

Government Policies and Programs to Eliminate the Worst Forms of Child Labor

In November 2002, the Government of Armenia adopted the National Plan of Action for the Protection of Children's Rights. The plan was designed in accordance with the United Nations Convention on the Rights of the Child.²²⁷ The government also established an Interagency Commission on Human Trafficking in October 2002 that coordinates anti-trafficking activities in the country.²²⁸ In early 2003, several Government of Armenia officials visited the United States to participate in consultations on methods to combat trafficking in persons for prostitution, slave labor, and domestic labor.²²⁹ Another Armenian government delegation participated in a Trafficking in Persons workshop in Washington, D.C. in February 2003 hosted by the Department of State's International Visitor Program.²³⁰ Since June 2000, the OSCE Yerevan Office has assembled and distributed an information pack to relevant government departments and agencies, local authorities, and Parliament on the subject of anti-trafficking, including policy and legislative documents.²³¹

The Ministry of Education and Science works in partnership with UNICEF and WorldVision on the Inclusive Education Project to integrate children with special needs into the education system.²³² To facilitate government efforts against trafficking, the OSCE has developed a matrix that outlines all ongoing and planned anti-trafficking activities by NGO's and international organizations, which will be regularly updated and distributed to Interagency members.²³³ The World Bank is currently funding several projects in Armenia. The Second Social Investment Fund Project aims to upgrade schools, repair school heating systems, and fund furniture purchases for schools, as well as carry out other community development activities that will strengthen local level institutions.²³⁴ The Educational Quality and Relevance Project is building the capacity of the Ministry of Education and Science to develop education quality monitoring systems, strengthen ongoing education reforms, implement

²²⁷ International Bureau for Children's Rights, *Implementation of the Armenian National Plan of Action for the Protection of Children's Rights*, [online] 2003 [cited June 27, 2003]; available from http://www.ibcr.org/Projects/Nat_plan.htm.

²²⁸ The Interagency Commission on Human Trafficking is referred to as the Interagency Task Force in the Department of State's Trafficking in Persons report. See U.S. Department of State, *Trafficking in Persons Report*, U.S. Department of State, Washington, D.C., June 11, 2003; available from <http://www.state.gov/g/tip/rls/tiprpt/2003/21275.htm>. See also OSCE Yerevan official, electronic communication to USDOL official, July 1, 2003. The Commission is made up of officials from the Ministry of Foreign Affairs (Consular Department; International Organizations Department; Human Rights Desk), Department on Migration and Refugees, Cabinet of Ministers Administration, Ministry of National Security (Border Control Unit), Police (Department Against Prostitution and Trafficking in Drugs; Criminal Investigation Unit, Transport Police Department; Visas and Registration Department; Police Department at the Yerevan "Zvartnots" International Airport), Prosecutor General's Office, National Assembly (Standing Committee on State and Legal Issues), Ministry of Social Security, National Statistical Service, and the Ministry of Health. See OSCE Yerevan official, electronic communication to USDOL official, August 12, 2003. Organization of Security and Co-operation in Europe (OSCE) has an observer status on the commission. See OSCE Yerevan Office official, electronic communication to USDOL official, February 20, 2003. See also U.S. Department of State, *Trafficking in Persons Report: Armenia*.

²²⁹ Gohar Grigorian, *Opponents of Human Trafficking from Transcaucasia Tour U.S. to Share Information*, UCLA International Institute, [online] February 11, 2003 [cited June 27, 2003]; available from <http://www.international.ucla.edu/article.asp?parentid=3122>.

²³⁰ U.S. Department of State, *International Visitor's Program Workshop*, prepared by Office of International Visitors, pursuant to Combating Trafficking in Persons Report, 2003.

²³¹ Organization for Security and Co-operation in Europe, *Joint Study on Trafficking in Human Beings Published in Armenia*, [online] November 14, 2001 [cited June 27, 2003]; available from http://www.osce.org/news/generate.php3?news_id=2143.

²³² WorldVision, *Armenian children celebrate International Child Protection Day*, [online] 2003 [cited June 27, 2003]; available from <http://www.child-rights.org/pahome2.0.nsf/allArticles/6BA8B6CFC0DC627A88256D4200022271?OpenDocument>.

²³³ OSCE Yerevan Office official, electronic communication, February 20, 2003.

²³⁴ World Bank, *Armenia- Second Social Investment Fund Project*, [project appraisal document] 2000 [cited March 20, 2003]; available from <http://web.worldbank.org/external/projects/main?pagePK=104231&piPK=73230&theSitePK=40941&menuPK=228424&Projectid=P057952>.

communications technology, and project evaluation.²³⁵ The Government of Armenia is a participating member of the Framework Program of Cooperation between the Council of Europe and Ministries of Education of Armenia, Georgia, and Azerbaijan. The Framework aims to develop the education system in these countries, assist in structural reform of the education sector, develop curriculum and teaching methodologies, and support regional cooperation.²³⁶

Incidence and Nature of Child Labor

Statistics on the number of working children under the age of 15 in Armenia are unavailable. There are reports that children work in family businesses and on family farms, which is not forbidden by law.²³⁷ Additionally, children in the streets of Yerevan can be observed, often during school hours, selling newspapers and flowers.²³⁸ The commercial exploitation of girls is reportedly increasing in Armenia.²³⁹ Trafficking of girls to Turkey and the United Arab Emirates for prostitution is a problem.²⁴⁰

Primary and basic education is free for all children for 8 years and compulsory through age 14.²⁴¹ In 2000, the gross primary enrollment rate was 103.3 percent and the net primary enrollment rate was 69.3 percent.²⁴² The gross primary school attendance rate was 127.3 while the net primary attendance ratio was 97.20.²⁴³ Dropout, retention, and absenteeism rates remain high in Armenia; possibly as a result of Armenia's serious economic downturn, the high number of non-native Armenian-speaking students and the requirement that all classes must be taught in the Armenian language.²⁴⁴ Access to education in rural areas remains poor.²⁴⁵ Agricultural

²³⁵ World Bank, *Armenia - Educational Quality and Relevance Project*, Integrated Safeguards Data Sheet, September 9, 2002; available from http://www-wds.worldbank.org/servlet/WDS_IBank_Servlet?pcont=details&eid=000094946_03082904013043.

²³⁶ Council of Europe, *Framework Programme of Co-operation between the Council of Europe Secretariat and the Ministries of Education of the South Caucasus Region: Armenia, Azerbaijan, and Georgia: 2002-2004*, [online] 2002 [cited June 27, 2003]; available from http://www.coe.int/t/e/cultural_co-operation/education/e.d.c/documents_and_publications/by_language/english/framework_programme_south_caucasus.asp#TopOfPage.

²³⁷ By Armenian law and custom, children working in family-run small businesses (including farms) are considered to be doing chores. U.S. Embassy-Yerevan, *unclassified telegram no. 2213*, August 2000. See also U.S. Department of State, *Country Reports on Human Rights Practices- 2002: Armenia*, Washington D.C., March 31, 2003, Section 6d; available from <http://www.state.gov/g/drl/rls/hrrpt/2002/18351.htm>.

²³⁸ Ministry of Foreign Affairs of the Republic of Armenia, *Embassy of the Republic of Armenia Letter*, Embassy of the Republic of Armenia, Washington D.C., October 24, 2001. See also Association of Investigative Journalists of Armenia, *Followers of Gavroche: Children on the streets of Yerevan*, hetq online, [online] 2002 [cited June 27, 2003]; available from <http://www.hetq.am/en/h-0403-gavrosh.html>.

²³⁹ Sona Meloyan, *Armenia: Child Prostitution Taboo*, Institute for War and Peace Reporting, [online] June 5, 2003 [cited June 27, 2003]; available from http://www.iwpr.net/index.pl?archive/cau/cau_200306_182_3_eng.txt.

²⁴⁰ Girls are also thought to be trafficked to Germany, Greece, the United States, and other European and Gulf State countries. See IOM, *Trafficking in Women and Children from the Republic of Armenia: A Study*, Yerevan, 2001, 10, 11, 20, 22. See also U.S. Department of State, *Country Reports- 2002: Armenia*, Section 6f. See also U.S. Department of State, *Trafficking in Persons Report: Armenia*.

²⁴¹ U.S. Department of State, *Country Reports- 2002: Armenia*, Section 5. See also U.S. Embassy-Yerevan, *unclassified telegram no. 2213*. See also EuroEducation.net, *Structure of Education System in Armenia*, [online] 2003 [cited June 27, 2003]; available from <http://www.euroeducation.net/prof/armenco.htm>.

²⁴² World Bank, *World Development Indicators 2003* [CD-ROM], Washington, D.C., 2003. For an explanation of gross primary enrollment and/or attendance rates that are greater than 100 percent, please see the definitions of gross primary enrollment rate and gross primary attendance rate in the glossary of this report.

²⁴³ USAID, *Global Education Online Database: Armenia*, 2003 [cited August 6, 2003]; available from http://esdb.cdie.org/cgi-bin/broker.exe?_program=gedprogs.dhspr1_1.sas&_service=default.

²⁴⁴ Because of the serious economic problems, an increasing number of Armenian as well as minority students are leaving school early to work to help support their families. See UN Committee on the Rights of the Child, *Concluding Observations*, para. 44. See also U.S. Embassy-Yerevan, *unclassified telegram no. 2213*. See also U.S. Department of State, *Country Reports- 2002: Armenia*, Section 5.

²⁴⁵ UN Committee on the Rights of the Child, *Concluding Observations*, para. 44.

responsibilities take precedence over school in rural areas, and children work in the fields during harvest season leading to prolonged absence from school.²⁴⁶

Child Labor Laws and Enforcement

The Civil Code of 1996 sets the minimum age of employment for children at 16 years. However there are rare cases when a child of 15 years can work in non-dangerous labor situations with the consent of the minor's parents and the labor union of the organization.²⁴⁷ Children under the age of 18 are prohibited by the Labor Code from working in "harmful or hazardous" conditions, such as underground work, and may not work overtime, on holidays, or at night.²⁴⁸ Additionally, the 1996 Law on Children's Rights prohibits children from working in employment activities that may compromise their health, physical, or mental development, or interfere with their education.²⁴⁹ UN officials raised concerns regarding disparities between the Right of the Child Act and the Civil Code.²⁵⁰ Under the Civil Code, minors under the age of 15 are required to obtain a parent's consent in order to engage in employment contracts, but this consent is not required for children to engage in small contracts.²⁵¹ The Constitution prohibits forced and bonded labor of children.²⁵² In April 2003, the criminal code was amended to specifically prohibit trafficking of persons for sexual exploitation.²⁵³

The Government of Armenia is a member of the Black Sea Economic Cooperation and cooperates with other members to combat organized crime, including criminal activities concerning trafficking in human beings and sexual exploitation of women and children.²⁵⁴ Local community councils and unemployment offices are responsible for enforcing child labor laws.²⁵⁵ Alleged violations of child labor laws are brought before the Ministry of Social Welfare for investigation. If there is probable cause, the Ministry turns the case over to the National Police, which takes action. There are no reports of child labor complaints being investigated since 1994.²⁵⁶

The Government of Armenia has not ratified ILO Convention 138 or ILO Convention 182.

²⁴⁶ Ministry of Foreign Affairs of the Republic of Armenia, Embassy of the Republic of Armenia Letter.

²⁴⁷ See Civil Code as cited in *Ibid*, articles 19, 198.1. See also U.S. Embassy-Yerevan, *unclassified telegram no. 2213*. See also U.S. Department of State, *Country Reports- 2002: Armenia*, Section 6d.

²⁴⁸ Workers ages 16-18 must have a shorter workday and cannot work more than 36 hours per week, according to the Labor Code (children 15 years of age may only work 24 hours per week). The Ministry of Social Welfare maintains a list of "hazardous and harmful" jobs in which children are not allowed to work. See Labor Code as cited in Ministry of Foreign Affairs of the Republic of Armenia, *Embassy of the Republic of Armenia Letter*, articles 200, 02, and 15. See also U.S. Embassy-Yerevan, *unclassified telegram no. 2213*.

²⁴⁹ U.S. Embassy-Yerevan, *unclassified telegram no. 2213*.

²⁵⁰ UN Committee on the Rights of the Child, *Concluding Observations*, para. 22.

²⁵¹ Committee on the Rights of the Child, *Consideration of Reports Submitted by the States Parties Under Article 44 of the Convention: Initial Reports of States Parties Due in 1995, Addendum: Armenia*, CRC/C/28/Add.9, United Nations, July 1997, para. 8 & 9.

²⁵² U.S. Department of State, *Country Reports- 2002: Armenia*, Section 6c.

²⁵³ This will go into effect in August 2003. See U.S. Department of State, *Trafficking in Persons Report: Armenia*. See also OSCE Yerevan Office official, electronic communication to USDOL official, July 1, 2003. Traffickers of women and children can also be tried under other articles of the criminal code. See U.S. Department of State, *Country Reports- 2002: Armenia*, Section 6f.

²⁵⁴ Armenia is a signatory to the *Agreement Among the Governments of the Black Sea Economic Cooperation (BSEC) Participating States on Cooperation in Combating Crime, In Particular in its Organized Forms*. Participating states include the Republic of Albania, the Republic of Armenia, the Republic of Azerbaijan, the Republic of Bulgaria, Georgia, the Hellenic Republic, the Republic of Moldova Romania, the Russian Federation, the Republic of Turkey, and Ukraine. See Working Group on Cooperation in Combating Crime, *Agreement Among the Governments of the BSEC Participating States on Cooperation in Combating Crime, in Particular in its Organized Forms*, Black Sea Economic Cooperation, [online] 2-3 [cited June 30, 2003]; available from <http://www.bsec.gov.tr/cooperation.htm>.

²⁵⁵ U.S. Department of State, *Country Reports- 2002: Armenia*, Section 6d.

²⁵⁶ Family-run businesses may not be monitored as closely because of legal and cultural reasons. In this context, exploitation of children by a child's family may not be reported. See U.S. Embassy-Yerevan, *unclassified telegram no. 2213*.