphanages and special schools from trafficking. Given the obligations of Armenia under national and international law, inter alia the Convention on the Rights of the Child, these recommendations are primarily directed towards the Government of Armenia. In as much as other entities and organisations, in particular NGOs, bilateral Aid agencies, intergovernmental organizations, donors etc. assume a role in assisting the Government to fulfil its obligations, or to fulfil their own obligations towards these children, these recommendations are also directed at them.

### *Awareness raising*

- **School-based awareness-raising:** A comprehensive awareness raising effort in special schools and orphanages should be undertaken by the Government of Armenia, under the leadership of the Ministry of Education and Science. Inter alia this should include incorporating the issue of trafficking into the Human Rights Course of the school curriculum as a separate topic; making anti-trafficking an issue of special concern for teachers through organizing trainings, seminars and discussions for them on trafficking; and providing libraries in these institutions with relevant literature and materials on anti-trafficking
- **General awareness raising:** The Government should initiate a comprehensive awareness raising campaign aimed at sensitizing and informing the target group and the general public about trafficking at large, as well as about causes and consequences of trafficking. The role of the media in this process is essential, in particular television, which according to the research findings remains a primary source of trusted information among the surveyed population. Given that the marzes of Armenia receive less TV coverage on the issue a campaign should entail cooperation with local marz TV channels.

### *Special protection measures*

- **General social protection measures:** The Government should increase its efforts to establish an effective and operational social protection system also reaching children in orphanages and special schools and care leavers from these institutions. This should, inter alia, include appropriate steps at to prevent child exploitation in Armenia as a primary causes of trafficking. Additional steps should also be taken to secure achievements to date and to avert any possible regress.
- **Employment measures for care leavers:** The Government should be consistent in its activities aimed at reducing unemployment among care leavers from orphanages and special schools and creating job opportunities for them. Prominent employers in Armenia should be encouraged to make special efforts for providing employment and training opportunities for care leavers, possibly through agreements with orphanages, as well as annual quotas.

- **Provision of housing for care leavers:** The Government should introduce legal provisions and practical measures to solve the housing issue for care leavers from orphanages and allocate sufficient financial resources for implementing such measures.
- **Monitoring of child care institutions:** The Government should set up a monitoring system for regular mandatory control visits to orphanages and special schools with a view to inspecting the observance of standards and to ensure implementation of the deinstitutionalization policy.
- **Funding of NGO projects:** The Government should assist NGOs with providing grants and funds for carrying out projects aimed at prevention of trafficking and assistance to victims, in particular with a view for the protection of children in public care.

### *Capacity building for professionals*

- **Anti-trafficking networks:** The Government should facilitate and support the establishment of interagency networks for the prevention of trafficking of children in order to promote harmonized and coordinated activities in the areas of health and psychological services, social work, and law-enforcement. This should entail the formation of particular working groups to address specific aspects of anti-trafficking such as prevention, protection and assistance to the victims and should result in regular monitoring visits to orphanages and special schools.
- **Training on violence prevention and anti-trafficking:** The government should provide medical personnel, psychologists, social workers and representatives of law-enforcement agencies with specialized training to build their capacity in addressing violence against, and exploitation of children, as well as in providing concrete assistance to victims of such abuse. Assistance to victims of trafficking should be a priority issue in these trainings. All trainings should be based on a human rights approach and sensitize participants on the rights of victims and the importance not to discriminate against them.

### *Legal Reform*

- **Confiscation of proceeds and compensation of victims:** The Government should initiate a review of the Criminal Code with a view to including confiscation of the proceeds or of instruments used for committing the crime as a sanction for convicted traffickers, possibly using confiscated assets for the benefit of trafficking victims. Close consideration should be given to establishing a victim compensation fund to be partially financed from confiscated assets.
- **Criminal law sanctions against trafficking:** The Government should initiate a review of the Criminal Code with a view to possibly making punishments for the crime of trafficking in human beings more severe, as well as to introduce measures for ensuring more effective law enforcement and a higher conviction rate for perpetrators, bearing in mind international standards, which however do not recommend any specific minimum punishment.

- **Effective criminalization of child pornography:** The Government should initiate a review of the Criminal Code with a view to including a clearer definition of child pornography, as well as to establishing procuring and possessing of child pornography as criminal offenses.
- **Witness protection:** The Government should initiate a review of the Code of Criminal Procedure with a view to including a set of detailed provisions for witness protection with the aim of protecting victims/witnesses from confrontation with offenders and to protect their privacy.
- **Legal safeguards against exploitation and abuse as a result of adoption:** The Government should give close consideration to a possible accession by Armenia to the Hague Convention on the Protection of Children and Cooperation in Respect of Inter-country Adoption, as this would ensure that children benefit from the elaborated system of procedural safeguards against possible abuse in inter-country adoption. It is also desirable that illegal adoption be established as a criminal offense.



## ***ANNEX: SAMPLE SURVEY***

Sample Survey for “Children in Orphanages and Special Schools in Armenia: Potential victims of Trafficking and Exploitation?”:

*Number of participants according to marzes*

Questionnaire 1		
Children in orphanages and special schools		
1	Aragatsotn	
2	Ararat	
3	Armavir	
4	<b>Gegharkunik</b>	<b>54</b>
5	<b>Lori</b>	<b>248</b>
6	<b>Kotayk</b>	<b>59</b>
7	<b>Shirak</b>	<b>309</b>
8	<b>Syunik</b>	<b>170</b>
9	Vayots Dzor	
10	Tavoush	
11	<b>Yerevan</b>	<b>434</b>
	<b><i>Total</i></b>	<b><i>1274</i></b>

Questionnaire 2		
Care leavers from orphanages and special schools		
1	<b>Aragatsotn</b>	<b>1</b>
2	Ararat	
3	<b>Armavir</b>	<b>2</b>
4	<b>Gegharkunik</b>	<b>17</b>
5	<b>Lori</b>	<b>41</b>
6	Kotayk	
7	<b>Shirak</b>	<b>73</b>
8	<b>Syunik</b>	<b>19</b>
9	Vayots Dzor	
10	Tavoush	
11	<b>Yerevan</b>	<b>136</b>
	<b><i>Total</i></b>	<b><i>289</i></b>

Questionnaire 3		
Teachers and care givers in orphanages and special schools		
1	Aragatsotn	
2	Ararat	
3	Armavir	
4	<b>Gegharkunik</b>	<b>3</b>
5	<b>Lori</b>	<b>20</b>

Questionnaire 3		
Teachers and care givers in orphanages and special schools		
<b>6</b>	<b>Kotayk</b>	
<b>7</b>	<b>Shirak</b>	<b>37</b>
<b>8</b>	<b>Syunik</b>	<b>10</b>
9	Vayots Dzor	
10	Tavoush	
<b>11</b>	<b>Yerevan</b>	<b>55</b>
-	<b><i>Total</i></b>	<b><i>125</i></b>

Questionnaire 4		
Families of children in orphanages and special schools		
1	Aragatsotn	
2	Ararat	
<b>3</b>	<b>Armavir</b>	<b>1</b>
<b>4</b>	<b>Gegharkunik</b>	<b>9</b>
<b>5</b>	<b>Lori</b>	<b>35</b>
6	Kotayk	
<b>7</b>	<b>Shirak</b>	<b>69</b>
<b>8</b>	<b>Syunik</b>	<b>19</b>
<b>9</b>	<b>Vayots Dzor</b>	<b>1</b>
10	Tavoush	
<b>11</b>	<b>Yerevan</b>	<b>101</b>
	<b><i>Total</i></b>	<b><i>235</i></b>

Questionnaire 5		
Experts		
1	Aragatsotn	
2	Ararat	
3	Armavir	
<b>4</b>	<b>Gegharkunik</b>	<b>7</b>
<b>5</b>	<b>Lori</b>	<b>7</b>
6	Kotayk	
<b>7</b>	<b>Shirak</b>	<b>8</b>
<b>8</b>	<b>Syunik</b>	<b>12</b>
9	Vayots Dzor	
10	Tavoush	
<b>11</b>	<b>Yerevan</b>	<b>23</b>
-	<b><i>Total</i></b>	<b><i>57</i></b>

Questionnaire 6		
Emigrants		
<b>1</b>	<b>Greece</b>	<b>60</b>
<b>2</b>	<b>USA</b>	<b>34</b>

Questionnaire 6		
Emigrants		
	Total	94