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OF THE REPUBLIC OF ARMENIA

**ON IDENTIFICATION OF AND SUPPORT TO PERSONS SUBJECTED TO
TRAFFICKING IN HUMAN BEINGS AND EXPLOITATION**

CHAPTER 1

GENERAL PROVISIONS

Article 1. Subject matter of the Law

1. This Law shall regulate the process of guidance, gathering and exchange of information on persons suspected to have been subjected to trafficking in human beings or exploitation from the moment of their detection, as well as the process of their identification, support and protection as victims or victims of special category, and provision of a reflection period.

Article 2. Purpose of the Law

1. The purpose of this Law shall, in the interests of persons subjected to trafficking in human beings or exploitation, be the detection, appropriate identification, support, protection and effective social reintegration thereof, by developing procedures of strategic cooperation with state government and local self-governing bodies, as well as with NGOs, international organisations and the civil society.

**Article 3. Legislation on identification of and support to persons subjected to
trafficking in human beings and exploitation**

1. Relations regarding the status of persons subjected to trafficking in human beings and exploitation shall be regulated by the international treaties of the Republic of Armenia, by this Law and other legal acts.

2. Where international treaties of the Republic of Armenia provide for norms other than those provided for by this Law, the norms of the international treaties shall apply.

Article 4. Main concepts used in the Law

1. The concepts used in this Law shall have the following meaning:

- (1) **trafficking in human beings and exploitation** — recruitment, transportation, transfer, harbouring or receipt of a human being for the purpose of exploitation, as well as exploitation or putting or keeping of a human being in a state of exploitation by use or threat to use force not dangerous for life or health or by other forms of coercion, for the purpose of abduction, deceit or abuse of confidence, using the power and position of vulnerability or receiving the consent of the person having control over him or her, by means of giving or receiving material or other benefit or by promising such. For the purposes of this Law, the definition of trafficking in human beings or exploitation shall include the recruitment, transportation, transfer, harbouring or reception, for the purpose of exploitation of children or persons, who, as a result of mental disorder, are devoid of the ability to fully or partially realise the nature and significance of their acts or to direct these, as well as the exploitation of such persons or putting them into or keeping in a state of exploitation;
- (2) **person subjected to trafficking in human beings or exploitation** — any physical person who has been subjected to trafficking in human beings or exploitation;
- (3) **potential victim** — a person in the pre-identification stage, regarding whom no decision has yet been made as to his or her being a victim or a victim of special category;
- (4) **victim** — a person subjected to trafficking in human beings or exploitation, who was recognised as such by the decision of the Identification Commission;
- (5) **victim of special category** — a person subjected to trafficking in human beings or exploitation, who, at the time of his or her detection, was a child or a person, who, as

a result of mental disorder, is devoid of the ability to fully or partially realise the nature and significance of his or her actions or to direct these, and who was recognised as such by the decision of the Identification Commission;

- (6) **child** — a person under eighteen years of age, as well as a person whose age is unknown, but there are reasonable doubts that he or she has not reached the age of eighteen;
- (7) **guidance** — for the purposes of this Law, creating a link between the person and the respective state government and local self-governing bodies, non-governmental or other organisation, and/or passing the solution of the problems regarding the interests of the person concerned to the latter;
- (8) **self-identified victim** — a person who, by the assessment of the actions taken against him or her, deems to have been subjected to trafficking in human beings or exploitation;
- (9) **submission for identification** — submitting to the Identification Commission information, facts, evidence and other materials, which confirm or refute that the potential victim has been subjected to trafficking in human beings or exploitation.

Article 5. Scope of the Law

1. The scope of this Law shall extend over those persons subjected to any form and nature of trafficking in human beings and exploitation, who:

- (1) are citizens of the Republic of Armenia or who have refugee status in the Republic of Armenia, and are in the Republic of Armenia at the time of being detected;
- (2) are foreign citizens or stateless persons (hereinafter referred to as "foreigner"), and are in the Republic of Armenia at the time of being detected;
- (3) are citizens of the Republic of Armenia or who have refugee status in the Republic of Armenia, and are in a foreign state at the time of being detected.

Article 6. Principles of the Law

1. The provisions defined under this Law shall be based on the principles of philanthropy, protection of human rights and freedoms, respect for honour and dignity, legality, impartiality and objectivity.

2. The provisions defined under this Law shall be subject to implementation exceptionally upon the consent of the person, guaranteeing the confidentiality of his or her personal information and private life, where it is not in his or her interest, as well as excluding any leakage or disclosure of information that would in any way endanger the life and dignity of the person.

Article 7. Limitation of publications

1. It shall be prohibited to publish over mass media or other media such information on persons subjected to trafficking in human beings or exploitation, which would identify the latter, except for the cases that are in their interests and upon the decision of the Identification Commission.

Article 8. Release from liability

1. In the manner defined by law, persons subjected to trafficking in human beings or exploitation shall be released from criminal and administrative liability for those offences where they were involved under coercion in the course of the human trafficking or exploitation against them.

CHAPTER 2

MAIN BODIES ENSURING THE IMPLEMENTATION OF THIS LAW

Article 9. Council of the Republic of Armenia on issues of fighting trafficking in human beings and exploitation

1. Council of the Republic of Armenia on issues of fighting trafficking in human beings and exploitation (hereinafter referred to as "the Council") is a body comprised of the management of the stakeholder state government bodies in the sphere of fighting trafficking in human beings and exploitation.

2. The purpose of the Council shall be setting the policy for fighting trafficking in human beings and exploitation in the Republic of Armenia, general coordination of the work conducted by state government, local self-government and other bodies in the sphere, supervision of working groups and commissions operating adjunct to the Council.

3. In the capacity of observers, representatives from non-governmental and international organisations shall also be allowed to take part in the works of the Council.

4. The rules of procedure and composition of the Council shall be approved by the decision of the Prime Minister of the Republic of Armenia.

Article 10. Partner non-governmental organisations

1. A partner NGO is a non-governmental organisation carrying out activities related to fighting trafficking in human beings or exploitation, the cooperation whereof with

the state government and local self-government bodies of the Republic of Armenia in the sphere of fighting trafficking in human beings and exploitation shall be laid down in the respective memorandum of mutual understanding signed by the Council.

2. By signing the memorandum of mutual understanding, the non-governmental organisation shall be recognised as partner non-governmental organisation, it shall be given the status of a competent body as envisaged by Article 11 of this Law and it shall assume the rights and obligations as defined by this Law for competent bodies.

3. Within the scope of their competencies, state government and local self-government bodies shall provide maximum support to partner non-governmental organisations in solving the issues provided for by this Law.

Article 11. Identification Commission

1. The Identification Commission shall be the only body authorised to recognise a person as a victim or a victim of special category. For the purpose of providing appropriate support and protection, a person may be recognised as a victim or a victim of special category solely by the Identification Commission, by open ballot and majority vote of the members.

2. The Identification Commission shall be comprised of representatives from partner non-governmental organisations experienced in identifying victims of trafficking in human beings and exploitation, representatives from the Prosecutor General's Office of the Republic of Armenia, from the Ministry of Labour and Social Affairs of the Republic of Armenia, from the Police of the Republic of Armenia, who shall take up equal rights in the Identification Commission. Partner non-governmental organisations and state government bodies shall be equally represented in the Identification Commission. The representative of the Ministry of Labour and Social Affairs of the Republic of Armenia shall be appointed as the chairman of the Identification Commission. The rules of procedure of the Identification Commission shall be set by the decision of the Government of the Republic of Armenia.

3. The Commission shall have members in reserve, who, where necessary, shall substitute absent members during the sessions. By the recommendation of the

Council, the main and reserve composition of the Identification Commission shall be approved by the decision of the Prime Minister of the Republic of Armenia.

Article 12. Bodies competent to conduct pre-identification and to present detected persons before the Identification Commission for the purpose of identification

1. Bodies competent to conduct pre-identification and to present potential victims for identification shall include partner non-governmental organisations, the Ministry of Labour and Social Affairs of the Republic of Armenia and the Police of the Republic of Armenia (hereinafter referred to as "the competent bodies").

2. The competent bodies shall receive information on persons subjected to trafficking in human beings or exploitation or cases of crimes in relation thereto as a result of independently held activities, as well as from the state government and local self-government bodies, from international, non-governmental organisations, from the mass media, from individual citizens, in any possible manner — in writing, through electronic correspondence, hot-lines, etc.

3. For the purpose of effectively solving the issues defined under this Law, the competent bodies shall actively cooperate and make use of each others' capacities.

4. For the purpose of ensuring the operative nature of the implementation of the provisions defined by this Law, the Ministry of Labour and Social Affairs of the Republic of Armenia and the Police of the Republic of Armenia shall be authorised to act and cooperate between themselves as well as with partner non-governmental organisations through appropriate specialised or responsible units.

5. Within the scope of their competencies, state government and local self-governing bodies shall provide maximum support to the competent body and, in the manner defined by the legislation of the Republic of Armenia, shall provide the latter with necessary information under their disposal about the person or related circumstances.

6. In line with the principles of human rights and protection of personal data, the competent bodies shall, in the manner defined by law, strictly adhere to the rules of confidentiality of personal and other information made known to them.

CHAPTER 3

DETECTING AND IDENTIFYING PERSONS SUBJECTED TO TRAFFICKING IN HUMAN BEINGS OR EXPLOITATION

Article 13. Detecting persons subjected to trafficking in human beings or exploitation, directing them to competent bodies and transfer of information

1. International and non-governmental organisations, mass media, the civil society and all those who are interested in counteracting, preventing trafficking in human beings and exploitation, in supporting, protecting and social reintegration of persons subjected to trafficking in human beings or exploitation, shall be encouraged to promptly inform any competent body about the persons subjected to trafficking in human beings or exploitation, as well as about related criminal cases that are known to them.

2. In case of any doubt that the person in contact with them within the field of their competence may have been subjected to trafficking in human beings or exploitation, state government and local self-government bodies shall promptly transfer the information on the latter or, upon the written consent of the person, shall direct him or her to the Ministry of Labour and Social Affairs of the Republic of Armenia. The self-identified victims, who have directly turned to the Identification Commission, shall also be directed to the Ministry of Labour and Social Affairs of the Republic of Armenia.

3. Within one day the competent bodies shall transfer the information on known criminal cases related to trafficking in human beings or exploitation to the Police of the Republic of Armenia.

Article 14. Identification of persons subjected to trafficking in human beings or exploitation

1. The identification of persons subjected to trafficking in human beings or exploitation is a comprehensive process, which consists of a pre-identification stage, where

facts proving a person being a victim are collected, and an identification procedure for recognising the person as a victim or a victim of special category.

2. A person shall be considered a victim or a victim of special category only after he or she has been recognised as such by the decision of the Identification Commission.

3. Identifying a person as a victim or a victim of special category and recognising him or her as a victim in accordance with criminal-legal norms are processes pursuing different objectives and may in no way derive from each other; however, the information serving as a ground for these may interchangeably be used, where the use of such information is not prohibited by law.

Article 15. Pre-Identification stage

1. The pre-identification stage is a preparatory stage for presenting potential victims for identification, during which the competent bodies shall collect as complete and credible information as possible, confirming or rejecting that the person was subjected to trafficking in human beings or exploitation.

2. During the pre-identification stage, the competent bodies shall take all feasible measures in order to clarify the identity, citizenship, age, mental state of the potential victim, as well as to ensure the integrity of the information about the potential victim and about trafficking in human beings or exploitation acts against him or her, for that purpose actively cooperating with each other, as well as with other bodies and organisations.

3. Based on the peculiarities of the activities, competent bodies shall independently decide upon the forms and methods for obtaining information in the pre-identification stage that are not prohibited by law. Such information may be obtained through interviews with the detected person, other persons (including the use of various designated questionnaires), through examination, clarification of documents and other evidence verifying or rejecting the circumstances provided by the person concerned, or through other means.

4. The pre-identification of the citizens of the Republic of Armenia within the territory of foreign states shall be carried out by the assistance of the diplomatic circles of the Republic of Armenia, international, non-governmental and other organisations, as well as the law enforcement authorities of the state concerned.

Article 16. Transfer of information in the pre-identification stage

1. Within 24 hours after receiving the detected person, the competent body shall orally, then in writing inform the Chairman of the Identification Commission about the person concerned.

2. In cases where the detected victim is a citizen of the Republic of Armenia or has a refugee status in the Republic of Armenia, but at the time of his or her detection was

within the territory of a foreign state, or where he or she is a foreign citizen, but at the time of his or her detection was in the Republic of Armenia, the competent bodies having received information about such persons shall immediately inform thereon to the Ministry of Foreign Affairs of the Republic of Armenia and to the Police of the Republic of Armenia.

Article 17. Pre-identification periods

1. The pre-identification period shall be calculated from the moment when the competent body receives information about detecting a potential victim until he or she is presented for identification, and it shall not exceed ten days.

2. In exceptional circumstances, when it was not possible within the set time period to obtain sufficient information for reasonable doubts confirming or rejecting that the detected person was a victim or a victim of special category, the pre-identification period may be extended once and for a maximum period of ten days upon the decision of the Identification Commission.

3. In cases related to foreign citizen potential victims, where it is not possible to take an objective decision based on the information collected within the time periods specified in parts 1 and 2 of this Article because of his or her mental state or circumstances stemming from the acts of trafficking in human beings or exploitation against him or her, the pre-identification period may be extended by the decision of the Identification Commission for a maximum period until the end of the reflection period granted to the person concerned.

4. It shall be prohibited for the competent body to unreasonably delay the presentation of the potential victim for identification.

Article 18. Identification procedure

1. Immediately after the expiry of the pre-identification period or before it, after collecting sufficient bases confirming or rejecting that the person is a victim or a victim of special category, the competent body shall give a written notification to the Chairman of the Identification Commission about the need to present the potential victim for identification.

2. Within 48 hours after receipt of the notice, the Chairman of the Commission shall convene an identification session ensuring the participation of the members and the representative of the competent body conducting pre-identification, as well as, where necessary, the participation of psychologists, pedagogues and other specialists in the capacity of consultants.

3. The participation — without a voting right — of the legal representative and relevant specialists in the Commission's works for identifying potential victims of special category shall be mandatory.

4. Presenting a potential victim for identification shall not mean ensuring his or her physical participation in the sessions of the Identification Commission. The potential victim may physically participate in or be present at the session of the Identification Commission related thereto only upon his or her own initiative or at the request of the Identification Commission.

5. During the session, the competent body shall recommend for Commission discussion the information, facts and evidence about the potential victim collected during the pre-identification stage, and, based on the aforementioned, the substantiated written opinion of the competent body about confirming or rejecting that the person is a victim or a victim of special category, which shall state the logical sequence of available information that has resulted to such an opinion.

6. Where, after examining and discussing the submitted materials, these are assessed as not sufficient for decision making, the Identification Commission may, where necessary, request additional information, as well as an interview with the potential victim. The officials or other parties, who have detected the person, may also be involved.

7. As a result of the identification session, one of the following decisions shall be made:

- (1) consider it a reliable fact that the person was subjected to trafficking in human beings or exploitation, and recognise the person as a victim or a victim of special category;
- (2) consider it an unreliable fact that the person was subjected to trafficking in human beings or exploitation;

(3) extend the pre-identification stage until the end of the time period set by this Law for pre-identification.

8. Upon the decision of the Identification Commission about considering the fact that the person was subjected to trafficking in human beings or exploitation as reliable, he or she shall be given a status of a victim or a victim of special category and shall be entitled to receive support and protection envisaged by this Law for victims or victims of special category.

9. Upon the decision of the Identification Commission about the unreliability of the fact that the person was subjected to trafficking in human beings or exploitation, the pre-identification of the person concerned and the provision of support and protection provided for by this Law for potential victims shall be suspended.

10. The decisions of the Identification Commission shall be signed by the members of the Commission who are participating in the session. The decision shall also reflect any objections made by the participants in the identification session. The person presented for identification and the competent body conducting the pre-identification shall each be provided with one copy of the decision taken during the identification session.

11. The decisions of the Identification Commission may be appealed in the manner prescribed by law.

Article 19. Reflection period

1. The reflection period is the period whereby the foreigner potential victim, victim and victim of special category, while staying within the territory of the Republic of Armenia, regardless of the legality of his or her residence status, is granted the right and opportunity to free himself or herself from the influence of the persons conducting trafficking in human beings or exploitation, to recover from the consequences of the physical injuries caused, as well as to take sober-minded and deliberate decisions.

2. All foreigner potential victims, victims or victims of special category shall be entitled to a reflection period. This right shall be automatically conferred to the latter at the same time when the pre-identification stage commences.

3. The reflection period shall be calculated from the moment when the foreigner potential victim is received by the competent body, and it shall be set for 30 days. The reflection period may be extended by a maximum period of 30 days upon the decision of the Identification Commission taken on the grounds of the justified motion of the competent body conducting the pre-identification of the person concerned.

4. Upon the decision of the Identification Commission, the reflection period may be cut shorter than the specified time periods only when new facts appear, whereby the person may not be recognised as a victim or a victim of special category, or upon the initiative of the potential victim.

5. During the reflection period, it shall be prohibited to deport a foreigner from the Republic of Armenia or to hold him or her liable for spending the specified time period in the Republic of Armenia without a valid visa or a residence status or with void documents.

6. The provisions envisaged for the reflection period shall be without prejudice to the fulfilment by law enforcement authorities of the functions defined by the legislation of the Republic of Armenia aimed at discovering offences.

CHAPTER 4

SUPPORT AND PROTECTION FOR PERSONS SUBJECTED TO TRAFFICKING IN HUMAN BEINGS AND EXPLOITATION

Article 20. Support and protection

1. Any victim or victim of special category shall be entitled to receiving support and protection in the manner prescribed by legislation.

2. The forms, types, duration, scopes of the protection and support to victims and victims of special category may not in any way be interrelated with or conditioned by their participation in the activities carried out by the law enforcement bodies as defined by the law of the Republic of Armenia. The provision of support and protection may not pursue

an expectation of receiving other services or any compensation in return for the provided services.

3. The provision of support shall be coordinated by the Ministry of Labour and Social Affairs of the Republic of Armenia, and the provision of protection shall be coordinated by the Police of the Republic of Armenia.

4. During the pre-identification period, the person shall not be considered as a victim or a victim of special category, and no support and protection measure envisaged for victims or victims of special category shall be applied, except for the urgent measures provided for by Article 21 of this Law and necessary for humanitarian reasons.

Article 21. Support in the pre-identification stage

1. During the pre-identification stage, the person, who — by the assessment of the competent body conducting the pre-identification or in line with his or her own declaration — is in obvious need for urgent support shall, upon his or her own will or written consent and where necessary, be directed by the competent body conducting the pre-identification of the person concerned to the Ministry of Labour and Social Affairs of the Republic of Armenia. The Ministry of Labour and Social Affairs of the Republic of Armenia shall take all possible measures to ensure the provision of urgent support, for that purpose making use of the capacity of partner or other non-governmental organisations, state government and local self-government bodies.

2. Where necessary the competent authority, through other state government bodies, may also involve in the fulfilment of the required actions relevant non-governmental and/or other organisations, diplomatic circles of the Republic of Armenia, as well as foreign diplomatic units accredited in the Republic of Armenia.

3. Parallel to the commencement of the pre-identification stage, the potential victim shall, in a language understandable for him or her, be informed of his or her rights, as well as the provisions established by this Law.

Support to potential victims may also include the following:

- (1) emergency medical aid;

- (2) provision of temporary accommodation for the period of the pre-identification stage, including for his or her legal representative and for children under his or her custody;
- (3) provision of general education;
- (4) in-kind aid of primary necessity;
- (5) primary psychological aid;
- (6) general consultation;
- (7) provision of care.

Article 22. Support to victims and special category victims

1. The authorised state government body responsible for ensuring support envisaged by this Law for victims and victims of special category shall be the Ministry of Labour and Social Affairs of the Republic of Armenia, which coordinates the activities of institutions and organisations rendering social services (including educational and medical institutions) aimed at the physical, psychological and social rehabilitation and integration of victims.

2. Support to victims and victims of special category shall be aimed at overcoming the disorders (deviations) from their normal lifestyle, caused by the trafficking in human beings or exploitation, and at the total social reintegration of the victims.

Support to victims and victims of special category may include the following:

- (1) provision of temporary accommodation;
- (2) in-kind aid;
- (3) provision or restoration of necessary documents;
- (4) medical aid and service;
- (5) psychological support;
- (6) counselling;
- (7) legal assistance;
- (8) provision of care, including in a relevant institution;
- (9) provision of translation services;
- (10) provision of general education;

- (11) ensuring the accessibility of secondary education and primary vocational education;
- (12) provision of employment;
- (13) organisation of safe return;
- (14) lump-sum monetary compensation.

3. **Provision of temporary accommodation** is the allocation of temporary accommodation to victims and victims of special category, as well as to their legal representative and children under their custody, where necessary and upon their consent, for a maximum period of 12 months. Such accommodation may include the asylum of the partner NGO, and other institutions that are capable of rendering care and protection and providing shelters.

4. **In-kind aid** is the provision of food, clothing, shoes, hygiene items, child care items and other primary necessity goods to victims and victims of special category, as well as to children under their custody.

5. **Provision or restoration of necessary documents** is aimed at restoring and, where these are initially missing, providing in the manner defined by the legislation of the Republic of Armenia those missing or void documents of the victim or victim of special category, which are necessary for ensuring the provision of other types of support as provided for by this Article. Such documents may include passports, attestation documents, diplomas, driver licences, employment record books, birth certificates and other necessary documents.

6. **Medical examination and aid** is the type of support, the provision whereof is aimed at detecting and fully curing injuries and diseases of victims and victims of special category caused as a result of being subjected to trafficking in human beings or exploitation.

7. **Psychological support** includes psychodiagnosis, psychological rehabilitation, psychotherapy, psychological consultation, professional orientation and other forms, the primary purpose whereof is to exercise targeted influence on the victim or victim of special category by means of information acquired through an analysis of the psychological state, psychological peculiarities and behaviour of the client in different

situations for the purpose of regulating their psychological life, adaptation to social environment and facing stressful situations.

8. **Counselling** is the provision of information to victims, victims of special category and their legal representatives about overcoming situations created as a result of being subjected to trafficking in human beings or exploitation, about advice and recommendations aimed at means for finding ways and methods for settling social issues and for social reintegration, as well as about receiving appropriate services.

9. **Legal assistance** is legal consultation, as well as the organisation of advocacy support for the purpose of protecting the rights and legal interests of the person concerned.

10. **Provision of care, including in a relevant institution** is meant for victims of special category, as well as for elderly or disabled persons. Care may be provided for twenty-four hours or only during daytime, at home, at the accommodation, in social protection institutions for the public and in social rehabilitation centres or in appropriate specialised institutions, as necessary. Within the framework of care provision, children left without parental care shall be provided with social and living conditions mostly resembling family conditions, and the elderly, disabled victims shall be given the opportunity to live in a social environment familiar to them. Care shall be provided through diet food, medical, sanitary service, special means of transportation, technical means for the recovery of disabled persons, organisation of social-psychological, cultural, educational, entertainment, where necessary dispensarisation, hospitalisation and other measures. Hospice care shall be provided to dying victims and victims of special category during the last months, days of their life, and, where necessary, to the members of their family, too, for alleviating their physical and psychological sufferings.

11. **Translation services** shall be provided upon necessity, in the form of written translation of different documents, as well as in the form of interpretation during processes related to victims and victims of special category, in their preferred language.

12. Before terminating the support, child victims of special category shall be provided with **secondary education**. As necessary, this education may be provided both in the form of private lessons, as well as attendance to public or special schools.

13. **Ensuring the accessibility of vocational education** shall be aimed at allowing victims and victims of special category to revise or acquire such vocational skills, which will later allow for finding appropriate jobs.

14. **Provision of employment** is the provision of such employment for victims and, where appropriate for victims of special category under preferential conditions, which is not prohibited by the legislation of the Republic of Armenia and is preferable for them.

15. As a type of support, **organisation of safe return** shall be provided to those victims and victims of special category, who are foreigners in the Republic of Armenia, or are citizens of the Republic of Armenia or have a refugee status in the Republic of Armenia but are in a foreign state. Within the framework of this Law, return shall be organised upon the voluntary, deliberate decision of the victim or victim of special category, only after the necessary security measures have been taken. Organisation of safe return shall be coordinated by the Ministry of Foreign Affairs of the Republic of Armenia. The safe return of a foreigner victim or victim of special category shall be realised in cases provided for by Article 23(1)(1) of this Law, upon his or her consent and to the state where he or she is a citizen or where he or she has residence permit. The return of a victim of special category shall be accompanied by his or her legal representative, psychologist or a police officer. Expenses related to the return shall be covered from the funds specified by Article 25 of this Law. The manner for organising a safe return shall be defined by the decision of the Government of the Republic of Armenia.

16. In cases provided for by Article 23(1)(1) of this Law, by the decision of the Commission about the termination of the support, all the victims shall be paid a **lump-sum monetary compensation**. Monetary compensation may in no way substitute or restrict the right of the victim to receive compensation from the perpetrator, in the manner prescribed by law.

17. By the initiative of the Police of the Republic of Armenia, in the manner defined by law, a foreigner victim, foreigner victim of special category or the legal representative of a foreigner victim of special category may also be given a temporary residence permit in the Republic of Armenia and/or a work permit in the Republic of Armenia.

Article 23. Termination of support

1. Provision of support to victims and victims of special category shall be terminated by the decision of the Identification Commission on grounds of the substantiated motion of the competent authority ensuring the provision of support, in the following cases:

- (1) the process of provision of support is completed;
- (2) the victim or the victim of special category has made an independent and deliberate decision to refuse the opportunity of support;
- (3) there are no further grounds available for provision of support;
- (4) insurmountable obstacles have occurred for making the support available to the victim or the victim of special category.

2. The support process is considered over if the support measures for the victim provided for by Article 22 of this Law are over. The support process may be considered as complete before the aforementioned circumstance, if the competent body rendering the support believes that the victim has been fully rehabilitated and that conditions for his or her social reintegration have been created. In this case, under insufficient grounds, the Commission may decide to reject the motion of the competent body and extend the support before the necessary complete package is submitted.

3. In cases provided for by point 3(1) of this Article, the support may also be terminated based on the motion of any competent body if there is substantiated evidence that the information underlying the identification does not correspond to the reality and that the person recognised as victim or victim of special category was not actually subjected to trafficking or exploitation.

Article 24. Peculiarities of support and its termination to potential victims and victims of special category

1. Potential victims and victims of special category shall be provided with appropriate support in the manner defined by Articles 21 and 22 of this Law, as well as with additional support related to the peculiarities deriving from their special status.

2. Competent bodies shall take every measure to find the legal representative of persons of special category. Where it is impossible, as well as in the event when their involvement is not in the interest of the person of special category, the latter shall, in the manner defined by law, be provided with a different legal representative from the start of the pre-identification until the termination of the support.

3. For the purpose of receiving support, the guidance of potential victims of special category and victims shall be carried out upon the written consent of the legal representative.

4. The provision of support to child victims of special category may be terminated no earlier than before they attain the age of majority. Upon attaining the age of majority, the person is not considered a victim of special category and the process of provision of support to him or her is carried out in accordance with the general principles provided for victims.

5. Termination of support to victims of special category devoid of the ability to fully or partially realise the nature and significance of their acts or to direct these shall be carried out in the general manner as prescribed by Article 22 of this Law.

Article 25. Funds necessary for compensation and support to victims

1. Support to potential victims, victims and victims of special category shall be guaranteed by the State and shall be carried out in the manner defined by the legislation of the Republic of Armenia.

2. Funding necessary for the lump-sum monetary transfer to victims and victims of special category, for types of support defined by this Law and outside the framework of regulation of other legal acts, as well as not guaranteed by the State, shall be covered by the Ministry of Labour and Social Affairs of the Republic of Armenia from the State Budget of the Republic of Armenia, charity and donations by legal and natural persons, as well as from other sources not prohibited by the legislation of the Republic of Armenia.

3. The procedure for and amount of support to be provided to the potential victims, victims and victims of special category, as envisaged by this Law, shall be defined by the Government of the Republic of Armenia.

Article 26. Accountability

1. Each quarter, before the 15th of the following month, the Identification Commission and the competent bodies shall submit to the Council a detailed report about the work implemented and expenditures incurred within the scope of this Law.

2. The form of the report shall be defined by the decision of the Prime Minister of the Republic of Armenia.

Article 27. Providing protection

1. Potential victims, victims and victims of special category may be provided with additional support in cases when available information and circumstances make the necessity of such protection obvious.

2. Protection of potential victims, victims and victims of special category shall be ensured by the Police of the Republic of Armenia, based on the substantiated motion of the competent body. Actions provided for by this Law on persons under protection shall be agreed with the Police of the Republic of Armenia.

3. For purposes of protection the competent body shall, in the manner defined by law, immediately transfer a victim of special category or a potential victim of special category to a safe environment and shall decide the issue of guardianship or a trusteeship, if there are reasonable doubts that:

- (1) his or her legal representative has in some way taken part in the trafficking in human beings or exploitation against himself or herself;
- (2) the legal representative may take actions against the life or health of the victim of special category or potential victim of special category;
- (3) the representative may negatively affect or hamper the assistance and rehabilitation process.

4. The protection of potential victims, victims and victims of special category party to a criminal proceeding shall be carried out in the general manner prescribed by law.

CHAPTER 5

TRANSITIONAL PROVISIONS AND ENTRY INTO FORCE OF THE LAW

Article 28. Transitional provisions

1. This Law shall apply to those persons subjected to trafficking in human beings or exploitation before the entry into force of this Law, who were detected after the entry into force of this Law.

2. This Law shall also apply to those persons who were detected and identified as victims in accordance with the "Order of national guidance of persons subjected to human exploitation (trafficking)" before the entry into force of this Law, however, according to the assessment of the body providing support for those persons, their social reintegration process is not completed yet and there is a need for support and protection as provided for by this Law.

3. In cases provided for by part 2 of this Article, the authority providing support to the victim shall submit a motion to the Identification Commission to recognise him or her as a victim or a victim of special category and to provide him or her necessary support and/or protection. Detailed information on the evidence confirming the trafficking in human beings or exploitation against the person concerned and on the support and protection previously provided to him or her is attached to the motion.

4. The Identification Commission shall discuss and, assessing the substantiation of the facts about the person being a victim or a victim of special category, as well as about the necessity to provide support, it shall take a decision on recognising the person as a victim or a victim of special category and on providing appropriate support and/or protection or on fully or partially rejecting the motion. The decision on providing support and/or protection shall specify the types of support and/or protection, which need to be provided to the victim concerned. These may be appealed in the manner defined by law.

5. Motions envisaged by part 3 of this Article shall be submitted to the Identification Commission within one month following the end of the period specified in part 6 of this Article.

6. Legal acts ensuring the implementation of this Law shall be adopted within four months following the entry into force of this Law.

Article 29. Entry into force

1. This Law shall enter into force on the tenth day following its official promulgation.