



EUROPEAN COMMISSION FOR THE EFFICIENCY OF JUSTICE
(CEPEJ)

SCHEME FOR EVALUATING JUDICIAL SYSTEMS 2009

Country: Armenia

National correspondent

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1. Demographic and economic data

1. 1. General information

1. 1. 1. Inhabitants and economic information

1) Number of inhabitants

3200000

2) Total of annual State public expenditure / where appropriate, public expenditure at regional or federal entity level (in €)

	Amount
State level	1863389710
Regional / entity level	110000000

3) Per capita GDP (in €)

2592

4) Average gross annual salary (in €)

2411

5) Exchange rate from national currency (non-Euro zone) to € on 1 January 2009

435

Please indicate the sources for questions 1 to 4 and give comments concerning the interpretation of the figures supplied if appropriate:

National Statistical Service of the Republic of Armenia.

1. 2. Budgetary data concerning judicial system

1. 2. 1. Budget (courts, public prosecution, legal aid, fees)

6) Total annual approved budget allocated to all courts (in €)

10546291

7) Please specify

Court of Cassation - 652210.3

Civil Court of Appeal of RA - 727369.9

Criminal Court of Appeal of RA - 773927.4

Court of general jurisdiction of Erebuni and Nubarashen community-372718.9

Court of general jurisdiction of Center and Nork-Marash community-429625.7

Court of general jurisdiction of Achapnyak and Davitashen community-272528.0

Court of general jurisdiction of Avan and Nor Norq community-325451.5

Court of general jurisdiction of Arabkir and Kanaker-Zeytun community-334830.8

Court of general jurisdiction of Shengavit community-329812.9

Court of general jurisdiction of Malatya-Sebastya community-306430.6
 Court of general jurisdiction of marz of Aragacotn-346783.7
 Court of general jurisdiction of marzes of Ararat and Vayoc Dzor-537009.0
 Court of general jurisdiction of marz of Armavir-398428.5
 Court of general jurisdiction of marz of Gegharqunik-482259.8
 Court of general jurisdiction of marz of Lori-585454.3
 Court of general jurisdiction of marz of Kotayk-462206.9
 Court of general jurisdiction of marz of Shirak-615740.7
 Court of general jurisdiction of marz of Syunik-428452.0
 Court of general jurisdiction of marz of Tavush-352790.8
 Administrative Court-734132.9
 Civil Court of Yerevan-691006.4
 Northern Civil Court-381613.6
 Southern Civil Court-319543.9
 Criminal Court of Yerevan-356567.4
 Northern Criminal Court-245001.6
 Southern Criminal Court-205908.3

8) Does the approved budget of the courts include the following items? Please give for each item (or some of them) a specification of the amount concerned or indicate NA (not available) in case that the information cannot be supplied

Please provide comments to explain the data provided under question 8:

Annual public budget allocated to (gross) salaries	<input checked="" type="checkbox"/> Yes	7033543
Annual public budget allocated to computerisation (equipment, investments, maintenance)	<input checked="" type="checkbox"/> Yes	228138
Annual public budget allocated to justice expenses		NA
Annual public budget allocated to court buildings (maintenance, operation costs)	<input checked="" type="checkbox"/> Yes	446030
Annual public budget allocated to investments in new (court) buildings		NA
Annual public budget allocated to training and education	<input checked="" type="checkbox"/> Yes	679053
Other (please specify):	<input checked="" type="checkbox"/> Yes	2159528

Comment :

Reconstruction-1.149.425

Reserve fund of courts-286.706

Reimbursemet of translators, experts and witnesses of court proceedings-50.574.7

9) Has the annual public budget of the courts changed (increased or decreased) over the last five years?

Yes

No

If yes, please specify (i.e. provide an indication of the increase or decrease of the budget over the last five years:

2005-expenditure for the maintenance of courts - 2 917 608.9 €
 2006-expenditure for the maintenance of courts - 4 276 208.3 €
 2007-expenditure for the maintenance of courts - 6 720 775.8 €
 2008-expenditure for the maintenance of courts - 9 660 448.5 €
 2009-expenditure for the maintenance of courts - 12 444 761.8 €

10) In general are litigants required to pay a court tax or fee to start a proceeding at a court of general jurisdiction:

- for criminal cases?
 for other than criminal cases?

If yes, are there exceptions? Please specify:

As a rule state due is established by civil and administrative actions with the exception of the cases established by the Article 22 of the Law of the Republic of Armenia on "State due" particularly the claimants with their claims for the exaction of sums related with the salary and payments equalized to it, and also labour disputes claims, claims on the exaction of alimony, mutilation or other health damage, and also with claims on indemnity of the damage caused by the death of the bread-winner and so on.

11) If yes, please specify the annual income of court fees (or taxes) received by the State (in Euros)

NA

12) Total annual approved budget allocated to the whole justice system (in €)

Please provide information concerning the budgetary elements that included in the whole justice system budget:

. Amount 14622030

Comment :

Maintenance of the central body of the Judicial Department and courts---12 444 761.8 €

Reserve fund of courts-286 706.4 €

Construction of the administrative objects-1 149 425.4 €

Training of judges, judicial officers and judicial managers---656 179 €

Investments in judicial school (State non commercial organization)- 5 762.1 €

Payments of translators, experts and witnesses included in the court procedures-50 574.8 €

The development of the abilities of the central body of the Judicial Department-28 620.6 €

13) Total annual approved public budget allocated to legal aid (in €)

Please provide comments to explain the figure provided under question 13:

. Amount 350420

Comment :

NA

14) If possible, please specify (if no data is available (NA) or if it does not apply to your system (NAP) please indicate it with the relevant abbreviation):

	Annual public budget allocated to legal aid in criminal law cases	Annual public budget allocated to legal aid in non criminal law cases
Amount	350420	NA

Comment :

15) Is the public budget allocated to legal aid included in the court budget ?

 Yes No

16) Total annual approved public budget allocated to the public prosecution system (in €)

Please provide comments to explain the figure provided under question 16:

. Amount 5687641

Comment :

1.Salaries,social fees and other benefits from the budget. 4.578.636
 2.Fees of energy,communication and utility 411.512
 3.Business trips and travel fees 21.699
 4.Administrative, computer, information,management service and other services 95.908
 5.Representative fees 29.885
 6.Reparation and maintenance of machines and equipments 46.436
 7.Materials of office,transport,domestic and public product 320.565
 8.Taxes, obligatory fees and fines, which are implemented to each other by different administrative levels 8.046
 9. Non-financial assets expenses / the acquisition fees of transport equipments,administrative equipments/ 294.942
 Total 5.687.641

17) Is the budget allocated to the public prosecution included in the court budget?

 Yes No

18) Authorities formally responsible for the budget allocated to the courts:

	budget	budget	of the budget among the individual courts	budget at a national level
Ministry of Justice	No	No	No	No
Other ministry	Yes	No	No	No
Parliament	No	Yes	No	No

Supreme Court	No	No	No	No
Judicial Council	No	No	No	No
Courts	Yes	No	No	No
Inspection body	No	No	No	No
Other	Yes	Yes	Yes	No

19) If other Ministry and/or inspection body and/or other, please specify (in regards to question 18):

Based on the claims presented by the central body of the judicial department and separate departments, the program of the midtime expenses of courts and budget claim are being prepared, after which it is presented for the approval of the Council of court presidents by the leader of the judicial department. The Council of the court presidents is allowed to make necessary changes in the budget claim. With the decision to start the affirmed operation the budget claim and the program of midtime expenses are presented to the government in the defined period to be included in the budget project.

The position of the Council of the court presidents on budget claim and the program of midtime expenses is presented in the National Assembly by the leader of the judicial department.

You can indicate below:

- any useful comments for interpreting the data mentioned in this chapter
- the characteristics of your budgetary system and the main reforms that have been implemented over the last two years
- if available an organisation scheme with a description of the competencies of the different authorities responsible for the budget process

Please indicate the sources for answering the questions 6, 8, 11, 12, 13, 14 and 16.

Statements of 2004-2008 years

Law of the Republic of Armenia "On the state budget" of 2009 of the RA.

2. Access to Justice and to all courts

2. 1. Legal aid

2. 1. 1. Principles

20) Does legal aid concerns:

	Criminal cases	Other than criminal cases
Representation in court	Yes	Yes
Legal advice	Yes	No
Other	No	No

21) If other, please specify (in regards to question 20):

22) Does legal aid foresee the covering or the exoneration of court fees?

Yes

No

If yes, please specify:

23) Can legal aid be granted for the fees that are related to the execution of judicial decisions?

Yes

No

24) Number of cases granted with legal aid provided by (national, regional, local) public authorities (if no data is available (NA) or if it does not apply to your system (NAP) please indicate it with the relevant abbreviation):

	Number
Total	2142
in criminal cases	2142
Other than criminal cases	

Comment :

In 2008 public defenders participated in 2142 criminal cases which includes 1391 cases in regions and 751 cases in Yerevan.

25) In a criminal case, can any individual who does not have sufficient financial means be assisted by a free of charge (or financed by public budget) lawyer?

Yes

No

26) Does your country have an income and asset test for granting legal aid:

	Yes	Amount in €
for criminal cases		
for other than criminal cases?		

Comment :

27) In other than criminal cases, is it possible to refuse legal aid for lack of merit of the case (for example for frivolous action)?

- Yes
 No

Please provide comments to explain the answer under question 27:

28) If yes, is the decision for granting or refusing legal aid taken by:

- the court?
 an authority external to the court?
 a mixed decision-making authority (court and external)?

29) Is there a private system of legal expense insurance enabling individuals to finance court proceedings?

- Yes
 No

Please specify:

30) Do judicial decisions have an impact on who bears the legal costs which are paid by the parties during the procedure in:

	Yes (the decision has an impact on who bears the legal costs)
criminal cases?	No
other than criminal cases?	Yes

You can indicate below:

- any useful comments for interpreting the data mentioned in this chapter
- the characteristics of your legal aid system and the main reforms that have been implemented over the last two years

Please indicate the sources for answering the questions 24 and 26

2. 2. Users of the courts and victims

2. 2. 1. Rights of the users and victims

31) Are there official internet sites/portals (e.g. Ministry of Justice, etc.) for the following, which the general public may have free of charge access to:

- legal texts (e.g. codes, laws, regulations, etc.)? Internet address(es): Yes www.arlis.am,
www.parliament.am,
www.gov.am
- case-law of the higher court/s? Internet address(es): Yes
- other documents (for examples forms)? Internet address(es): Yes www.court.am

32) Is there an obligation to provide information to the parties concerning the foreseeable timeframe of the proceeding?

- Yes
- No

If yes, please specify:

Laws of the RA on criminal, civil, administrative and constitutional procedures oblige courts to inform the parties of the court procedure properly about the place and time of the court hearings to provide the presence of the participants of the court procedure in the trial.

Besides, the session agendas are stuck on the demonstration boards in courts.

33) Is there a public and free-of-charge specific information system to inform and to help victims of crimes?

- Yes
- No

If yes, please specify:

34) Are there special favourable arrangements to be applied, during judicial proceedings, to the following categories of vulnerable persons:

	Information mechanism	Hearing modalities	Procedural rights	Other
Victims of rape	No	No	Yes	No
Victims of terrorism	No	No	Yes	No
Children/Witnesses/Victims	No	Yes	Yes	No
Victims of domestic violence	No	No	Yes	No
Ethnic minorities	No	No	Yes	No
Disabled persons	Yes	No	Yes	No
Juvenile offenders	No	Yes	Yes	No
Other	No	No	No	No

Comment :

35) Does your country have a compensation procedure for victims of crimes?

- Yes
 No

36) If yes, does this compensation procedure consist in:

- a public fund?
 a court decision?
 a private fund?

If yes, which kind of cases does this procedure concern?

The institute of claims in civil matters is defined to compensate for the damage done to injured party while carrying on criminal cases. It is called to provide the injured with the property and physical damage compensation caused by the crimes on account of the accused or the people who are responsible for his actions by their property.

37) Are there studies to evaluate the recovery rate of the compensation awarded by courts to victims?

- Yes
 No

If yes, please specify:

38) Is there a specific role for the public prosecutor with respect to the (protection of the position and assistance of) victims?

- Yes
 No

If yes, please specify:

According to the Criminal Procedure Code of RA a public prosecutor and the victim are the common party in the court. Prosecutor initiates criminal case and defend the accusation in the court. If public prosecutor denies the accusation in the court the legal case should be discontinued.

39) Do victims of crimes have the right to contest to a decision of the public prosecution to discontinue a case?

- Yes
 No

If yes, please specify:

It is established in the Article 290 of the Criminal Procedure Code that the criminal injured have a right to complain to the court against the decisions and actions or inactions of the bodies realizing the criminal procedure if they find them illegal or if it limits or breaks their rights and legal benefits.
According to the second part of the same Article the injured have a right to complain to the court against the decisions of the investigation body, the investigator and the prosecutor to discontinue the criminal case.

2. 2. 2. Confidence of citizens in their justice system

40) Is there a system for compensating users in the following circumstances:

- excessive length of proceedings?
- non execution of court decisions?
- wrongful arrest?
- wrongful condemnation?

If yes, please specify (fund, daily tariff):

The Constitution of the RA and the Criminal Procedure Code of the RA envisage legal preconditions and proceedings both for limiting unsubstantially the freedom and immunity of the person and compensation of damages for illegal conviction. The person, as a result of wrongful arrest and conviction, has a right to receive property compensation in its total size taking into consideration the real missed benefits. Besides the compensation is given to the person on accounts of the state budget means.

41) Does your country have surveys aimed at users or legal professionals (judges, lawyers, officials, etc.) to measure their trust and/or satisfaction (with the services delivered by the judiciary system)?

- (Satisfaction) surveys aimed at judges
- (Satisfaction) surveys aimed at court staff
- (Satisfaction) surveys aimed at public prosecutors
- (Satisfaction) surveys aimed at lawyers
- (Satisfaction) surveys aimed at citizens (visitors of the court)
- (Satisfaction) surveys aimed at other clients of the courts

If possible, please specify their titles, how to find these surveys, etc:

42) If possible, please specify:

	Yes (surveys at a regular interval: for example annual)	Yes (incidental surveys)
Surveys at national level	No	No
Surveys at court level	No	No

43) Is there a national or local procedure for making complaints about the functioning (for example the treatment of a case by a judge or the duration of a proceeding) of the judicial system?

- Yes
- No

44) If yes, please specify:

Please give elements of information concerning the efficiency of this complaint procedure:



	Time limit to respond (Yes)	Time limit for dealing with the complaint (Yes)
Court concerned	No	No
Higher court	No	No
Ministry of Justice	No	No
High Council of the Judiciary	Yes	No
Other external organisations (e.g. Ombudsman)	No	No

Comment :

Protest against the duration of the trial can be presented to the Council of Justice arising the question of submitting the judge to the disciplinary responsibility for allowing obvious and rough violation of material and judicial right while realizing justice.

3. Organisation of the court system

3. 1. Functioning

3. 1. 1. Courts

45) Number of courts considered as legal entities (administrative structures) and geographic locations (please, complete the table. If no data is available (NA) or if it does not apply to your system (NAP) please indicate it with the relevant abbreviation.

	Total number
First instance courts of general jurisdiction	16
Specialised first instance Courts (legal entities)	1
All the Courts (geographic locations) * (this includes Supreme Courts and/or High Courts)	20

46) Please specify the different areas of specialisation (and, if possible, the number of courts concerned):

The administrative court of the RA - 1 court.

47) Is there a change in the structure in the courts foreseen (for example a reduction of the number of courts (geographic locations) or a change in the powers of courts)?

Yes

No

If yes, please specify:

48) Number of first instance courts competent for a case concerning (if no data is available (NA) or if it does not apply to your system (NAP) please indicate it with the relevant abbreviation):

	Number
a debt collection for small claims	NAP
a dismissal	
a robbery	

Please specify what is meant by small claims in your country (answer only if the definition has been changed since the previous evaluation cycle):

Please indicate the sources for answering the questions 45 and 48:

3. 1. 2. Judges, courts staff

49) Number of professional judges sitting in courts (please give the information in full time equivalent and for permanent posts; if there is no data please indicate this with NA)

Please provide comments to explain the answer under question 49:

Number . 216

Comment :

The reply is given on basis of data provided by the division of staff administration of the Judicial Department of RA. The division of staff administration of the Judicial Department conducts a privacy of judges.

50) Number of professional judges sitting in courts on an occasional basis and who are paid as such:

	Number
gross figure	
if possible, in full time equivalent	

51) Please provide comments to explain the answer under question 50:

52) Is there in the legal system non-professional judges (including lay judges and excluding jurees) who are not remunerated but who can possibly receive a simple defrayal of costs? (Please indicate NA if no figures are available).

Please provide comments to explain the answer under question 52:

	Yes	Number
Do you have non-professional judges?		

Comment :

53) Does your judicial system include trial by jury with the participation of citizens?

- Yes
- No

If yes, for which type of case(s)?

54) If possible, indicate the number of citizens who were involved in such juries for the year of reference?

55) Number of non-judge staff who are working in courts (in full time equivalent and for permanent posts). Please indicate NA if no figures are available.

Please provide comments to explain the answer under question 55:

Number . 951+technical staff

Comment :

The division of staff administration of the Judicial Department conducts a privacy of judicial servants. Civil servant or technical staff have job passport, where mentioned their working responsibilities, experiences and character of work.

56) If possible, could you distribute this staff according to the 4 following categories. If no data is available (NA) or if it does not apply to your system (NAP) please indicate it with the relevant abbreviation).

- non-judge staff (Rechtspfleger or similar bodies), with judicial or quasi-judicial tasks having autonomous competence and whose decisions could be subject to appeal Yes

- non-judge staff whose task is to assist the judges (case file preparation, assistance during the hearing, keeping the minutes of the meetings, helping to prepare the decisions) such as registrars Yes

- staff in charge of different administrative tasks as well as of the management of the courts (human resources management, material and equipment management, including computer systems, financial and budgetary management, training management) Yes

- technical staff Yes

Comment :

57) If there are Rechtspfleger (or similar bodies) in your judicial system, please describe briefly their status and functions:

3. 1. 3. Prosecutors

58) Number of public prosecutors (in full time equivalent and for permanent posts). If there is no data available please indicate it (NA).

Number . 337

Comment :

59) Do any other persons have similar duties as public prosecutors?

Yes

No

If yes, please specify:

60) Number of staff (non prosecutors) attached to the public prosecution service (in

full time equivalent and for permanent posts). If there is no data available please indicate it (NA).

Please provide comments to explain the answer under question 60:

Number

.

289

Comment :

3. 1. 4. Court budget and new technologies

61) Who is entrusted with the individual court budget?

	Preparation of the budget	Arbitration and allocation	Day to day management of the budget	Evaluation and control of the use of the budget
Management Board	No	No	No	No
Court President	Yes	No	No	No
Court administrative director	Yes	No	Yes	No
Head of the court clerk office	No	No	No	No
Other	No	Yes	Yes	Yes

62) You can indicate below:

- any useful comments for interpreting the data mentioned above
- if available an organisation scheme with a description of the competencies of the different authorities responsible for the budget process in the court

63) For direct assistance to the judge/court clerk, what are the computer facilities used within the courts?

	100% of courts	+50% of courts	-50% of courts	-10% of courts
Word processing	Yes	No	No	No
Electronic data base of jurisprudence	Yes	No	No	No
Electronic files	Yes	No	No	No
E-mail	Yes	No	No	No
Internet connection	Yes	No	No	No

64) For administration and management, what are the computer facilities used within the courts?

	100% of courts	+50% of courts	-50% of courts	-10% of courts
Case registration system	Yes	No	No	No
Court management information system	Yes	No	No	No
Financial information system	Yes	No	No	No

65) For the communication between the court and the parties, what are the computer

facilities used within the courts?

	100% of courts	+50% of courts	-50% of courts	-10% of courts
Electronic web forms	No	No	No	No
Special Website	Yes	No	No	No
Other electronic communication facilities	No	No	No	No

66) Is there a centralised institution which is responsible for collecting statistical data regarding the functioning of the courts and judiciary? Yes No

If yes, please specify the name and the address of this institution:

Section of summarizing and statistics of the judicial practice of the Judicial Department of the RA, Yerevan city, V.Sargsyan 5.

You can indicate below:

- any useful comments for interpreting the data mentioned in this chapter
- the characteristics of your judicial system and the main reforms that has been implemented over the last two years

3. 2. Monitoring and evaluation**3. 2. 1. Monitoring and evaluation****67) Are the courts required to prepare an annual activity report?** Yes No**68) Do you have a regular monitoring system of court activities concerning the**

- number of incoming cases?
- number of decisions?
- number of postponed cases?
- length of proceedings (timeframes)?
- other?

Please specify:

69) Do you have a regular system to evaluate the performance of each court? Yes No

Please specify:

70) Concerning court activities, have you defined performance indicators (if no, go to question 72)?

- Yes
 No

71) Please select the 4 main performance and quality indicators that is used for a proper functioning of courts:

- incoming cases
 length of proceedings (timeframes)
 closed cases
 pending cases and backlogs
 productivity of judges and court staff
 percentage of cases that are treated by a single sitting judge
 enforcement of penal decisions
 satisfaction of employees of the courts
 satisfaction of clients (regarding the services delivered by the courts)
 judicial quality and organisational quality of the courts
 costs of the judicial procedures
 other:

Please specify:

72) Are there performance targets defined for individual judges (if no go to question 74) ?

- Yes
 No

73) Please specify who is responsible for setting the targets:

- executive power (for example the ministry of Justice)?
 legislative power
 judicial power (for example a High Judicial Council or a Higher Court
 other

If other, please specify:

74) Are there performance targets defined at the level of the courts (if no go to question 77)?

- Yes

No

75) Please specify who is responsible for setting the targets:

- executive power (for example the ministry of Justice)?
- legislative power
- judicial power (for example a High Judicial Council or a Higher Court)
- other

If other, please specify:

76) Please specify the main targets applied

77) Which authority is responsible for the evaluation of the performances of the courts:

- High Council of judiciary
- Ministry of justice
- inspection authority
- Supreme Court
- external audit body
- other

If other, Please specify:

78) Are there quality standards (organisational quality and/or judicial quality policy) formulated for the courts (existence of a quality system for the judiciary)?

- Yes
- No

If yes, please specify:

79) Do you have specialised court staff which is entrusted with quality policy and/or quality systems for the judiciary?

- Yes
- No

80) Is there a system which measures the backlogs and which detects the cases not processed within a reasonable timeframe for:

- civil cases?
- criminal cases?

administrative cases?

81) Do you have a way of analysing waiting time during court procedures?

Yes

No

If yes, please specify:

82) Is there a system to evaluate the functioning of courts on the basis of an evaluation plan (timetable for visits) agreed a priori?

Yes

No

Please specify (including an indication of the frequency of the evaluation):

83) Is there a system for monitoring and evaluating the functioning of the prosecution services?

Yes

No

If yes, please specify:

You can indicate below:

- any useful comments for interpreting the data mentioned in this chapter
- the characteristics of your court monitoring and evaluation system

4. Fair trial

4. 1. Principles

4. 1. 1. General principles

84) What is the percentage of judgements in first instance criminal cases in which the suspect is not attending in person or not represented by a legal professional (i.e. lawyer) during a court session (in absentia judgements)? If no data is available (NA) or if it does not apply to your system (NAP) please indicate it with the relevant abbreviation).

NA

85) Is there a procedure to effectively challenge a judge if a party considers that the judge is not impartial?

Yes

No

If possible, number of successful challenges (in a year):

86) Please give the following data concerning the number of cases regarding Article 6 of the European Convention of Human Rights (on duration and non-execution), for the year of reference. If there is no data available, please indicate it (NA).

	Cases declared inadmissible by the Court	Friendly settlements	Judgements establishing a violation	Judgements establishing a non violation
Civil proceedings - Article 6§1 (duration)	NA			
Civil proceedings - Article 6§1 (non-execution)				
Criminal proceedings - Article 6§1 (duration)				

4. 2. Timeframes of proceedings

4. 2. 1. General information

87) Are there specific procedures for urgent matters as regards:

civil cases?

criminal cases?

administrative cases?

Please specify:

88) Are there simplified procedures for:

civil cases (small claims)?

criminal cases (petty offences)?

administrative cases?

Please specify (for example if you have introduced a new law on simplified procedures):

It is envisaged by the criminal procedure legislation the Institute of accelerated trial in criminal cases.

89) Do courts and lawyers have the possibility to conclude agreements on the modalities for processing cases (presentation of files, decisions on timeframes for lawyers to submit their conclusions and on dates of hearings)?

Yes

No

If yes, please specify:

4. 2. 2. Penal, civil and administrative law cases

90) Total number of cases in the first instance courts (litigious and non-litigious): please complete the table. If the data are not available (NA) or not applicable (NAP) please indicate it in the table with the relevant abbreviations.

	Pending cases on 1 Jan. '08	Incoming cases	Resolved cases	Pending cases on 31 Dec. '08
Total of civil, commercial and administrative law cases (litigious and non litigious)*	5612	40942	33176	13378
1 Civil (and commercial) litigious cases*	5612	31373	26991	9994
2 Civil (and commercial) non-litigious cases*				
3 Enforcement cases	NAP			
4 Land registry cases**	NAP			
5 Business register cases**	NAP			
6 Administrative law cases	NA	9569	6185	3384
7 Other				
Total criminal cases (8+9)	170	2994	2575	589
8 Criminal cases (severe criminal offences)	0	1321	1055	266
9 Misdemeanour and / or minor offences cases	170	1673	1520	323

91) Comments (including an indication of the cases that are included in the total figures of civil, commercial and administrative law case and types of criminal law cases - definition of misdemeanour cases, minor offences and severe criminal cases):

Crimes are established in the criminal code of the RA. There isn't any other legal act including crimes except for the criminal code.

The classification of crimes is established in the Article 19 of the Criminal Code of the RA, for which degree of penalty is taken as a standard that can be established in the sanction.

As for the administrative misconducts, then they are established in the Code of RA on Administrative violations.

They differ from the crimes due to the objective and subjective features. Especially with the subject and object and also with the nature of violation especially by the given damage and other

consequences.

92) Total number of cases in the second instance (appeal) courts (litigious and non-litigious): please complete the table. If the data are not available (NA) or not applicable (NAP) please indicate it in the table with the relevant abbreviations).

*** Please indicate (in the comments below) which types of cases are included in the total figures of civil, commercial and administrative law cases.**

**** if applicable**

Please check the consistency of data as mentioned under question 91.

Comments (including an indication of the cases that are included in the total figures of civil, commercial and administrative law case and types of criminal law cases and possibly the existence of appeal rates for some case categories):

	Pending cases on 1 Jan. '08	Incoming cases	Resolved cases	Pending cases on 31 Dec. '08
Total of civil, commercial and administrative law cases (litigious and non-litigious)*	857	2913	3140	630
1 Civil (and commercial) litigious cases*	857	2913	3140	630
2 Civil (and commercial) non-litigious cases*	NA			
3 Enforcement cases	NA			
4 Land registry cases**	NA			
5 Business register cases**	NA			
6 Administrative law cases	NA			
7 Other	NA			
Total criminal cases (8+9)	17	1573	1316	274
8 Criminal cases (Severe criminal offences)	NA			
9 Misdemeanour and/or minor offences cases	NA			

Comment :

93) Total number of cases in the highest instance courts (litigious and non-litigious): please complete the table. If the data is not available (NA) or not applicable (NAP) please indicate it in the table with the relevant abbreviations.

*** Please indicate (in the comments below) which types of cases are included in the total figures of civil, commercial and administrative law cases.**

**** if applicable**

Please check the consistency of data as mentioned under question 88.

Comments (including an indication of the cases that are included in the total figures of civil, commercial and administrative law case and on possible limitations to the appeal to the highest instance court):

	Pending cases on 1 Jan. '08	Incoming cases	Resolved cases	Pending cases on 31 Dec. '08
Total of civil,				

commercial and administrative law cases* (litigious and non-litigious)	0	1069	1068	1
1 Civil (and commercial) litigious cases*	0	846	845	1
2 Civil (and commercial) non-litigious cases*				
3 Enforcement cases				
4 Land registry cases**				
5 Business register cases**				
6 Administrative law cases	0	223	223	0
7 Other				
Total criminal cases (8+9)		88	76	12
8 Criminal cases (severe criminal offences)	NA			
9 Misdemeanour cases (minor offences)	NA			

Comment :

94) Number of litigious divorce cases, employment dismissal cases, robbery cases and intentional homicide cases received and treated by first instance courts: please complete the table. If the data are not available (NA) or not applicable (NAP) please indicate it in the table with the relevant abbreviations.

	Pending cases on 1 Jan. '08	Incoming cases	Resolved cases	Pending cases on 31 Jan. '08
Litigious divorce cases*	163	1786	1656	293
Employment dismissal cases*	63	668	596	135
Robbery cases	18	523	474	67
Intentional homicide	15	80	61	34

95) Average length of proceeding (from the date of lodging of court proceedings) in days, number of pending cases more than 3 years and percentage of cases subject to appeal: please complete the table. If the data is not available (NA) or not applicable (NAP) please indicate it in the table with the relevant abbreviations.

Please provide comments to explain the answers to question 92:

	% of decisions subject to appeal	% pending cases more than 3 years	1st instance (average length)	2d instance (average length)	Total procedure (average total length)
Litigious divorce cases*					
Employment dismissal cases*					
Robbery cases					
Intentional homicide					

Comment :

96) Where appropriate, please specify the specific procedure as regards (litigious and non-litigious) divorce:

97) How is the length of proceedings calculated for the four case categories? Please give a description of the calculation method.

98) Please describe the role and powers of the prosecutor in the criminal procedure (multiple options are possible):

- to conduct or supervise police investigation
- to conduct investigation
- when necessary, to demand investigation measures from the judge
- to charge
- to present the case in the court
- to propose a sentence to the judge
- to appeal
- to supervise enforcement procedure
- to end the case by dropping it without the need for a judicial decision
- to end the case by imposing or negotiating a penalty without a judicial decision
- other significant powers

Please specify:

98.2 and 98.3: Starting from February 22, 2007 when the Law "On Prosecution system" entered into force the prosecution system has no right any more to conduct investigation, and the whole investigative apparatus have been removed from the structure of prosecution system.

99) Does the prosecutor also have a role in civil and/or administrative cases?

- Yes
- No

Please specify:

The role of the prosecutor's office on civil and administrative cases is that the prosecutor has a right to submit a due to the court to defend the property benefits of the State.

100) Functions of the public prosecutor in relation to criminal cases – please complete this table. If the data is not available (NA) or not applicable (NAP) please indicate it in the table with the relevant abbreviations.

Please provide comments to explain the answers to question 100 and indicate in particular if the data given include traffic offences:

	Received by the public prosecutor	Discontinued by the public prosecutor because the offender could not be identified	Discontinued by the public prosecutor due to the lack of an established offence or a specific legal situation	Discontinued by the public prosecutor for reason of opportunity	Concluded by a penalty, imposed or negotiated by the public prosecutor	Charged by the public prosecutor before the courts
Total number of 1st instance criminal cases	10167	2004	615	1224		2511

Comment :

You can indicate below:

- any useful comments for interpreting the data mentioned in this chapter**
- the characteristics of your system concerning timeframes of proceedings and the main reforms that have been implemented over the last two years**

Please indicate the sources for answering the questions 90 to 95 and 100:

5. Career of judges and prosecutors

5. 1. Appointment and training

5. 1. 1. Recruitment, nomination and promotion

101) How are judges recruited?

- Through a competitive exam (for instance after a law degree)?
- A specific recruitment procedure for legal professionals with long working experience in the legal field (for example lawyers)?
- A combination of both
- Other

Other, please specify:

102) Are judges initially/at the beginning of their carrier recruited and nominated by:

- An authority composed of judges only?
- An authority composed of non-judges only?
- An authority composed of judges and non-judges?

103) Is the same authority competent for the promotion of judges?

- Yes
- No

If no, please specify which authority is competent for the promotion of judges:

104) Which procedures and criteria are used for promoting judges? Please specify.

105) How are prosecutors recruited?

- Through a competitive exam? (for example after a law degree)
- A specific recruitment procedure for legal professionals with long working experience in the legal field (for example lawyers)?
- A combination of both
- Other

Other, please specify:

106) Are prosecutors initially/at the beginning of their carrier recruited and nominated by:

- An authority composed of prosecutors only?
- An authority composed of non-prosecutors only?

An authority composed of prosecutors and non-prosecutors?

107) Is the same authority formally responsible for the promotion of prosecutors?

- Yes
- No

If no, please specify which authority is competent for promoting prosecutors:

108) Which procedures and criteria are used for promoting prosecutors? Please specify:

According to the part 1 of the Article 34 of RA Law on "Prosecution" the list of the candidates of the public prosecutors is recruited by the commission of qualification of the prosecutor's office once a year as a rule in every January by the open competition held with the order established by the General Prosecutor.

Part 11 of the same Article envisages that with the mediation of the person who is set free from the training the commission of qualification can examine the question of including simultaneously the claimant in the list of the candidates of the public prosecutors and service progress.

According to the second point of the part 14 of the Article 54 of the law the commission of qualification can make a decision to include the public prosecutor in the list of the service progress of public prosecutors.

109) Is the mandate given for an undetermined period for judges?

- Yes
- No

Are there exceptions? Please specify:
The mandate is given till there 65 years old.

110) Is there a probation period for judges? If yes, how long is this period?

	Yes	Duration of the probation period (in years)
Probation period for judges		

111) Is the mandate given for an undetermined period for prosecutors?

- Yes
- No

Are there exceptions? Please specify:

112) Is there a probation period for prosecutors? If yes, how long is this period?

	Yes	Duration of the probation period (in years)
Probation period for prosecutors		

113) If the mandate for judges/prosecutors is not for an undetermined period, what is the length of the mandate? Is it renewable?

Please specify the length

for judges? Yes

for prosecutors? Yes

You can indicate below:

- any useful comments for interpreting the data mentioned in this chapter
 the characteristics of the selection and nomination procedure of judges and prosecutors and the main reforms that have been implemented over the last two years

5. 1. 2. Training

114) Nature of the training of judges. Is it compulsory?

- Initial training
 General in-service training
 In-service training for specialised judicial functions (e.g. judge for economic or administrative issues)
 In-service training for management functions of the court (e.g. court president)
 In-service training for the use of computer facilities in the court

115) Frequency of the training of judges

	Annual	Regular	Occasional
Initial training	No	No	No
General in-service training	No	No	No
In-service training for specialised judicial functions (e.g. judge for economic or administrative issues)	Yes	No	No
In-service training for management functions of the court (e.g. court president)	No	No	No
In-service training for the use of computer facilities in the court	No	No	No

116) Nature of the training of prosecutors. Is it compulsory?

- Initial training
 General in-service training
 Specialised in-service training (specialised public prosecutor)
 In-service training for management functions of the prosecution services (e.g. head prosecutor and/or managers)
 In-service training for the use of computer facilities in the public prosecution service)

117) Frequency of the training of prosecutors

	Annual	Regular	Occasional
Initial training	Yes	No	No
General in-service training	Yes	No	No
Specialised in-service training (specialised public prosecutor)	Yes	No	No
In-service training for management functions of the prosecution services (e.g. head prosecutor and/or managers)	Yes	No	No
In-service training for the use of computer facilities in the public prosecution service)	No	No	No

You can indicate below:

- any useful comments for interpreting the data mentioned in this chapter**
- comments regarding the attention given in the curricula to the European Convention on Human Rights and the case law of the Court**
- the characteristics of your training system for judges and prosecutors and the main reforms that has been implemented over the last two years**

5. 2. Practice of the profession

5. 2. 1. Salaries

118) Salaries of judges and prosecutors: please complete the table. If the data is not available (NA) or not applicable (NAP) please indicate it in the table with the relevant abbreviations.

Please provide comments to explain the answers to question 118:

	Gross annual salary (€)	Net annual salary (€)
First instance professional judge at the beginning of his/her career	6069	5068
Judge of the Supreme Court or the Highest Appellate Court	9103	7423
Public prosecutor at the beginning of his/her career	4864	4161
Public prosecutor of the Supreme Court or the Highest Appellate Instance	6487	5420

Comment :

119) Do judges and public prosecutors have additional benefits?

Reduced taxation	No	No
Special pension	No	No

Housing	No	No
Other financial benefit	No	No

120) If other financial benefit, please specify:

121) Can judges combine their work with any of the following other functions ?

	Yes with remuneration	Yes without remuneration	No
Teaching	Yes	No	No
Research and publication	Yes	No	No
Arbitrator	No	No	No
Consultant	No	No	No
Cultural function	No	No	No
Other function	No	No	No

122) If other function, please specify:

123) Can prosecutors combine their work with any of the following other functions ?

	Yes with remuneration	Yes without remuneration	No
Teaching	Yes	No	No
Research and publication	Yes	No	No
Arbitrator	No	No	No
Consultant	No	No	No
Cultural function	No	No	No
Other function	No	No	No

124) If other function, please specify:

125) Do judges receive bonus based on the fulfilment of quantitative objectives relating to the delivering of judgments?

Yes

No

If yes, please specify:

Please indicate the source for answering the question 118

5. 2. 2. Disciplinary procedures

126) Which authority is authorized to initiate disciplinary proceedings against judges and/or prosecutors? Please specify:

Judicial and executive governments with regard to the judges.

127) Which authority has the disciplinary power on judges and prosecutors? Please specify:

Judicial and executive governments with regard to the judges.

128) Number of disciplinary proceedings initiated against judges and prosecutors: please complete the table. If the data is not available (NA) or not applicable (NAP) please indicate it in the table with the relevant abbreviations.

Please provide comments to explain the answers to question 128:

	Judges	Prosecutors
Total number (1+2+3+4)	26	4 to 5
1. Breach of professional ethics		
2. Professional inadequacy		
3. Criminal offence		
4. Other	26	

Comment :

For fulfilment of evident and gross breach of material and procedural right executing justice.

129) Number of sanctions pronounced against judges and prosecutors: please complete the table. If the data is not available (NA) or not applicable (NAP) please indicate it in the table with the relevant abbreviations.

Please provide comments to explain the answers to question 129

	Judges	Prosecutors
Total number (total 1 to 9)	5	3
1. Reprimand		3
2. Suspension		
3. Withdrawal of cases		
4. Fine		
5. Temporary reduction of salary	1	
6. Degradation of post		
7. Transfer to another geographical (court) location		
8. Dismissal		
9. Other	4	

Comment :

According to the first part of the Article 48 of the legislation of the RA disciplinary procedure is done in respect to the public prosecutor or by the corresponding higher public prosecutor concerning the fact of the disciplinary violation.

You can indicate below:

- any useful comments for interpreting the data mentioned in this chapter
- the characteristics of your system concerning disciplinary procedures for judges and prosecutors and the main reforms that have been implemented over the last two years

6. Lawyers

6. 1. Statute of the profession

6. 1. 1. Profession

130) Total number of lawyers practising in your country. If there is no data available, please indicate it (NA).

782

131) Does this figure include legal advisors (solicitors or in-house counsellor) who cannot represent their clients in court? If no go to question 133.

- Yes
 No
 Not applicable

132) Number of legal advisors. If there is no data available, please indicate it (NA)

NA

133) Do lawyers have a monopoly of representation in (multiple options are possible):

- Civil cases*?
 Criminal cases - Defendant*?
 Criminal cases - Victim*?
 Administrative cases*?

* If appropriate, please specify if it concerns first instance and appeal. And in case there is no monopoly, please specify the organisations or persons which may represent a client before a court (for example a NGO, family member, trade union, etc) and for which types of cases:

1. in criminal cases only an advocate can be a defence
2. in civil cases it can be any authorized person

134) Is the lawyer profession organised through?

- a national bar?
 a regional bar?
 a local bar?

Please specify:

Advocates are unified in the Chamber of Advocates of the RA.

Please indicate the source for answering the questions 130 and 132:

6. 1. 2. Training

135) Is there a specific initial training and/or examination to enter the profession of

lawyer? Yes No**136) Is there a mandatory general system for lawyers requiring continuing professional training?** Yes No**137) Is the specialisation in some legal fields tied with a specific level of training/ qualification/ specific diploma or specific authorisations?** Yes No

If yes, please specify:

Higher legal education and two years of work experience is required to take the qualification exam for obtaining a license to practice advocacy.

6. 1. 3. Fees

138) Can users establish easily what the lawyers' fees will be? Yes No

Please provide comments to explain the answer under question 138

139) Are lawyers fees regulated by law? regulated by Bar association? freely negotiated?

Please provide comments to explain the answer under question 139:

To obtain a licence to practice advocacy two years work experience as a lawyer is required.

6. 2. Evaluation

6. 2. 1. Complaints and sanctions

140) Have quality standards been formulated for lawyers? Yes No

141) If yes, who is responsible for formulating these quality standards:

- the bar association?
- the legislature?
- other?

Please specify (including a description of the quality criteria used):
 Performance of a task with bona fide and with high qualification

142) Is it possible to complain about

- the performance of lawyers?
- the amount of fees?

Please specify:
 Right to claim back the paid amount in case performance of a certain task was not performed in a good faith

143) Which authority is responsible for disciplinary procedures

- the judge?
- the Ministry of justice?
- a professional authority or other?

Please specify:
 Board of the Chamber of the RA

144) Disciplinary proceedings initiated against lawyers: please complete the table. If the data is not available (NA) or not applicable (NAP) please indicate it in the table with the relevant abbreviations.

Please provide comments to explain the answers to question 141:

	Breach of professional ethics	Professional inadequacy	Criminal offence	Other
Annual number	5	NA	NA	NA

Comment :
 • Not good faith in advocate-client relations
 • Contempt of court

145) Sanctions pronounced against lawyers : please complete the table. If the data is not available (NA) or not applicable (NAP) please indicate it in the table with the relevant abbreviations.

Please provide comments to explain the answers to question 145:

	Reprimand	Suspension	Removal	Fine	Other
Annual number	5	NA	NA	NA	NA

Comment :

For breach of ethics norms the basic sanction is reprimand.

However, suspension of an advocate's license is also possible if an advocate in one year for three times breached ethics norms.

You can indicate below:

- any useful comments for interpreting the data mentioned in this chapter**
- the characteristics of your system concerning the organisation of the Bar and the main reforms that have been implemented over the last two years**

7. Alternative Dispute Resolution

7. 1. Mediation and other forms of ADR

7. 1. 1. Mediation

146) Does the legal system provide for mediation procedures? If no go to question 151

- Yes
 No

147) If applicable, please specify, by type of cases, the organisation of mediation

	Possibility for private mediation proposed by the judge or court annexed mediation	Private mediator	Public authority (other than the court)	Judge	Prosecutor
Civil and commercial cases	No	No	No	No	No
Family law cases (ex. Divorce)	No	No	No	No	No
Administrative cases	No	No	No	No	No
Employment dismissals	No	No	No	No	No
Criminal cases	No	No	No	No	No

148) Is there a possibility to receive legal aid for mediation procedures?

- Yes
 No

If yes, please specify:

149) Number of accredited mediators. If there is no data available, please indicate it (NA)

150) Please Indicate the total number of judicial mediation procedures per case category. If the data is not available (NA) or not applicable (NAP) please indicate it in the table with the relevant abbreviations.

- civil cases? Yes
family cases? Yes
administrative cases? Yes
employment dismissals? Yes
criminal cases? Yes

Please indicate the source for answering the question 150:

7. 1. 2. Other forms of alternative dispute resolution

151) Can you give information concerning other forms of alternative dispute resolution (e.g. arbitration, conciliation)? Please specify:

The Law of the Republic of Armenia "On Commercial arbitration" has been adopted on 25 December 2006.

You can indicate below:

- any useful comments for interpreting the data mentioned in this chapter**
- the characteristics of your system concerning ADR and the main reforms that have been implemented over the last two years**

8. Enforcement of court decisions

8. 1. Execution of decisions in civil matters

8. 1. 1. Functioning

152) Do you have in your system enforcement agents (judicial officers)? If no go to question 154

- Yes
 No

153) Number of enforcement agents. If there is no data available, please indicate it (NA).

281

154) Are enforcement agents (multiple options are possible):

- judges?
 bailiff practising as private profession ruled by public authorities?
 bailiff working in a public institution?
 other enforcement agents?

Please specify their status and powers:

155) Is there a specific initial training or examination to enter the profession of enforcement agent?

- Yes
 No
 Not applicable

156) Is the profession of enforcement agent organised by?

- a national body?
 a regional body?
 a local body?
 not applicable

157) Can users establish easily what the fees of the enforcement agents will be?

- Yes
 No
 Not applicable

158) Are enforcement fees:

- regulated by law?
 freely negotiated?
 not applicable

Please indicate the source for answering the question 153:

Service of Enforcement Execution of Court Decisions of the Ministry of Justice of the Republic of Armenia.

8. 1. 2. Supervision**159) Is there a body entrusted with the supervision and the control of the enforcement agents?**

- Yes
 No
 Not applicable

160) Which authority is responsible for the supervision and the control of enforcement agents:

- a professional body?
 the judge?
 the Ministry of justice?
 the prosecutor?
 other?

Please specify:

161) Have quality standards been formulated for enforcement agents?

- Yes
 No
 Not applicable

If yes, who is responsible for formulating these quality standards and what are the quality criteria used?

162) Is there a specific mechanism for executing court decisions rendered against public authorities, including the follow up to this execution?

- Yes
 No

if yes, please specify

163) Is there a system for monitoring the execution?

- Yes
 No

If yes, please specify

8. 1. 3. Complaints and sanctions**164) What are the main complaints of users concerning the enforcement procedure? Please indicate a maximum of 3.**

- no execution at all?
 non execution of court decisions against public authorities?
 lack of information?
 excessive length?
 unlawful practices?
 insufficient supervision?
 excessive cost?
 other?

Please specify:

165) Has your country prepared or has established concrete measures to change the situation concerning the enforcement of court decisions – in particular as regards decisions against public authorities?

- Yes
 No

If yes, please specify:

166) Is there a system measuring the timeframes of the enforcement of decisions :

- for civil cases?
 for administrative cases?

167) As regards a decision on debts collection, can you estimate the average timeframe to notify the decision to the parties which live in the city where the court sits:

- between 1 and 5 days
 between 6 and 10 days
 between 11 and 30 days

more

If more, please specify

168) Number of disciplinary proceedings initiated against enforcement agents. If the data is not available (NA) or not applicable (NAP) please indicate it in the table with the relevant abbreviations.

Total number of disciplinary proceedings	<input checked="" type="checkbox"/> number:	15
for breach of professional ethics	<input type="checkbox"/> number:	
for professional inadequacy	<input checked="" type="checkbox"/> yes, number:	15
for criminal offence	<input type="checkbox"/> number:	
Other	<input type="checkbox"/> number:	

169) Number of sanctions pronounced against enforcement agents. If the data are not available (NA) or not applicable (NAP) please indicate it in the table with the relevant abbreviations.

Total number of sanctions	<input checked="" type="checkbox"/> number:	28
Reprimand	<input checked="" type="checkbox"/> number:	24
Suspension	<input type="checkbox"/> number:	
Dismissal	<input checked="" type="checkbox"/> number:	4
Fine	<input type="checkbox"/> number:	
Other	<input type="checkbox"/> number:	

You can indicate below:

- any useful comments for interpreting the data mentioned in this chapter
- the characteristics of your enforcement system of decisions in civil matters and the main reforms that has been implemented over the last two years

Please indicate the source for answering the questions 167, 168 and 169:

8. 2. Execution of decisions in criminal matters

8. 2. 1. Functioning

170) Is there a judge who is in charge of the enforcement of judgments?

- Yes
 No

If yes, please specify his/her functions and activities (e.g. Initiative or control functions). If no, please specify which authority is entrusted with the enforcement of judgements (e.g. prosecutor):

171) As regards fines decided by a criminal court, are there studies to evaluate the

effective recovery rate? Yes No

If yes, please specify:

You can indicate below:

- any useful comments for interpreting the data mentioned in this chapter**
- the characteristics of your enforcement system of decisions in criminal matters and the main reforms that have been implemented over the last two years**

9. Notaries

9. 1. Statute

9. 1. 1. Functioning

172) Do you have notaries in your country? If no go to question 177

- Yes
 No

173) Is the status of notaries (if the data are not available (NA) or not applicable (NAP) please indicate it in the table with the relevant abbreviations):

a private one (without control from public authorities)?	<input type="checkbox"/> number	
a status of private worker ruled by the public authorities?	<input checked="" type="checkbox"/> number	73
a public one?	<input type="checkbox"/> number	
other?	<input type="checkbox"/> number	

Comment :

174) Do notaries have duties:

- within the framework of civil procedure?
 in the field of legal advice?
 to authenticate legal deeds?
 other?

Please specify:

Please indicate the source for answering the question 173

Status of non-governmental worker guarded by the state according to the Law of the RA on "Notary".

9. 1. 2. Supervision

175) Is there an authority entrusted with the supervision and the control of the notaries?

- Yes
 No

176) Which authority is responsible for the supervision and the control of the notaries:

- a professional body?

- the judge?
- the Ministry of justice?
- the prosecutor?
- other?
- not applicable

Please specify:

You can indicate below:

- any useful comments for interpreting the data mentioned in this chapter**
- the characteristics of your system of notaries and the main reforms that have been implemented over the last two years**

Latin notary system is functioned in the RA. Since 2005 the Notary Palace of the RA is the member of the Union of the International Latin Notary.

The project of recent changes has started to be discussed since 2008 and by the end of 2009 that project will have been accepted by the National Assembly of the RA.

10. Court interpreters

10. 1. function

10. 1. 1. Statute

177) Is the title of court interpreter protected?

- Yes
 No

178) Is the function of court interpreter regulated?

- Yes
 No

179) Number of certified court interpreters. If the data is not available (NA) or not applicable (NAP) please indicate it in the table with the relevant abbreviations

NA

180) Are there binding provisions regarding the quality of court interpreting in judicial proceedings?

- Yes
 No

If yes, please specify:

181) Are the courts responsible for the selection of court interpreters?

- Yes
 No

Please provide comments to explain the answers to question 178 (in particular, if no, which authority selects court interpreters?) :

11. Functioning of justice

11. 1. Foreseen reforms

11. 1. 1. Reforms

182) Can you provide information on the current debate in your country regarding the functioning of justice? Are there foreseen reforms? For example changes in legislation, changes in the structure of the judiciary, innovation programmes, etc. Please specify:

The year Of 2009 is described with some systematic changes of judicial system. The judicial reforms have been done and the set of projects of cycle variant legislation changes have been realized. The legislation bases for those projects were the legal positions, which had been expressed in the decisions of the Constitutional Court and the decisions of European Court of Human Rights, the recommendations of the Committee of Ministers of the Council of Europe. Adopted legislative projects entered into force in 1 January 2009, bases for which were the requirements of the decisions of Constitutional Court from May 27, September 9, october 8 and 21, November 25 of the year of 2008.

As a result of implemented changes:

1. It is ensured for every person the possibility of effective realization of the right of trial protection prescribed by the European Convention of Human Rights and the Constitution in 3-level court system envisaged by the Constitution.
2. The Institute of accredited lawyers in the Court of Cassation has been abandoned as encumbrance for the availability of the Court of Cassation.
3. The role of the specialised chambers of the Court of Cassation was retrieved as the highest instance realizing justice in the appropriate sphere.
4. The new arised or with new circumstances trial proceeding institute has been improved on the basis of principle of revision of higher instance.

In February 5 of 2009 the second group of legislation changes of judicial legal reforms were accepted by the National Assembly, by which the specialised courts were abolished starting from 1 May 2009.

In April 7 of 2009 changes have been made in the Administrative Procedure Code of RA, on the basis of the decisions adopted by the Constitutional Court in November 25 and December 2 of 2008, by which better conditions were envisaged by the Court of Cassation for taking the administrative case into process. Besides, the Article 14 of the Judicial Code has been changed, by which the movement of judges from one court instance to another court instance was excepted.