



Office in Yerevan

Yerevan, 25 May 2006

Dear colleagues,

We would like to present you the proceedings from two Roundtables conducted in 2005 with the aim to facilitate the process of developing a National Referral Mechanism (NRM) in Armenia.

These roundtables, organized by the OSCE Office in Yerevan in cooperation with the OSCE ODIHR, provided a venue for working-level discussions involving all relevant actors to identify existing challenges and to brainstorm on possible solutions. Among the participants were representatives of the State Inter-Agency Commission on Anti-Trafficking, law enforcement bodies, border guards, victim assistance NGOs, representatives of consular services, international organizations and other relevant actors.

The format of the proceedings of the two Roundtables differed, as each of these discussions pursued a different objective. The first event aimed at providing detailed information on the National Referral Mechanism and its functions, the applicable international standards and expertise. The second one brought together national and international actors to exchange experience on victim identification, one of the key building blocks of a successful National Referral Mechanism.

We hope that the proceedings can be of use when making National Referral Mechanism more operational or when designing new projects and strategies in the area of anti-trafficking.

We would like to thank Astrid Ganterer (ODIHR), Ovsanna Babayan (OSCE Office in Yerevan), Hugh Handeyside (OSCE Office in Yerevan), Mark Smith (Police UK) and Iveta Bartunkova (independent expert), who have greatly contributed to the Roundtables. The Roundtables would not have taken place without the generous support by the US State Department and the OSCE Office for Democratic Institutions and Human Rights.

With best regards,

A handwritten signature in black ink, appearing to read 'Blanka Hancilova'.

Dr Blanka Hancilova
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Office in Yerevan

**PROCEEDINGS FROM THE ROUNDTABLES ON THE ESTABLISHMENT
OF A NATIONAL REFERRAL MECHANISM FOR PROVIDING EFFECTIVE
ASSISTANCE AND PROTECTION TO VICTIMS OF TRAFFICKING**

Organized by the OSCE Office in Yerevan

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CONTENT

WHAT IS A NATIONAL REFERRAL MECHANISM?	7
WHAT IS TRAFFICKING IN HUMAN BEINGS?.....	7
WHAT IS A NATIONAL REFERRAL MECHANISM?.....	8
EIGHT REASONS TO IMPLEMENT NATIONAL REFERRAL MECHANISMS.....	9
FIRST NATIONAL REFERRAL MECHANISM ROUNDTABLE.....	10
SUMMARIES OF PRESENTATIONS.....	10
WHAT IS AN NRM?.....	11
RECOMMENDATIONS FOR NRM IN ARMENIA	11
RECOMMENDATIONS FROM DISCUSSION GROUPS	12
SECOND NATIONAL REFERRAL MECHANISM ROUNDTABLE.....	14
CONCLUSIONS FROM THE GROUP WORK	14
THREE COMPONENTS OF GOOD PRACTICE	16

WHAT IS A NATIONAL REFERRAL MECHANISM?

WHAT IS TRAFFICKING IN HUMAN BEINGS?

The universally accepted definition of trafficking in persons is found in Article 3(a) of the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children (Trafficking Protocol) supplementing the United Nations Convention against Transnational Organized Crime (TOC Convention). It is reiterated in the Warsaw Convention on Combating Trafficking in Human Beings (“Warsaw Convention on Combating Trafficking”). It states:

“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.”

The elements of the crime of trafficking in human beings then are:

- 1) Acts: “the recruitment, transportation, transfer, harbouring or receipt of persons”;
- 2) Means: “the threat or use of force or other forms of coercion, of abduction, of fraud, of deception or the abuse of power or of a position of vulnerability or the giving or receiving of payments or benefits to achieve the consent of a person having control over another person”;
- 3) Purpose: exploitation which includes “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.”¹

In the case of child trafficking the element of “means” is not required to establish the crime of trafficking.²

¹ Article 3 (a), Trafficking Protocol.

² Article 3(c), Trafficking Protocol; also see, Article 4 (c), Warsaw Convention on Combating Trafficking.

WHAT IS A NATIONAL REFERRAL MECHANISM?

A National Referral Mechanism (NRM)³ creates a co-operative framework through which state actors fulfill their obligations to protect and promote the human rights of trafficked persons in coordination and strategic partnership with civil society and other actors⁴ dealing with trafficked victims.

Such mechanisms should be established in countries of destination, transit and origin in order to ensure a comprehensive and inclusive system of support targeted at and accessible to all trafficked persons.

A National Referral Mechanism should include:

- Guidance enabling the accurate identification and appropriate treatment of trafficked persons, which incorporates respect for the views and autonomy of the people themselves.
- The referral of trafficked persons to specialized agencies offering shelter and maximum protection from physical and psychological harm, including medical, social, and psychological support, legal services, and assistance in acquiring identity documents, as well as the facilitation of voluntary repatriation or resettlement.
- The establishment of appropriate formally binding mechanisms designed to harmonize victim assistance with investigative and prosecutorial efforts.
- Responsibilities and competencies of all actors involved in the NRM should be defined in such a way as to ensure protection and promotion of the human rights of all trafficked persons regardless of their willingness to co-operate with law-enforcement authorities.

³ A concept developed by the OSCE/ODIHR. See OSCE-ODIHR, National Referral Mechanisms. Joining Efforts to Protect the Rights of Trafficked Persons. A Practical Handbook. Warsaw, 2004.

⁴ These actors include, in the first place, non-governmental organizations, voluntary groups, relevant state authorities and structures, and, in specific cases, appropriate international actors.

EIGHT REASONS TO IMPLEMENT NATIONAL REFERRAL MECHANISMS

1. Trafficked persons are victims of serious crimes. Protecting their rights and providing them with universal, unimpeded access to assistance should be the top priority of all anti-trafficking measures.
2. Trafficking in human beings has many different faces. A structure to combat the crime and to ensure access to protection mechanisms for all trafficked persons has to be flexible in rapidly identifying and addressing all trafficking cases.
3. Trafficked persons include women, men and children who may have been exploited in forced labor conditions within formal and informal work sectors such as begging, construction work, the sex-industry, agricultural work and domestic work across and within national borders. A protection mechanism must be accessible and provide support to all categories of victims.
4. Trafficked persons do not share the same characteristics although they are all victims of the same crime. A support and protection mechanism should include a wide range of different specialized services that address the specific needs of each individual, such as shelter, psychological, medical and legal consultation along with education.
5. Criminal investigations and prosecution of perpetrators is rarely conducted successfully without the statement of the trafficked persons. Guaranteed safety, shelter, access to independent advice and counseling, an opportunity for reflection delay as well as effective witness protection are a prerequisite to enabling trafficked persons to report the crime and to consider co-operation with authorities. Only a stabilized victim will be able to contribute to successful prosecution efforts as a reliable witness.
6. Trafficking in human beings is a complex phenomenon, which requires a variety of responses in many different policy areas. These include migration measures, anti-corruption, organized crime, forced labor, informal work, as well as security. A multidisciplinary and cross sectoral approach involving all relevant actors of government and civil society and, in specific cases, international organizations is a precondition for effective tackling of this phenomenon.
7. As the extent and nature of trafficking in human beings differs from country to country, each national response must be fine-tuned to these variations. The implementation of a protection mechanism based on international human rights standards should take into account the respective national legislation, constitutional structure, commitments and obligations, and the infrastructure of governmental and non-governmental sectors. Assessing and building on existing national capacities and following up with capacity building and training will create ownership and sustainability within the national framework.
8. National Referral Mechanisms are the building blocks of effective regional and international co-operation to combat trafficking and to assist its victims.

FIRST NATIONAL REFERRAL MECHANISM ROUNDTABLE

On 15 June 2005, the OSCE Office in Yerevan organized the First National Referral Mechanism Roundtable during which the benefits of having a successful NRM mechanism in the country were discussed.

SUMMARIES OF PRESENTATIONS

Opening address by Mr. Valery Mkrtoumian, the Chair of Inter-Agency Commission on Anti-Trafficking

For three years, the Armenian government has been focusing on the struggle against trafficking. Public awareness has been raised, and our society is more familiar with the trafficking issue through various events and international organizations.

Armenia has adopted a national action plan, and the government is gradually implementing its provisions. It is important that the process be coordinated between government and civil society. The Inter-Agency Commission has participated in the harmonization of domestic legislation with international treaties and has pushed the government to sign international conventions and memoranda. The problem today is the implementation of the National Action Plan.

Trafficking at large — in drugs, arms and persons — is a national security threat. The end of the Cold War created opportunities in terms of freedom of migration, but it also created challenges in terms of illegal migration. Traffickers act beyond borders and impact the economic well-being of countries in the region. Comprehensive steps are needed in the following areas:

- Victim identification, return/repatriation, victim assistance, vocational training and reintegration into the labour market;
- Regional cooperation;
- Investigation, including police activities and judiciary activities. The investigation methods used are priorities for improvement.

It is worth noting that the US State Department TIP report identified the failure to achieve progress in punishment/investigation as the main shortcoming in Armenia. Out of 16 cases involving trafficking so far, only one was prosecuted under Article 132. The goal is to get [Armenia] into Tier 1 of the TIP report. To achieve this we will also need to improve social, educational, and assistance measures.

WHAT IS AN NRM?

Presentation by Ms. Astrid Ganterer, ODIHR Advisor on Anti-Trafficking Issues

Armenia should be congratulated for being one of the first countries to sign the Council of Europe Convention on Action against Trafficking in Human Beings (CAHTEH). CAHTEH attempts to expand significantly the system of victim assistance. Assistance must be accessible to victims, who can only contribute to combating trafficking if they are effectively assisted.

An NRM is a cooperative framework through which state actors fulfill their obligations to protect the human rights of trafficked persons in a strategic partnership with society. Its central component is cooperation between the government and the civil society. This cooperation must be meaningful, based on the principles of participation and cooperation, and must be with organizations that actually assist victims. Often there is a tension between these actors, but it has been seen that governments and NGOs can work together effectively. NGOs throughout the OSCE area are very willing to assist governments.

It is critical to have a very broad concept of victim identification and assistance, understanding that it is not only the court that identifies victims. Identification needs as many actors as possible, including social workers, doctors, hospitals, NGOs, and law enforcement. Identification should lead to assistance, not to prosecution, and not even necessarily to getting victims to testify. Assistance should be offered and given if the victim is reasonably believed to be a victim of trafficking, regardless of the outcome of criminal trials. Assistance should include sufficient accommodation, medical treatment, psychological attention, physical protection, and legal aid. Victims will be more interested in helping authorities when they have been adequately assisted.

RECOMMENDATIONS FOR NRM IN ARMENIA

Presentation by Ms. Blanka Hancilova, Democratization Programme Manager, OSCE Office in Yerevan

The presentation was based on a preliminary assessment of the NRM conducted by Ms Baerbel Uhl in February 2005.

Recommendations:

1. Enhance institutional framework – At the state level there should be one coordinating body, which incorporates all major stakeholders, who would be represented at a level required to be able to adopt a binding decision.
2. Strengthen identification procedures – Enhance links between law-enforcement bodies and outreach organizations. Support hotlines.
3. Formalize cooperation between service providers and law enforcement – Institutionalize cooperation between law-enforcement agencies and outreach organizations.
4. Establish a drop-in center – the center can provide initial counseling, assess victim's needs and offer/refer to specialized services.
5. Strengthen regional cooperation – among the governments as well as outreach organizations.

6. Establish return and reintegration mechanisms – streamline replacement of travel documents, cover return travel costs, provide for security and social inclusion.

It is important to have a clear picture of how the various actors will interact in all elements of the anti-trafficking process; comprehensive services cannot be provided without clear links between actors, who understand their responsibilities and role in the referral mechanism.

RECOMMENDATIONS FROM DISCUSSION GROUPS

GROUP A – NRM COORDINATION.

Facilitated by Ms. Lyalya Aslanyan, Deputy Head of the Department for Migration and Refugees

Improve coordination. The Inter-Agency Commission should be modified in a way that would introduce NGO representatives that are at present engaged in dealing with trafficking matters. Currently the interagency commission operates under the Ministry of Foreign Affairs. It might be more effective to establish a coordinating body that is formatted more as a working group, with equal status for members, rather than elevating one body to a position of chair. It should be a working structure, involving people who directly deal with trafficking matters.

Format a working group. There is currently a law-enforcement working group dealing with gaps in anti-trafficking legislation. There should be a second working group dealing with formalization of relations between governmental and non-governmental groups.

Create a monitoring group. The group should monitor all anti-trafficking activity in Armenia, and should be drawn from three sources—governmental agencies, NGOs, and international organizations. It should regularly analyze and assess progress and trends, develop recommendations, and regularly present the recommendations to the Inter-Agency Commission. It should also have input into the implementation of the national plan of action (including legislation, prevention, and health/support for victims).

GROUP B: VICTIM IDENTIFICATION

Facilitated by Ms. Ovsanna Babayan, Migration and Anti-Trafficking Expert, OSCE Office in Yerevan

Improve identification by ensuring diversity in first responders. First responders should include police, other law-enforcement, community leaders, social workers, consular workers, medical professionals, and border guards, all of whom should be properly trained. It is important to be able to clarify how to jointly classify or identify victims; however, at this point there is no clear definition or methodology to work with. The police do have special questionnaires that they can use. They should distribute these questionnaires to others, and perhaps proposals should be made about how/whether to modify them. At this point, different actors have different questionnaires, which should be unified if possible.

Create a special manual for stakeholder organizations. Each organization should have an idea for its own role. The manual should be very detailed, and include information on how long a victim can be kept at an organization and what kind of information can be distributed. It could be worthwhile to create a working group that would draft the manual after further discussion.

Emphasize joint identification. Identification should be a joint activity over which no single actor has a monopoly.

Utilize labor inspections. It would be good to incorporate these inspections now into the identification process; they can help identify victims in domestic trafficking and transit trafficking, to the extent that Armenia is a transit country.

Create a monitoring group. The group should include a number of specialists who will entirely focus on trafficking. These specialists should be people who are devoted to the matter, and the group should be headed by the national coordinator. It should collect information, analyze it, present suggestions, and play some coordinating role in their implementation.

GROUP C: VICTIM ASSISTANCE

Facilitated by Ms. Viktoria Avakova, Programme Manager, UMCOR

Improve cooperation with law enforcement agencies. This is very important because the agencies often direct victims to NGOs for support. It is necessary to formalize this process, develop special procedures, and create a package of documents that would detail what kind of information will be provided to victims. NGOs, once they become involved in providing services to victims, share the risks inherent in being a victim. It is therefore necessary to define how much information can be provided to law-enforcement agencies about victims or bodies connected with investigations. When the victims work with the NGOs, they are promised confidentiality. Releasing information can therefore be considered a violation of human rights.

For those who have no documents, a special return passport has to be issued. This can be a very long procedure, which can expose the fact that the person was involved in trafficking. It can lead to confidentiality problems and stigmatization. The MFA should make this return mechanism more confidential and efficient.

Make the repatriation process more flexible for possible victims of trafficking. Relatives should be allowed to apply for the repatriation process on behalf of the victims.

Raise the awareness of public officials. Cooperation from officials is critical in order to organize anything on a government level. These officials often have no appreciation of the problem.

Adopt a multi-faceted approach to reintegration process. A package of social measures should be developed for reintegration, including some financial support (even in small amounts) for a definite period; training and professional orientation meetings for starting a new life; shelter (victims have nowhere to go); and perhaps micro-credit, but this is a long-term commitment and victims often do not know how to handle the responsibility. NGOs could start the process of social integration that the government might be able to pick up at a later stage. Confiscated property and assets could be used towards funding the reintegration programs for victims of trafficking.

SECOND NATIONAL REFERRAL MECHANISM ROUNDTABLE

On 27 October 2005, the OSCE Office in Yerevan organized the second National Referral Mechanism Roundtable that focused on victim identification.

OPENING BY THE INTER-AGENCY COMMISSION

Mr. Valeri Mkrtoumian prioritized strengthening of cooperation between the Government and NGOs in establishing and making NRM operational. He also mentioned about an increased number of actors involved in counter-trafficking (labour instructors, etc.) and the valuable support of the international organizations active in Armenia.

The next items on the agenda were informative and comprehensive presentations of the experts on identification of trafficking cases (see Annexes).

Brief case studies were distributed to the participants to see if they find elements of trafficking there, and if they do, what these elements are in the stories. An active and detailed discussion followed. Many participants showed sufficient familiarity with the problem and justified their findings of the trafficking elements, basing them on their knowledge as well as things learned during the experts' presentations.

CONCLUSIONS FROM THE GROUP WORK

In the second part of the morning program, the participants split into two groups to conduct joint discussions and to come up with brief reports on:

- (1) What are the "Entry Point" agencies that may do preliminary identification of presumed victims of trafficking?
- (2) What are the barriers when identifying presumed victims of trafficking?
- (3) What should be done to overcome these barriers?

There was general consensus that it is important to seek ways to identify trafficked persons. The groups came up with the following answers:

WHAT ARE THE "ENTRY POINT" AGENCIES THAT MAY INITIALLY IDENTIFY PRESUMED VICTIMS OF TRAFFICKING?

- Border crossing points /Border Guards Units when travelers exit from or enter the country
- Recruitment agencies when checking work contracts of those planning to work abroad
- Law-enforcements structures
- Hot-lines in both receiving and sending countries
- Neighbors and community who know about the victim/s

- Lawyers
- Various state agencies
- NGOs
- Secondary inspection units at the border

Summary and Analysis. There is a wide range of actors in Armenia, which should be included in the identification process. Besides the NGOs, these are border guards, state employment offices, private employment agencies, wider migrant communities (both emigrants and prospective emigrants, and immigrants), law enforcement, etc.

Note: It seemed that the major issue for the participants was how to identify Armenians who can potentially become trafficked, and those who were trafficked, sent back to Armenia and are at risk of re-trafficking. The importance of prevention was mentioned repeatedly. The participants did not include some important actors in the identification and prevention process, as, for example, labour inspectors or health care workers.

WHAT ARE THE BARRIERS WHEN IDENTIFYING PRESUMED VICTIMS OF TRAFFICKING?

- Lack of information for public at large
- No written /official work contract, but only verbal agreement with the potential employee
- No standards for victim identification
- Shortage of time for a thorough interview with the victim of trafficking
- Stigmatization risks
- Victims are not prepared to self-identify themselves, which would make the process of identification much easier
- Concerns about being deported
- Family-related problems
- NRM not performing properly

Summary and Analysis. There is a variety of obstacles to identification. The participants were not exactly sure how they can act, what questions they should ask, what they should focus on and what the term “victim” means in practice. Secondly, they felt that there were serious reasons for victims not to come forward, most importantly the stigmatization, the general perception that they were somewhat co-responsible for what had happened to them, and the wide-spread public attitude that they were ‘prostitutes’ anyway. Lastly, even if the professionals see some indicators of trafficking before the exploitation happens, such as border guards, however, they have no mandate to act and they are not sure what they should/can do.

Note: It seemed that there was consensus in regard to the problems and obstacles to the identification process. The most heated debate was around the general perceptions of victims (i.e. lack of understanding, stigmatization, etc) and it was collectively agreed that it is a serious issue

both in general public and among professionals. Importantly, an issue of ‘mandates’ or ‘rights to identify victims’ was not raised in the group. The participants instead focused on their common problems and gave the impression that the tension and insecurities are not in regard to who should identify the trafficked people but rather in respect to how to do it properly and what to do the trafficked person is identified.

WHAT SHOULD BE DONE TO OVERCOME THESE BARRIERS?

- Continue awareness raising activities
- Sensitize public on treating victims as persons who have suffer from injustice, and not as criminals or prostitutes
- Strengthen self-identification mechanisms
- Organize trainings for various specialists (psychologists, medical doctors, law-enforcement officials, etc.) involved in the process of identification
- Make NRM operational
- Exercise stricter control over the activities of employment agencies
- Involve former victims in identification of presumed victims of trafficking at the very first stage of identification
- Cooperate and coordinate efforts
- Improve legislation

Summary and Analysis. The main need at the moment is to build the capacity of all involved. The groups unanimously agreed that training is needed and that it should not focus purely on the legal aspects of identifying trafficked people but be more holistic and include, for instance, psychological aspects. More clarity in regard to who exactly is a victim (both in legal and ‘on the ground’ terms) is needed. Training, as well as a legislative review of this issue would be helpful. Also, clarity regarding what to do once a person is identified (i.e. where s/he can be referred to and how) would be useful. It was agreed that the NRM provides a good framework but training would be needed to make it operational in practice.

Note: It seemed that irrespective of professional background, the participants felt that practice-oriented training is needed. It will not be a solution to identification problems, but will be a step in that direction.

THREE COMPONENTS OF GOOD PRACTICE

In the closing of the Roundtable, three components of Good Practice when combating trafficking in persons were highlighted: (1) Identification, (2) Application of appropriate methods when working with victims of trafficking, and (3) Cooperation based on jointly agreed principles.

1ST NRM ROUNDTABLE JUNE 2005 - QUESTIONS AND ANSWERS SESSION

Identification

Q: Can we say when identification ends or does it continue throughout a longer period?

A (1): Identification is not meant to place labels on individuals

- The purpose is assistance, but it has to be wanted by the victim.
- It must be a meaningful opportunity for victims to access assistance.
- Some victims might step forward; others might not have the opportunity or willingness to step forward.
- Identification should be a process that takes time, with the purpose of assistance.
- It must also follow the principle of voluntary participation.
- State has an obligation to identify as part of its obligation to protect.

A (2): Distinction between self-identification and external identification

- this is not clear all the time – the lines between voluntary and involuntary involvement in the trafficking process can be blurry.
- self-identification is therefore important, but there should also be a recognition that many victims will not self-identify.
- questionnaire for victim identification procedures.

NRM Coordination

Q: (Inter-Agency Commission) there is no coordinating body in the country; the Inter-Agency Commission is the only body that is involved in anti-trafficking coordination. [Reaction to the statement that there is an international working group on Anti-Trafficking]

A (1): Misunderstanding about what is meant by coordinating bodies.

- International organizations are trying to coordinate efforts and share information.
- Purpose of the international working group established a couple years ago.
- The body never claimed to be coordinating state responses in the field of anti-trafficking.
- What is the actual mandate of the inter-agency commission? It is to advise the Government of Armenia. Nothing in its mandate suggests coordination responsibilities or anything other than advice.
- The Commission mandate and actual responsibilities should be strengthened.

A (2): This is exactly the kind of coordination the NRM attempts to achieve.

Trafficking in children

Q: Research in 2002 showed that trafficking victims included children.

A: Not having explicitly mentioned about children doesn't mean that the services and recommendations are not implied, but there should be a special accounting of the needs of children.

Prevention versus Prosecution

Q: (General Prosecutor's Office) prevention – supposedly it's easier to prevent trafficking than to punish it, but what concrete proposals exist for prevention of the crime?

A: Protection of the rights of victims of trafficking should be a priority

- Prosecution and prevention are equally important.
- Awareness-raising can be a very effective prevention method.
- Obviously one of the possibilities is to improve work opportunities and economic situation for potential trafficking victims and facilitation of labor migration that takes human rights of the migrants always into account.
- Run campaigns to reduce demand for services of trafficking victims.
- Law-enforcement vigilance.

Role of the Media in Anti-Trafficking

Q: Mass media has been bypassed in the discussion of awareness raising. If we want to create more profound awareness, media will be critical.

Q: Trafficking victims are mainly from the provinces, where there are fewer newspapers and broadcast journals – if the media promotes awareness, it should be done in a way that impacts the regions.

A: Definitely mass media has a big role to play in investigating trafficking cases and creating awareness.

- Capacity building of journalists so that they know how to process information about victims responsibly is very important.
- The work of NGOs and the government, along with the media as perhaps an observer to the Inter-Agency Commission.

Q: A number of journalists have asked to speak with victims; journalists have to realize that the interview with the victim is not the goal – the real matter is the underlying cause of trafficking; it's not just about stories – the phenomenon is important to understand in a larger sense; they should also be able to include information about assistance organizations in newspaper articles – this is not an advertisement.

A: Public awareness is not the core of this roundtable, but it is an important related issue – it might be better to address public awareness/role for journalists in a different forum

- Media does have an important role to play in assistance and identification.
- We need to balance the needs of victims and the needs of the media (perhaps in favor of the victims).

Reintegration and Rehabilitation

Q: Reintegration/rehabilitation – difficult for victims to return to the difficult situation they left in the first place – should be included in the recommendations.

A: Social inclusion is part of what is considered assistance.

- It is one of the most difficult elements of the assistance process because it is long-term.
- and often runs against embedded stereotypes about victims, who are then stigmatized.

- Especially victims of sexual exploitation are often not seen as victims, but rather morally condemned.
- Government, civil society should take strong steps to criticize and minimize such stigmatization.

Links Between Illegal Migration and Trafficking

Q: Trafficking is directly connected with illegal migration; today there is a program being reintroduced for reintegration (Swiss government) – people prior to their return have nothing, no housing, etc.; program helps to reintegrate and train people, provides special services to children, who often can't even speak Armenian.

A: There is an important difference between trafficking in humans and illegal migration

- Situation with trafficking is more difficult because there is a moral aspect that has to be overcome in the re-integration process.
- Return or repatriation should be conducted by the government, but re-integration should be conducted by NGOs.
- Victims of trafficking often reside legally in a country and are not always there illegally.
- CoE Convention: trafficking does not need to be transnational.
- Palermo Protocol was more specifically transnational in character.

Links between Economic Situation and Trafficking

Q: Today the minimum wage is 15K drams; training is not very practical for most jobs; living wage should be more like \$250/mo.

- Victims of trafficking are often educated individuals who couldn't find other work – re-integration is often not a practical approach given the economic realities.

A (1): OSCE Office in Yerevan survey supports this observation – reasons for leaving were economic – lack of job opportunities in Yerevan.

- We don't know that much about the profile of the average victim, but some vulnerable groups should be paid attention to (children from orphanages).

A (2): Sustainability of projects is important; plans should include local community organizations.

Social Rehabilitation and Inclusion

Q: Social rehabilitation – the truth is that wages are too low, but economic questions are sometimes secondary to issues of social inclusion or exclusion.

Q: Armenian women never apply for support when they are repatriated – shame, fear militate against these women approaching service providers; useless to discuss these things if no one actually applies

A (1): Two reasons for why victims might not seek assistance – objective and subjective.

- It is completely up to the victim whether to seek assistance or not.
- It is important to establish assistance based on objective factors for those who do seek it.

- Atmosphere of trust must be established before victims will want to be identified.
- There shouldn't be time pressure on a victim to identify him/herself.
- When there is a formal process whereby victims can access information, there will be more willing to self-identify.
- A mechanism for assistance must be established before you identify the victim – one can't always be in responsive mode and should always be able to initiate assistance quickly.

A (2): Distinction between objective and subjective factors leads to the following point:

- Ask whether the assistance to be provided is relevant – are we really providing what the victim needs, to the level s/he needs it?
- Successful re-integration after sexual exploitation is extremely difficult; confidentiality is one of the most important elements, yet it seems to be violated frequently.

Victim and Witness Protection

Q: Trafficking is a source of significant income – it is worth asking whether it is connected with corruption; somehow have to convince the trafficking victim that he or she is not being used to burnish the government's credentials in fighting trafficking – must prove to the victim that this assistance is not simply a formality.

A: Victims, if assisted or protected properly, will be more useful to the prosecution.

- Corruption is another whole issue.
- NRM should allow for victim compensation.

Need for an Improved Cooperation Mechanism

Q: It seems like the same issues keep coming up over and over – wondering whether we're learning anything from each other anymore; need a concrete mechanism for cooperation; must find new directions

A: That is the purpose of this roundtable – to find out what works and what doesn't seem to work.

- Making concrete recommendations is the most important part of this discussion.
- Often there isn't the kind of open discussion environment that enables exchange of information.

Effective Fight Against Trafficking?

Q: Do we have a measure of effectiveness – number of trafficked victims has gone way up – we're not being effective?

A: We can conclude that Armenia as a country has not been as effective as it would like to be in the fight against trafficking; witness the State Department downgrade from Tier 2 to Tier 2 - Watch list

- With due respect to authorities, more can be done.
- Better implementation of commitments.