



EUROPEAN COMMISSION FOR THE EFFICIENCY OF JUSTICE
(CEPEJ)

SCHEME FOR EVALUATING JUDICIAL SYSTEMS 2011

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 (if possible on 1 January 2011)

3 262 600

2) Total of annual public expenditure at state level and where appropriate, public expenditure at regional or federal entity level (in €) - (If data is not available, please indicate NA. If the situation is not applicable in your country, please indicate NAP)

	Amount
State level	1 726 006 000
Regional / federal entity level (total for all regions / federal entities)	NAP

3) Per capita GDP (in €)

2 168

4) Average gross annual salary (in €)

2 560

5) Exchange rate from national currency (non-Euro zone) to € on 1 January 2011

481.16

A.1

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

Per capita GDP is calculated on the basis of current market prices by the average annual number of inhabitants and by the data of dollar/euro exchange rate.

1. 2. Budgetary data concerning judicial system

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

6) Annual approved public budget allocated to the functioning of all courts, in €(if possible without the budget of the public prosecution services and without the budget of legal aid):

TOTAL annual approved budget allocated to the functioning of all courts (1 + 2 + 3 + 4 + 5 + 6 + 7)	<input checked="" type="checkbox"/> Yes	11 285 536
1. Annual public budget allocated to (gross) salaries	<input checked="" type="checkbox"/> Yes	8 782 622
2. Annual public budget allocated to computerisation (equipment, investments, maintenance)	<input checked="" type="checkbox"/> Yes	36 204
3. Annual public budget allocated to justice expenses (expertise, interpretation, etc), without legal aid. NB: this does not concern the taxes and fees to be paid by the parties.	<input checked="" type="checkbox"/> Yes	32 213
4. Annual public budget allocated to court buildings (maintenance, operating costs)	<input checked="" type="checkbox"/> Yes	418 540
5. Annual public budget allocated to investments in new (court) buildings	<input checked="" type="checkbox"/> Yes	81 398
6. Annual public budget allocated to training and education	<input checked="" type="checkbox"/> Yes	360 226
7. Other (please specify):	<input checked="" type="checkbox"/> Yes	1 574 333

7) If you cannot separate the budget of the public prosecution services and the budget of legal aid from the budget allocated to all courts, please indicate it clearly. If "other", please specify:

8) Are litigants in general 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 to the rule to pay court a tax or fee? Please provide comments on those exceptions:

In the cases stipulated by the codes of civil and administrative procedure civil and administrative claimants and according to the law of the RA «on Constitutional court» applicants are obliged to pay state duties prescribed by law.

9) Annual income of court taxes or fees received by the State (in €)

NAP

10) Annual approved public budget allocated to the whole justice system, in €(this global budget does not include only the court system as defined under question 6, but also the prison system, the judicial protection of juveniles, the operation of the Ministry of Justice, etc.)

NA

11) Please indicate the budgetary elements that are included in the whole justice system. If "other", please specify in the "comment" box below.

Court system	Yes
Legal aid	No
Public prosecution services	Yes
Prison system	No
Probation services	No
Council of the judiciary	No
Judicial protection of juveniles	No
Functioning of the Ministry of Justice	No
Refugees and asylum seekers services	No
Other	No

Comment :

The budget of the court system includes the following elements:

- 1.Expenditures for the maintenance
- 2.Expenditures for trainings
- 3.Expenditures for the rebuilding of administrative buildings
- 4.Service cars' acquirement expenditures
- 5.Expenditures of translators, experts and witnesses included in the court procedures.
- 6.reserve fund courts

12) Annual approved public budget allocated to legal aid, in €- If one or several data are not available, please indicate NA. If the situation is not applicable in your country, please indicate NAP.

	Total annual approved public budget allocated to legal aid (12.1 + 12.2)	12.1 Annual public budget allocated to legal aid in criminal law cases	12.2 Annual public budget allocated to legal aid in non criminal law cases
Amount (in €)	294 140	NAP	NAP

13) Total annual approved public budget allocated to the public prosecution services (in €). Please indicate in the "comment" box below any useful information to explain the figures provided.

Amount

4 496 722

Comment :

- 1.Salaries,social fees and other benefits from the budget.3 818 786 €.
 - 2.Fees of energy,communication and utility 295 505 €.
 - 3.Business trips and travel fees 14 718 €.
 - 4.Administrative, computer, information,management service and other services 164 211 €.
 - 5.Representative fees 15 038 €.
 - 6.Reparation and maintenance of machines and equipments 46.436
 - 7.Materials of office,transport,domestic and public product 40 299 €.
 - 8.Taxes, obligatory fees and fines, which are implemented to each other by different administrative levels 147652 €.
 9. Non-financial assets expenses / the acquisition fees of transport equipments,administrative equipments/ 513 €.
- Total 4 496 722 EUR (1 EUR = 532 AMD)

Question 13 : we clarify that there was a redistribution of the state budget of RA by the government decision of march 26 of 2009 of the RA connected with the international financial crisis which is the result of decrease of the budget of prosecution of the RA.

14) Authorities formally responsible for the budgets allocated to the courts (multiple options possible) :

	Preparation of the total court budget	Adoption of the total court budget	Management and allocation of the budget among the individual courts	Evaluation of the use of the 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

15) If any other Ministry and/or inspection body and/or other, please specify (considering question 14):

Preparation of total court budget- court staff, judicial department.

The council of courts' chairmen

Approval of the total court budget- The government of the RA, The National Assembly of the RA

The management of the budget and allocation between court - The council of courts' chairmen, Judicial department.

The evaluation of the use of the budget by national level- The government of the RA.

A.2

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

- 1.The financing is done by the Judicial department within the framework of the expenditures provided by the state budget.
- 2.The several court staff does the preparation of the court budget bid project and the project of the budget bid of the judicial department central body is done by the appropriate structural unit.
- 3.The budget bid of the court system is prepared on the basis of the bids presented by the judicial department central body and courts, then is submitted for approval to the council of courts' chairmen by the head of the judicial department. The council of courts' chairmen can do necessary changes in the bid of the budget. The established budget bid is presented to the government to be included in the project of the state budget.
4. The bid of the courts is accepted and included in the state budget project by the government, and in the case of objections it is presented to the parliament with the state budget project.
5. The position of the council of courts' chairmen about budget bid and medium-term expenditure program is presented by the head of the judicial department in the National Assembly.
6. There is a reserve fund for the financing of the unpredictable expenditures for ensuring normal activity of the courts, which composes the 2% of expenditures provided for the courts by the RA Law "On the state budget" of appropriate year.
- The allocations from the reserve fund are done on the basis of the decision of the council of courts' chairmen.
- 7.For ensuring normal activity of the courts in case of insufficient reserve fund resources the government fills the lack

from the government reserve fund.

Question 6#2#1 : The increase of the annual approved public budget allocated to the functioning of all courts is 38.12% accounted in AMD and 24.87% in € connected with the change of the currency of €.1 €=435 AMD in 2008 year and 1€= 481.16 AMD in 2010 year.

Question 6#2#2 : The increase of the annual salary fund allocated to the courts is connected with the dual increase of official pay rate.

Question 6#2#3 : The decrease of annual public budget allocated to computerization between 2008 and 2010 is connected with the fact that in 2008 year the financial means were used for the purchase of computer equipments, but in 2010 year they were used for their maintenance.

Question 6#2#7 : 6 specialised courts were abolished in 2009 year and as a result the number of the judicial servants and officers staff is reduced and consequently the training expenditures in 2010 also were reduced.

Question 6#2#8 : The decrease of means allocated from State budget to the courts for other expenditures between 2008 and 2010 year is connected with the fact that in 2008 year expenditures are included non permanent expenses,e.g. purchase of property and cars.

Please indicate the sources for answering the questions 6, 9, 10, 11, 12 and 13.

Question 6,11- Law of the Republic of Armenia "On the state budget" of 2010 of the RA.
Government decree No.1421 of November 04, 2010
Government decree No.1605 of December 09, 2010

2. Access to Justice and to all courts

2. 1. Legal aid

2. 1. 1. Principles

16) Does legal aid apply to:

	Criminal cases	Other than criminal cases
Representation in court	Yes	Yes
Legal advice	Yes	Yes

17) Does legal aid include the coverage of or the exemption from court fees?

Yes

No

If yes, please specify:

The following privileges of the state due are established in the Article 21 of the law of the RA "On State due".

The following privileges of state due can be established
For state tax may have the following benefits:

- a) exemption from payment of state duty;
- b) reducing the amount of the state fee;
- c) reducing of the rate of state duty;
- d) deferment of payment of state duty;

18) Can legal aid be granted for the fees that are related to the enforcement of judicial decisions (e.g. fees of an enforcement agent)?

Yes

No

If yes, please specify:

19) Can legal aid be granted for other costs (different from questions 16 to 18, e.g. fees of technical advisors or experts, costs of other legal professionals (notaries), travel costs etc ? If yes, please specify it in the "comment" box below).

	Criminal cases	Other than criminal cases
	Yes	Yes

Comment :

20) Number of cases referred to the court and for which legal aid has been granted. Please specify in the "comment" box below, when appropriate. If data is not available, please indicate NA. If the situation is not applicable in your country, please indicate NAP.

[This question concerns only the annual number of cases for which legal aid has been granted to those referring a case to a court. It does not concern legal advice provided for cases that are not brought before the court.]

	Number
Total	NA
in criminal cases	NA
other than criminal cases	NA

Comment :

21) In criminal cases, can individuals who do not have sufficient financial means be assisted by a free of charge (or financed by a public budget) lawyer? Please specify in the "comment" box below.

Accused individuals	Yes
Victims	Yes

Comment :

Everyone shall be entitled to legal assistance. In cases prescribed by the law the legal assistance shall be provided at the expense of the state resources according to the Article 20 of RA Constitution.

22) If yes, are individuals free to choose their lawyer within the framework of the legal aid system

Yes

No

23) Does your country have an income and assets evaluation for granting legal aid to the applicant ? Please provide in the "comment" box below any information to explain the figures provided. If you have such a system but no data available, please indicate NA. If you do not have such a system, please indicate NAP.

	amount of annual income (if possible for one person) in €	amount of assets in €
for criminal cases	NAP	NA
for other than criminal cases?	NAP	NA

Comment :

24) In other than criminal cases, is it possible to refuse legal aid for lack of merit of the case (for example for frivolous action or no chance of success)?

Yes

No

If yes, please explain the exact criteria for denying legal aid:

25) Is the decision to grant or refuse legal aid taken by :

the court?

an authority external to the court?

a mixed decision-making authority (court and external bodies)?

26) Is there a private system of legal expense insurance enabling individuals (this does not concern companies or other legal persons) to finance court proceedings?

Yes

No

If appropriate, please inform about the current development of such insurances in your country; is it a growing phenomenon?

27) Can judicial decisions direct how legal costs, paid by the parties during the procedure, will be shared, in:

criminal cases?	No
other than criminal cases?	Yes

B.1

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 20 and 23

2. 2. Users of the courts and victims

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

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

The websites mentioned could appear in particular on the internet website of the CEPEJ. Please specify in the "comment" box below what documents and information the addresses for "other documents" include:

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

Comment :

29) Is there an obligation to provide information to the parties concerning the foreseeable timeframes of proceedings?

- Yes
 No

If yes, please specify:

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

- Yes
 No

If yes, please specify:

31) Are there special favourable arrangements to be applied, during judicial proceedings, to the following categories of vulnerable persons. If "other vulnerable person" and/or "other special arrangements", please specify it in the "comment" box below.

[This question does not concern the police investigation phase of the procedure and does not concern compensation mechanisms for victims of criminal offences, which are addressed under questions 32 to 34.]

Victims of rape	No	Yes	No
Victims of terrorism	No	No	No
Children (witnesses or victims)	No	Yes	Yes
Victims of domestic violence	No	No	No

Ethnic minorities	No	No	No
Disabled persons	Yes	No	Yes
Juvenile offenders	No	Yes	Yes
Other (e.g. victims of human trafficking)	No	Yes	No

Comment :

32) Does your country allocate compensation for victims of crime?

- Yes
 No

If yes, for which kind of offences

33) If yes, does this compensation consist in:

- a public fund?
 damages to be paid by the responsible person (decided by a court decision)?
 a private fund?

34) Are there studies that evaluate the recovery rate of the damages awarded by courts to victims?

- Yes
 No

If yes, please inform about the recovery rate, the title of the studies, the frequency of the studies and the coordinating body:

35) Do public prosecutors have a specific role with respect to the victims (protection and assistance)?

- Yes
 No

If yes, please specify:

36) Do victims of crime have the right to dispute a public prosecutor's decision to discontinue a case?

Please verify the consistency of your answer with that of question 105 regarding the possibility for a public prosecutor "to discontinue a case without needing a judicial decision".

- Yes
 No
 NAP (the public prosecutor cannot decide to discontinue a case on his/her own. A judicial decision is needed).

If necessary, please specify:

[2. 2. 2. Confidence of citizens in their justice system](#)

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

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

Where appropriate, please give details on the compensation procedure, the number of cases, the result of the procedures and the existing mechanism for calculating the compensation

(e.g. the amount per day for unjustified detentions or convictions):

According to the article 16 of the Constitution of the RA everyone shall have a right to liberty and security. A person can be deprived of or restricted in his/her liberty by the procedure defined by law and only in the following cases:

- 1) a person is sentenced for committing a crime by the competent court;
- 2) a person has not executed a legitimate judicial act;
- 3) to ensure the fulfillment of certain responsibilities prescribed by the law;
- 4) when reasonable suspicion exists of commission of a crime or when it is necessary to prevent the commission of a crime by a person or to prevent his/her escape after the crime has been committed;
- 5) to establish educational control over a minor or to present him/her to the competent body;
- 6) to prevent the spread of infectious diseases and other social dangers posed by mental patients, persons addicted to alcohol and drugs, as well as vagrants;
- 7) to prevent the unauthorized entry of a person into the Republic of Armenia, as well as to deport or extradite him/her to a foreign country.

38) Does your country have surveys aimed at legal professionals and court users to measure their trust and/or satisfaction with the services delivered by the judicial system? (multiple options possible)

- (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 the parties
- (Satisfaction) surveys aimed at other court users (e.g. jurors, witnesses, experts, interpreters, representatives of governmental agencies)
- (Satisfaction) surveys aimed at victims

If possible, please specify their titles, object and websites where they can be consulted:

39) If possible, please specify:

	Surveys at a regular interval (for example annual)	Occasional surveys
Surveys at national level	No	No
Surveys at court level	No	No

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

- Yes
- No

41) Please specify which authority is responsible for dealing with such complaints and inform whether there is or not a time limit to respond and/or a time limit for dealing with the complaint (multiple options possible). Please give information concerning the efficiency of this complaint procedure in the "comment" box below.

	Time limit to respond (e.g. to acknowledge receipt of the complaint, to provide information on the follow-up to be given to the complaint, etc.)	Time limit for dealing with the complaint	No time limits
Court concerned	No	No	No
Higher court	No	No	No
Ministry of Justice	No	No	No
High Council of the Judiciary	Yes	No	No
Other external bodies (e.g. Ombudsman)	No	No	No

Comment :

3. Organisation of the court system

3. 1. Functioning

3. 1. 1. Courts

42) Number of courts considered as legal entities (administrative structures) and geographic locations. If data is not available, please indicate NA. If the situation is not applicable in your country, please indicate NAP.

	Total number
42.1 First instance courts of general jurisdiction (legal entities)	16
42.2 First instance specialised Courts (legal entities)	1
42.3 All the Courts (geographic locations) (this includes 1st instance courts of general jurisdiction, first instance specialised courts, all second instance courts and courts of appeal and all supreme courts)	27

43) Number (legal entities) of first instance specialised courts (or specific judicial order). If "other specialised 1st instance courts", please specify it in the "comment" box below. If data is not available, please indicate NA. If the situation is not applicable in your country, please indicate NAP.

Total (must be the same as the data given under question 42.2)	1
Commercial courts	NAP
Labour courts	NAP
Family courts	NAP
Rent and tenancies courts	NAP
Enforcement of criminal sanctions courts	NAP
Administrative courts	1
Insurance and / or social welfare courts	NAP
Military courts	NAP
Other specialised 1st instance courts	NAP

Comment :

Administrative court has seven court buildings in the territory of Armenia (one in the capital and other six in regions).

44) Is there a foreseen change in the structure of courts [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:

45) Number of first instance courts (geographic locations) competent for the following cases. If data is not available, please indicate NA. If the situation is not applicable in your country, please indicate NAP.

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

Please give the definition for small claims and indicate the monetary value of a small claim:

Please indicate the sources for answering questions 42, 43 and 45:

Question 42 : There are in general 21 Courts (legal entities). For the question 42.3 the answer is 27 because the administrative court has seven court buildings in the territory of Armenia (one in the capital and other six in regions).

3. 1. 2. Judges and non-judge staff

46) Number of professional judges sitting in courts (if possible on 31 December 2010) (please give the information in full-time equivalent and for permanent posts actually filled for all types of courts - general jurisdiction and specialised courts). If data is not available, please indicate NA. If the situation is not applicable in your country, please indicate NAP.

Please provide in the "comment" box below any useful comment for interpreting the data above.

[Please make sure that public prosecutors and their staff are excluded from the following figures (they will be part of questions 55-60). If a distinction between staff attached to judges and staff attached to prosecutors cannot be made, please indicate it clearly.

Please indicate the number of posts that are actually filled at the date of reference and not the theoretical budgetary posts.]

	Total	Males	Females
Total number of professional judges (1 + 2 + 3)	220	170	50
1. Number of first instance professional judges	165	128	37
2. Number of second instance (court of appeal) professional judges	38	28	10
3. Number of supreme court professional judges	17	14	3

Comment :

47) Number of court presidents (professional judges). If data is not available, please indicate NA. If the situation is not applicable in your country, please indicate NAP.

	Total	Males	Females
Total number of court presidents (1 + 2 + 3)	21	21	0
1. Number of first instance court presidents	17	17	0
2. Number of second instance (court of appeal) court presidents	3	3	0
3. Number of supreme court presidents	1	1	0

48) Number of professional judges sitting in courts on an occasional basis and who are paid as such (if possible on 31 December 2010). If necessary, please provide in the "comment" box below any information to explain the answer under question 48.

Gross figure

NAP

If possible, in full-time equivalent

NAP

Comment :

49) Number of non-professional judges who are not remunerated but who can possibly receive a simple defrayal of costs (if possible on 31 December 2010) (e.g. lay judges and "juges consulaires", but not arbitrators and persons sitting in a jury).

Gross figure

NAP

50) Does your judicial system include trial by jury with the participation of citizens? Yes No

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

51) Number of citizens who were involved in such juries for the year of reference:

NAP

52) Number of non-judge staff who are working in courts for judges (if possible on 31 December 2010) (this data should not include the staff working for public prosecutors; see question 60) (please give the information in full-time equivalent and for permanent posts actually filled). If "other non-judge staff", please specify it in the "comment" box below.

Total non-judge staff working in courts (1 + 2 + 3 + 4 + 5)	<input checked="" type="checkbox"/> Yes	618
1. Rechtspfleger (or similar bodies) with judicial or quasi-judicial tasks having autonomous competence and whose decisions could be subject to appeal		NA
2. Non-judge staff whose task is to assist the judges (case file preparation, assistance during the hearing, court recording, helping to draft the decisions) such as registrars		NA
3. Staff in charge of different administrative tasks and of the management of the courts (human resources management, material and equipment management, including computer systems, financial and budgetary management, training management)		NA
4. Technical staff		NA
5. Other non-judge staff		NA

Comment :

618 servants in the courts.

53) If there are Rechtspfleger (or similar bodies) in your judicial system, please describe briefly their status and duties:**54) Have the courts delegated certain services, which fall within their powers, to private providers (e.g. IT services, training of staff, security, archives, cleaning)?** Yes No

If yes, please specify:

C.1**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 have been implemented over the last two years

Please indicate the sources for answering questions 46, 47, 48, 49 and 52**3. 1. 3. Public prosecutors and staff****55) Number of public prosecutors (if possible on 31 December 2010) (please give the information in full-time equivalent and for permanent posts actually filled, for all types of courts – ordinary and specialised jurisdictions). If data is not available, please indicate NA. If the situation is not applicable in your country,**

please indicate NAP. Please provide in the "comment" box below any useful information for interpreting the data.

	Total	Males	Females
Total number of prosecutors (1 + 2 + 3)	328	301	27
1. Number of prosecutors at first instance level	230	214	16
2. Number of prosecutors at second instance (court of appeal) level	98	87	11
3. Number of prosecutors at supreme court level	50	47	3

Comment :

According to the staff list approved by the Prosecutor General and the budget application , 337 positions of prosecutors are designed for the entire system of Prosecutor's office. But actually 328 prosecutors work in the prosecution system, 9 positions of prosecutors are vacant. In General Prosecutor's Office and Central Military Prosecutor's Office (central bodies) work 98 prosecutors, 87 men and 11 women.

In Yerevan City Prosecutor's office, in prosecutor's offices of the districts, regions, in garrison military prosecutor's offices work 230 prosecutors , 214 men and 16 women.

In the whole system of RA Prosecutor's office there are 50 head positions, prosecutors (General Prosecutor of RA, deputies of RA Prosecutor General, heads of departments and divisions of General Prosecutor's Office , RA military prosecutor, heads of central military prosecutor's office departments, prosecutor of Yerevan city, prosecutors of Yerevan districts and regions). From the above-mentioned 50 head prosecutors positions 47 are men and 3 are women.

56) Number of heads of prosecution offices. If data is not available, please indicate NA. If the situation is not applicable in your country, please indicate NAP. Please provide in the "comment" box below any useful information for interpreting the data.

	Total	Males	Females
Total number of heads of prosecution offices (1 + 2 + 3)	50	47	3
1. Number of heads of prosecution offices at first instance level	NAP	NAP	NAP
2. Number of heads of prosecution offices at second instance (court of appeal) level	NAP	NAP	NAP
3. Number of heads of prosecution offices at supreme court level	NAP	NAP	NAP

Comment :

In the whole system of RA Prosecutor's office there are 50 head positions, prosecutors (General Prosecutor of RA, deputies of RA Prosecutor General, heads of departments and divisions of General Prosecutor's Office , RA military prosecutor, heads of central military prosecutor's office departments, prosecutor of Yerevan city, prosecutors of Yerevan districts and regions).). From the above-mentioned 50 head prosecutors positions 47 are men and 3 are women.

Head staff includes.

1. RA General Prosecutor and 4 of his deputies
2. 8 heads of department and 5 heads of divisions of RA General Prosecutor's office, 2 heads of departments are women .
3. In central military prosecutor's office 2 deputies of military prosecutor and 3 heads of divisions.
4. prosecutor of Yerevan city
5. 7 prosecutors of Yerevan city administrative districts
6. 10 prosecutors of RA regions, one of them is a woman. 9 garrison military prosecutors.

57) Do other persons have similar duties to public prosecutors?

Yes

No

Number (full-time equivalent)

58) If yes, please specify their title and function:

According to the RA law on Prosecution service "Staff of the Prosecutor's Office" of the Republic of Armenia supplies the full and effective implementation of the authorities of the Prosecutor's office of the Republic of Armenia, staff has

455 employees . 177 employees from the above mentioned 455 are state employees. At the same time in RA Prosecutor's staff, except state employees there are technical workers, their number is 278.

59) If yes, is their number included in the number of public prosecutors that you have indicated under question 55?

Yes

No

60) Number of staff (non-public prosecutors) attached to the public prosecution service (if possible on 31 December 2010) (without the number of non-judge staff, see question 52) (in full-time equivalent and for permanent posts actually filled).

Number

NAP

C.2

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 have been implemented over the last two years

Please indicate the sources for answering questions 55, 56 and 60

3. 1. 4. Court budget and new technologies

61) Who is entrusted with responsibilities related to the budget within the court? If "other", please specify it in the "comment" box below.

	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	No	No	No	No
Court administrative director	No	No	No	No
Head of the court clerk office	No	No	No	No
Other	No	No	No	No

Comment :

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

Word processing	100% of courts
Electronic data base of jurisprudence	100% of courts
Electronic files	100% of courts
E-mail	100% of courts
Internet connection	100% of courts

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

Case registration system	100% of courts
Court management information system	100% of courts
Financial information system	0 % of courts
Videoconferencing	0 % of courts

64) For the electronic communication and exchange of information between the courts and their

environment, what are the computer facilities used by the courts?

Electronic web forms	100% of courts
Website	100% of courts
Follow-up of cases online	100% of courts
Electronic registers	100% of courts
Electronic processing of small claims	0 % of courts
Electronic processing of undisputed debt recovery	0 % of courts
Electronic submission of claims	100% of courts
Videoconferencing	0 % of courts
Other electronic communication facilities	0 % of courts

65) The use of videoconferencing in the courts (details on question 65). Please indicate in the "comment" box below any clarification on the legal framework and the development of videoconferencing in your country.

	65.1 In criminal cases, do courts or prosecution offices use videoconferencing for hearings in the presence of defendants or witnesses?	65.2 Can such court hearing be held in the police station and/or in the prison?	65.3 Is there any specific legislation on the conditions for using videoconferencing in the courts / prosecution offices, especially in order to protect the rights of the defence?	65.4 Is videoconferencing used in other than criminal cases?
	No	No	No	No

Comment :

C.3

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. Performance and evaluation**3. 2. 1. Performance and evaluation**

66) Is there a centralised institution that is responsible for collecting statistical data regarding the functioning of the courts and judiciary?

- Yes
 No

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

67) Are individual courts required to prepare an annual activity report (that includes, for example, data on the number of cases processed or pending cases, the number of judges and administrative staff, targets and assessment of the activity)?

- Yes
 No

68) Do you have, within the courts, a regular monitoring system of court activities concerning:

The monitoring system aims to assess the day-to-day activity of the courts (namely, what the courts produce) thanks in particular to data collections and statistical analysis (see also questions 80 and 81).

- number of incoming cases?
 number of decisions delivered?

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

If other, please specify:

69) Do you have a system to evaluate regularly the activity (in terms of performance and output) of each court?

The evaluation system refers to the performance of the court systems with prospective concerns, using indicators and targets. The evaluation may be of more qualitative nature (see questions 69-77). It does not refer to the evaluation of the overall (good) functioning of the court (see question 82).

- Yes
- No

Please specify:

70) Concerning court activities, have you defined performance and quality indicators (if no, please skip to question 72)

- Yes
- No

71) Please select the 4 main performance and quality indicators that have been defined:

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

If other, please specify:

72) Are there quantitative performance targets (for instance a number of cases to be addressed in a month) defined for each judge?

- Yes
- No

73) Who is responsible for setting the targets for each judge?

- 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 court (if no please skip to question 77)?

- Yes
 No

75) Who is responsible for setting the targets for the courts?:

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

If other, please specify:

76) Please specify the main targets applied to the courts:

77) Who is responsible for evaluating the performance of the courts (see questions 69 to 76)? (multiple options possible)

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

If other, please specify:

78) Are quality standards determined for the whole judicial system (are there quality systems for the judiciary and/or judicial quality policies)?

- Yes
 No

If yes, please specify:

79) Do you have specialised court staff that is entrusted with these quality standards?

- Yes
 No

80) Do you monitor backlogs and cases that are not processed within a reasonable timeframe for:

- in civil law cases
 in criminal law cases
 in administrative law cases

81) Do you monitor waiting time during court procedures?

- Yes
 No

If yes, please specify:

The Judicial Department of RA is responsible for monitoring (cf CN 13/07)

82) Is there a system to evaluate the overall (smooth) functioning of courts on the basis of an evaluation plan (plan of visits) agreed beforehand?

This question does not concern the specific evaluation of performance indicators.

Yes

No

Please specify the frequency of the evaluation:

83) Is there a system for monitoring and evaluating the performance of the public prosecution service?

Yes

No

If yes, please give further details:

C.4

You can indicate below:

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

4. Fair trial

4. 1. Principles

4. 1. 1. General information

84) Percentage of first instance criminal in absentia judgments (cases in which the suspect is not attending the hearing in person nor represented by a legal professional)?

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) Number of cases regarding Article 6 of the European Convention of Human Rights on duration and non-execution. If data is not available, please indicate 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	NA	NA	NA
Civil proceedings - Article 6§1 (non-execution)	NA	NA	NA	NA
Criminal proceedings - Article 6§1 (duration)	NA	NA	NA	NA

Please indicate the sources:

D.1

You can indicate below any useful comments for interpreting the data mentioned in this chapter

Concerning question 86 we would like to mention that the European Court of Human Rights has not make any decision in relation with the RA within the framework of the 6th article of the European Convention for the protection of human rights and fundamental freedoms.

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?

there is no specific procedure

If yes, please specify:

88) Are there simplified procedures for:

civil cases (small disputes)?

criminal cases (small offences)?

administrative cases?

there is no simplified procedure

If yes, please specify:

89) Do courts and lawyers have the possibility to conclude agreements on arrangements 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. Caseflow management and timeframes of judicial proceedings

90) Comment:

The national correspondents are invited to pay special attention to the quality of the answers to questions 91 to 102 regarding case flow management and timeframes of judicial proceedings. The CEPEJ agreed that the subsequent data would be processed and published only if answers from a significant number of member states – taking into account the data presented in the previous report – are given, enabling a useful comparison between the systems.

91) First instance courts: number of other than criminal cases. If data is not available, please indicate NA. If the situation is not applicable in your country, please indicate NAP.

Note 1: cases mentioned in categories 3 to 5 (enforcement, land registry, business register) should be presented separately in the table. Cases mentioned in category 6 (administrative law) should also be separately mentioned for the countries which have specialised administrative courts or separate administrative law procedures or are able to distinguish in another way between administrative law cases and civil law cases.

Note 2: check if the figures submitted are (horizontally and vertically) consistent. Horizontal consistent data means: "(pending cases on 1 January 2010 + incoming cases) – resolved cases" should give the correct number of pending cases on 31 December 2010. Vertical consistency of data means that the sum of the individual case categories 1 to 7 should reflect the total number of other than criminal law cases.

	Pending cases on 1 Jan. '10	Incoming cases	Resolved cases	Pending cases on 31 Dec. '10
Total of other than criminal law cases (1+2+3+4+5+6+7)*	17 590	38 905	38 269	18 226
1. Civil (and commercial) litigious cases (if feasible without administrative law cases, see category 6)*	12 384	26 921	27 191	12 114
2. Civil (and commercial) non-litigious cases, e.g. uncontested payment orders, request for a change of name, etc. (if feasible without administrative law cases; without enforcement cases, registration cases and other cases, see categories 3-7)*	516	3 978	3 876	618
3. Enforcement cases	NAP	NAP	NAP	NAP
4. Land registry cases**	NAP	NAP	NAP	NAP
5. Business register cases**	NAP	NAP	NAP	NAP
6. Administrative law cases (litigious and non-litigious)	3 272	7 454	6 661	4 065
7. Other cases (e.g. insolvency registry cases)	1 418	552	541	1 429

92) If courts deal with "civil (and commercial) non-litigious cases", please indicate the case categories included:

93) If "other cases", please indicate the case categories included:

94) First instance courts: number of criminal law cases. If data is not available, please indicate NA. If the situation is not applicable in your country, please indicate NAP.

Note: please check if the figures submitted are (horizontally and vertically) consistent. Horizontal consistent data means that: "(pending cases on 1 January 2010 + incoming cases) – resolved cases" should give the correct number of pending cases on 31 December 2010. Vertical consistency of data means that the sum of the categories 8 and 9 for criminal cases should reflect the total number of criminal cases.

	Pending cases on 1 Jan. '10	Incoming cases	Resolved cases	Pending cases on 31 Dec. '10
Total criminal cases (8+9)	681	3 770	3 667	784
8. Criminal cases (severe criminal offences)	6	24	15	15
9. Misdemeanour and / or minor offences cases	675	3 746	3 652	769

95) The classification of cases between severe criminal cases and misdemeanour and/or minor criminal cases may be difficult. Some countries might have other ways of addressing misdemeanour offences (for example via administrative law procedures).

Please indicate, if feasible, what case categories are included under "severe criminal cases" and the cases included under "misdemeanour and /or minor criminal cases".

According to the criminal code.

2. The willful acts, for the committal of which this Code envisages maximal imprisonment of two years, or for which a punishment not related to imprisonment is envisaged, as well as acts committed through negligence, for which this Code envisages a punishment not exceeding three years of imprisonment, are considered not very grave crimes.

3. Medium-gravity crimes are those willful acts for which this Code envisages a maximal punishment not exceeding five years of imprisonment, and the acts committed through negligence, for which this Code envisages a maximal punishment not exceeding ten years of imprisonment.

4. Grave crimes are those willful acts for which this Code envisages a maximal punishment not exceeding ten years of imprisonment.

5. Particularly grave crimes are those willful acts for which this Code envisages a maximal imprisonment for more than ten years or for life.

96) Comments on questions 91 to 95. You can indicate, for instance, the specific situation in your country, give explanations on NA or NAP answers or explain the calculation of the total number of other than criminal law cases or differences in horizontal consistency, etc.

97) Second instance courts: total number of "other than criminal law" cases. If data is not available, please indicate NA. If the situation is not applicable in your country, please indicate NAP.

Note: the total of "other than criminal" cases includes all of the following categories (categories 1 to 7).

	Pending cases on 1 Jan. '10	Incoming cases	Resolved cases	Pending cases on 31 Dec. '10
Total of other than criminal law cases (1+2+3+4+5+6+7)	462	3 378	3 361	479
1. Civil (and commercial) litigious cases (if feasible without administrative law cases, see category 6)*	NA	NA	NA	NA
2. Civil (and commercial) non-litigious cases, e.g. uncontested payment orders, request for a change of name, etc. (if feasible without administrative law cases; without enforcement cases, registration cases and other cases, see categories 3-7)*	NA	NA	NA	NA
3. Enforcement cases	NA	NA	NA	NA
4. Land registry cases	NA	NA	NA	NA
5. Business register cases	NA	NA	NA	NA
6. Administrative law cases (litigious and non-litigious)	NA	NA	NA	NA
7. Other cases (e.g. insolvency registry cases)	NA	NA	NA	NA

98) Second instance courts: total number of criminal law cases. If data is not available, please indicate NA. If the situation is not applicable in your country, please indicate NAP.

	Pending cases on 1 Jan. '10	Incoming cases	Resolved cases	Pending cases on 31 Dec. '10
Total criminal cases (8+9)	127	877	917	87
8. Criminal cases (Severe criminal offences)	NA	NA	NA	NA
9. Misdemeanour and/or minor offences cases	NA	NA	NA	NA

Comment :

99) Highest instance courts: total number of "other than criminal law" cases. If data is not available, please indicate NA. If the situation is not applicable in your country, please indicate NAP.

Note: the total of "other than criminal law cases" includes all of the following categories (categories 1 to 7).

	Pending cases on 1 Jan. '10	Incoming cases	Resolved cases	Pending cases on 31 Dec. '10
Total of other than criminal law cases (1+2+3+4+5+6+7)	145	3 047	3 041	151
1. Civil (and commercial) litigious cases (if feasible without administrative law cases, see category 6)	NA	NA	NA	NA
2. Civil (and commercial) non-litigious cases, e.g. uncontested payment orders, request for a change of name, etc. (if feasible without administrative law cases; without enforcement cases, registration cases and other cases, see categories 3-7)	NA	NA	NA	NA
3. Enforcement cases	NA	NA	NA	NA
4. Land registry cases	NA	NA	NA	NA
5. Business register cases	NA	NA	NA	NA
6. Administrative law cases (litigious and non-litigious)	NA	NA	NA	NA
7. Other cases (e.g. insolvency registry cases)	NA	NA	NA	NA

100) Highest instance courts: total number of criminal law cases. If data is not available, please indicate NA. If the situation is not applicable in your country, please indicate NAP.

	Pending cases on 1 Jan. '10	Incoming cases	Resolved cases	Pending cases on 31 Dec. '10
Total criminal cases (8+9)	31	1 012	999	44
8. Criminal cases (severe criminal offences)	NA	NA	NA	NA
9. Misdemeanour cases (minor offences)	NA	NA	NA	NA

Comment :

101) Number of litigious divorce cases, employment dismissal cases, robbery cases and intentional homicide cases received and processed by first instance courts. If data is not available, please indicate NA. If the situation is not applicable in your country, please indicate NAP.

	Pending cases on 1 Jan. '10	Incoming cases	Resolved cases	Pending cases on 31 Jan. '10
Litigious divorce cases	365	1 707	1 632	440
Employment dismissal cases	44	95	106	33
Robbery cases	18	66	64	20
Intentional homicide				

	33	62	72	23
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102) Average length of proceedings, in days (from the date the application for judicial review is lodged). If data is not available, please indicate NA. If the situation is not applicable in your country, please indicate NAP.

[The average length of proceedings has to be calculated from the date the application for judicial review is lodged to the date the judgment is made, without taking into account the enforcement procedure. New: the question concerns first, second and third instance proceedings.]

	% of decisions subject to appeal	% pending cases more than 3 years	Average length in 1st instance (in days)	Average length in 2nd instance (in days)	Average length in 3rd instance (in days)	Average total length of the total procedure (in days)
Litigious divorce cases	NAP	NAP	NAP	NAP	NAP	NAP
Employment dismissal cases	NAP	NAP	NAP	NAP	NAP	NAP
Robbery cases	NAP	NAP	NAP	NAP	NAP	NAP
Intentional homicide	NAP	NAP	NAP	NAP	NAP	NAP

103) Where appropriate, please inform about the specific procedure as regards divorce cases (litigious and non-litigious):

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

105) Role and powers of the public prosecutor in the criminal procedure (multiple options possible):

- to conduct or supervise police investigation
- to conduct investigations
- 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 discontinue a case without requiring a judicial decision (ensure consistency with question 36!)
- to end the case by imposing or negotiating a penalty or measure without requiring a judicial decision
- other significant powers

If "other significant powers", please specify:

According to 103rd article of RA Constitution, in conformity with the procedure and cases defined by law the Office of the Prosecutor General :

- 1) instigates criminal charges and prosecute;
- 2) oversees the lawfulness of preliminary inquiries and investigations;
- 3) presents the case for the prosecution in court;
- 4) brings actions in court to defend the interests of the state;
- 5) appeals the judgments, verdicts and decisions of the courts;
- 6) oversees the lawfulness of discharge of penalties and other means of compulsion.

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

- Yes
- No

If yes, please specify:

According to 103rd article of RA Constitution, in conformity with the procedure and cases defined by law the Office of the Prosecutor General brings actions in court to defend the interests of the state. According to the 27th article of RA law on prosecution service the filing by a prosecutor of a claim for the protection of state interests shall include:

- 1) Filing a claim for the protection of the pecuniary interests of the state in the frameworks of civil procedure;
 - 2) Filing a claim for the protection of the pecuniary and non-pecuniary interests of the state in the frameworks of administrative procedure; and
 - 3) Filing a claim for compensation of pecuniary damage inflicted upon the state as a direct consequence of a crime in the frameworks of criminal procedure.
2. The prosecutor shall file a claim for the protection of state interests only if:
- 1) During the exercise of his powers, the prosecutor finds that a state or local government body that had the right to file a claim on such matters related to the protection of state interests, having knowledge of the violation of state interests, did not file such a claim in a reasonable period or did not file such a claim after receiving the prosecutor's suggestion to do so, or
 - 2) The state interests were violated in respect of matters for which no state or local government body has the right, under the legislation, to file a claim, or
 - 3) A competent state or local government body asked the prosecutor to file a claim, or
 - 4) The crime has directly inflicted pecuniary damage upon the state; or
 - 5) The claim for the protection of state interests is filed in courts of other countries or in an arbitration tribunal outside the Republic of Armenia territory, with the exception of cases in which the Republic of Armenia Government (hereinafter, "the Government") authorizes another body or organization for such purposes.

107) Case proceedings managed by the public prosecutor: total number of 1st instance criminal cases. If data is not available, please indicate NA. If the situation is not applicable in your country, please indicate NAP.

	Received by the public prosecutor	Cases discontinued by the public prosecutor (see 108 below)	Cases concluded by a penalty or a measure imposed or negotiated by the public prosecutor	Cases charged by the public prosecutor before the courts
Total number of 1st instance criminal cases	12 156	13 513	NA	NA

108) Total cases which were discontinued by the public prosecutor. If data is not available, please indicate NA. If the situation is not applicable in your country, please indicate NAP.

	Number
Total cases which were discontinued by the public prosecutor (1+2+3)	13 513
1. Discontinued by the public prosecutor because the offender could not be identified	8 852
2. Discontinued by the public prosecutor due to the lack of an established offence or a specific legal situation	4 661
3. Discontinued by the public prosecutor for reasons of opportunity	NAP

109) Do the figures include traffic offence cases?

Yes

No

D.2

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

Question 91 : We would like to mention that the increase of the total of other than criminal law cases between 2008 and 2010 years/pending cases/ is connected with the increase of incoming cases, which are the result of the public high awareness and public trust to the courts.It brought the increase of number of people who protect their rights by

the way of the courts.

Question 94 : We clarify that the increase of cases between 2008 and 2010 years is connected with the increase of crimes and solved crimes.

Connected with this question we would like to mention that the decrease of the pending cases by the 01.01.2010 and 31.12.2010 is connected with the fact that the Court of Appeal examines the cases effectively in reasonable times in condition of the increase of the number of incoming cases.

Questions 99 and 100 : We would like to mention that the increase of incoming cases in the Court of Casation is connected with the increase of public trustworthiness to the Court of Cassation and the uniform application of the Law by the Court of Casation using it's constitutional authority. As a result of mentioned factors the number of resolved cases and pending cases by 31.12.2010 was increased.

Please indicate the sources for answering the questions 91, 94, 97, 98, 99, 100, 101, 102, 107 and 108.

5. Career of judges and public prosecutors

5. 1. Recrutement and promotion

5. 1. 1. Recrutement and promotion

110) How are judges recruited?

- Mainly through a competitive exam (for instance, following a university degree in law)
- Mainly through a recruitment procedure for legal professionals with long-time working experience in the legal field (for example lawyers)
- A combination of both (competitive exam and working experience)
- Other

If other, please specify:

111) Authority(ies) in charge: are judges initially/at the beginning of their carrier recruited and nominated by:

[This question strictly concerns the authority entrusted with the decision to recruit (not the authority formally responsible for the nomination if different from the former)].

- An authority made up of judges only?
- An authority made up of non-judges only?
- An authority made up of judges and non-judges?

Please indicate the name of the authority(ies) involved in the whole procedure of recruitment and nomination of judges. If there are several authorities, please describe their respective roles:

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

- Yes
- No

If no, which authority is competent for the promotion of judges ?

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

When voting with a ballot in connection with the compilation of the Official Promotion List of Judges or the appointment of a court chairman, a first instance specialized court judge or an appellate court judge, or a Cassation Court chamber judge or chamber chairman, members of the Justice Council shall take into consideration the following features:

- 1) The professional knowledge of a judge, including the judge's professional activities and professional and post-university education;
- 2) The judge's professional reputation;
- 3) The work skills;
- 4) The quality of judicial acts made by the judge;
- 5) The judge's respect for the reputation of the judiciary and judges and compliance with the Judicial Code of Conduct;
- 6) Oral and written communication skills, based on the minutes of court sessions and the judicial acts made by the judge;
- 7) The judge's participation in educational and professional training programs stipulated by this Code;
- 8) The judge's participation in the self-governance of the judiciary;
- 9) The judge's participation in law and legislation development projects;
- 10) The attitude towards colleagues during the performance of judge duties; and
- 11) The organizational skills of the judge and the qualities displayed by the judge in the performance of managerial duties.

114) Is there a system of qualitative individual assessment of the judges' activity?

- Yes
- No

115) Is the status of prosecution services:

- Indépendant?
- Under the authority of the Minister of justice ?
- Other?

Please specify:

116) How are public prosecutors recruited?

- Mainly through a competitive exam (for instance, following a university degree in law)
- Mainly through a recruitment procedure for legal professionals with long-time working experience in the legal field (for example lawyers)
- A combination of both (competitive exam and working experience)
- Other

If "other", please specify:

The system of RA Prosecutor's office is completed in different ways, depending to what position is appointment about, particularly.

According to 103rd article of RA Constitution, the Prosecutor General is appointed by the National Assembly upon the recommendation of the President of the Republic of Armenia for a six-year term. The same person may not be appointed Prosecutor General for more than two consecutive terms.

The deputies of the Prosecutor General are appointed upon the recommendation of the Prosecutor General by the President of the Republic.

To be eligible for appointment to the position of a Deputy Prosecutor General, a person must have at least five years of experience working as a judge, prosecutor, advocate, investigator, or lawyer in a state or local government body, or at least 10 years of other work experience as a lawyer.

Prosecutor of Yerevan city, prosecutors of Yerevan districts and regions, garrison military prosecutors, heads of departments of General Prosecutor's office are appointed by the Prosecutor general, from the persons included in the promotion list of prosecutors, if qualifying commission gives a positive conclusion for appointing that person to an appropriate position. When appointed to office, a person is removed from the list of prosecutor candidates by the Prosecutor General.

Senior prosecutors of General Prosecutor's Office, heads of divisions, deputy heads of departments of General Prosecutor's Office , deputy prosecutors of the Yerevan city, districts of Yerevan city, and regions, deputy military prosecutors of garrisons, the deputies of the Military Prosecutor, senior prosecutors functioning within the departments and divisions of General Prosecutor's Office, senior prosecutors of Yerevan city prosecutor's office, districts Yerevan City and regions, and senior prosecutors of military prosecutor's office of garrisons, heads of divisions of Central Military Prosecutor's Office, senior prosecutors of the Central Military Prosecutor's Office, and senior prosecutors functioning within the divisions of the Central Military Prosecutor's office are appointed by the Prosecutor General from the number of persons included in the Promotion List of Prosecutors. When appointed to office, a person is removed from the Promotion List of Prosecutors by the Prosecutor General.

Prosecutors of General Prosecutor's Office, prosecutors functioning within the departments and divisions of General Prosecutor's Office, the Yerevan City prosecutors, the Yerevan City districts' prosecutors, the region prosecutors, garrison military prosecutor's offices' prosecutors, prosecutors of the Central Military Prosecutor's Office, and prosecutors functioning within divisions of the Central Military Prosecutor's Office are appointed by the Prosecutor General from the persons included in the list of prosecutor candidates. When appointed to office, a person is removed from the list of prosecutor candidates by the Prosecutor General.

The list of prosecutor candidates is supplemented by the Qualification Committee attached to the Prosecutor General of the Republic of Armenia. The applicant hands over the test composed by the Qualification Committee. The Qualification Committee checks and publishes testing results and declares the list of participants who have passed the interview stage. The interview is conducted the same day after the completion of testing or the next day. Immediately after the interview of each applicant the Qualification Committee makes an appropriate decision by an open ballot . A person included in the list of prosecutor candidates in accordance with the procedure defined by the Prosecutor General completes a program of studies in Prosecutor's school and takes a qualification exam. A person who has not passed the qualification exam is removed from the list of prosecutor candidates.

At the same time a person is relieved of the requirement to study and take a qualification exam, if such person:

- 1) Has three years of professional work experience as a prosecutor, judge, investigator, or advocate, unless more than five years have passed since the person stopped performing such work;
- 2) Has a PhD degree in Law; or
- 3) Has a PhD Candidate degree in law and five years of experience working as a lawyer.

At the request of a person relieved from the duty to study in the Prosecutor's School, the Qualification Committee may consider the issue of including the applicant concurrently in both the list of prosecutor candidates and the official promotion list. The Official Promotion List of Prosecutors is compiled by the Qualification Committee during the regular attestation of prosecutors.

117) Authority(ies) in charge: are public prosecutors initially/at the beginning of their carrier recruited by:

[This question concerns the authority entrusted with the responsibility to recruit only (not the authority formally responsible for the nomination if different from the former).]

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

Please indicate the name of the authority(ies) involved in the whole procedure of recruitment and nomination of public prosecutors. If there are several authorities, please describe their respective roles:

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

- Yes
- No

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

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

The article 35 of RA law on prosecution service regulates the issue of prosecutor's promotion. Particularly the official promotion List of prosecutors is compiled by the Qualification Committee:

- 1) During the regular attestation of prosecutors;
- 2) In an extraordinary procedure, when the Prosecutor General or his deputies submit a proposal to the Qualification Committee on including a prosecutor in the promotion list as an encouragement, together with an appropriate assessment. The prosecutor is included in the official promotion list of prosecutors in case the Qualification Committee has issued a positive opinion; and
- 3) In an exceptional cases, when the Qualification Committee decides that a person relieved of the duty to study in the Prosecutor's school is included concurrently in both the list of prosecutor candidates and the official promotion list of prosecutors.

120) Is there a system of qualitative individual assessment of the public prosecutors' activity?

- Yes
- No

121) Are judges appointed to office for an undetermined period (i.e. "for life" = until the official age of retirement)?

- Yes
- No

If yes, are there exceptions? (e.g. dismissal as a disciplinary sanction)? Please specify:
The mandate is given till there 65 years old.

122) If there is a probation period for judges (e.g. before being appointed "for life"), how long is this period? If the situation is not applicable in your country, please indicate NAP.

	Duration of probation period (in years)

123) Are public prosecutors appointed to office for an undetermined period (i.e. "for life" = until the official age of retirement)?

- Yes
- No

If yes, are there exceptions (e.g. dismissal as a disciplinary sanction)? Please specify:

124) If there is a probation period for public prosecutors, how long is this period? If the situation is not applicable in your country, please indicate NAP.

	Duration of the probation period (in years)
	NAP

125) If the mandate for judges is not for an undetermined period (see question 121), is it renewable? What is the length of the mandate (in years)?

Yes

No

Please indicate the length of the mandate in years:

126) If the mandate for public prosecutors is not for an undetermined period (see question 123), is it renewable? What is the length of the mandate (in years)?

Yes

No

Please indicate the length of the mandate (in years)

E.1

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. 2. Training

5. 2. 1. Training

127) Training of judges

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

128) Frequency of the in-service training of judges:

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

129) Training of public prosecutors

Initial training	Compulsory
General in-service training	Compulsory
In-service training for specialised functions (e.g. public)	Compulsory

prosecutor specialised on organised crime)	
In-service training for management functions of the court (e.g. Head of prosecution office, manager)	Compulsory
In-service training for the use of computer facilities in office	Compulsory

130) Frequency of the in-service training of public prosecutors

General in-service training	Annual
In-service training for specialised functions (e.g. public prosecutor specialised on organised crime)	Annual
In-service training for management functions of the court (e.g. Head of prosecution office, manager)	Annual
In-service training for the use of computer facilities in office	Annual

131) Do you have public training institutions for judges and / or prosecutors? If yes, please indicate in the "comment" box below the budget of such institution(s). If your judicial training institutions do not correspond to these criteria, please specify it.

	Initial training only	Continuous training only	Initial and continuous training
One institution for judges	No	No	Yes
One institution for prosecutors	No	No	Yes
One single institution for both judges and prosecutors	No	No	No

Comment :

In order to create a single educational institution of justice RA Law project about "Justice Academy" was developed.

E.2

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

By the aforementioned project it is planned to create a single educational institution for judges and prosecutors, that is the academy of justice. It is worth mentioning that among the main training programs a special importance is given to the Human Rights training and to this end the training programs include the interpretation of ECHR provisions, the practice implementation of the provisions of the Articles 2, 3, 5, 6, 11 ECHR and legal opinions of European Court on different issues. Currently the School makes films on different articles of ECHR. Within the framework of creating new training materials SNCO 'Prosecutor's school' currently carries out electronic learning on various articles of IEK. They are based on animations, actors' play aiming to make the training materials more descriptive and perceptive.

In field of training and professional preparation, measures of learning improvements were carried out, SNCO 'Prosecutor's school' started widely using e-learning method. Many training materials were created not only in paper but also in audio versions. In SNCO 'Prosecutor's school' courses are conducted using innovative technologies and didactic materials, which may increase the level of perception of material for 4-5 times.

SNCO 'Prosecutor's school' was invested with rich modern technical material base and auditoriums were technically improved. In SNCO 'Prosecutor's school' within the framework of programme of "Anti-trafficking programme, assistance in capacity building and support to victims' the United Nations Development Programme office in Armenia (UNDP) with support of Central Asia Regional Office of UN Committee on Drugs and Crime computer training center was established in school.

Training programs have been implemented not only for the system of RA Prosecutor's office, but also for pupils, military commissariat officers, investigators, and for other employees of NKR Prosecutor's office and law enforcement agencies.

5. 3. Practice of the profession

5. 3. 1. Practice of the profession

132) Salaries of judges and public prosecutors.

	Gross annual salary in €, on 31 December 2010	Net annual salary in €, on 31 December 2010
First instance professional judge at the beginning of his/her career		
Judge of the Supreme Court or the Highest Appellate Court (please indicate the average salary of a judge at this level, and not the salary of the Court President)		
Public prosecutor at the beginning of his/her career	5 637	4 701
Public prosecutor of the Supreme Court or the Highest Appellate Instance (please indicate the average salary of a public prosecutor at this level, and not the salary of the Public prosecutor General)	11 112	8 858

Comment :

The annual salary of RA Prosecutor General is 18 421 €/ pure 14 622 €/

1.The annual salary of RA Prosecutor General Deputy is 13 477€/pure 10 762 €/

2.The annual salary of the head of RA General prosecutor's office department is 11 112€/pure 8858 €/

3.The annual salary of the prosecutor of RA General Prosecutor's office is 8 311€ / pure 6792€/

4.The annual salary of the prosecutor of RA region is 11 322€/pure 9113€/

5.The annual salary of the prosecutor of RA region and administrative district prosecutor's office is 5637€/pure 4701€/

Question 132 : We clarify that according to the part 1 of the article 55 the salary of a prosecutor is comprised the official pay rate, supplements and other payments stipulated by law . According to the part 2 of the mentioned article the official rate of general prosecutor is amounted according to the separate article of annual law of the RA on the State budget.

133) Do judges and public prosecutors have the following additional benefits?

	Judges	Public prosecutors
Reduced taxation	No	No
Special pension	No	No
Housing	No	No
Other financial benefit	No	No

134) If other financial benefit, please specify:**135) Can judges combine their work with any of the following other functions ?**

	With remuneration	Without remuneration
Teaching	No	No
Research and publication	No	No
Arbitrator	No	No
Consultant	No	No
Cultural function	No	No
Political function	No	No
Other function	No	No

136) If rules exist in your country (e.g. authorisation needed to perform these activities), please specify. If "other function", please specify.

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

	With remuneration	Without remuneration
Teaching	No	No
Research and publication	No	No
Arbitrator	No	No
Consultant	No	No
Cultural function	No	No
Political function	No	No
Other function	No	No

138) Please specify existing rules (e.g. authorisation to perform the whole or a part of these activities). If "other function", please specify:

According to the article 43 of RA Law "On Prosecutor's office" a prosecutor can not occupy a state or local government position unrelated to the performance of his duties, or a position in commercial organizations, or perform other paid work, with the exception of scientific, pedagogic, and creative work.

139) Productivity bonuses: do judges receive bonuses based on the fulfilment of quantitative objectives in relation to the delivery of judgments (e.g. number of judgments delivered over a given period of time)?

- Yes
 No

If yes, please specify the conditions and possibly the amounts:

5. 4. Disciplinary procedures**5. 4. 1. Disciplinary procedures****140) Who is authorised to initiate disciplinary proceedings against judges (multiple options possible)?**

- Citizens
 Relevant Court or hierarchical superior
 High Court / Supreme Court
 High Judicial Council
 Disciplinary court or body
 Ombudsman
 Parliament
 Executive power
 Other?
 This is not possible

If "executive power" and/or "other", please specify:

141) Who has been authorised to initiate disciplinary proceedings against public prosecutors: (multiple options possible):

- Citizens
 Head of the organisational unit or hierarchical superior public prosecutor
 Prosecutor General /State public prosecutor
 Public prosecutorial Council (and Judicial Council)
 Disciplinary court or body
 Ombudsman
 Professional body

- Executive power
- Other?
- This is not possible

If "executive power" and/or "other", please specify:

According to the article 48 of RA Law "On Prosecutor's office" in relation to the fact of a disciplinary offence, the Prosecutor General or the appropriate higher-ranking prosecutor instigates disciplinary proceedings against a prosecutor. A prosecutor has the right to provide explanations in relation to the disciplinary proceedings instigated against him. Disciplinary proceeding is instigated within a 30-day period of detecting the disciplinary offence, but not later than within 12 months of the day on which the offence was committed. Disciplinary proceedings may not last longer than three weeks, with the exception of cases in which the prosecutor is absent. In such cases, the duration of disciplinary proceedings may be extended for a term equal to the term of the prosecutor's absence. The Prosecutor General within a one-week period from the end of the disciplinary proceedings, presents the issue to the Ethics Committee for discussion. When discussing the issue related to the disciplinary offence, the Ethics Committee votes to decide whether a disciplinary offence has taken place, whether the prosecutor is guilty of the offence, and, if the Prosecutor General requests so, then also whether it is possible to apply the disciplinary sanction of "removal from office." Based on the appropriate opinion of the Ethics Committee, the Prosecutor General orders the disciplinary sanction within a three-day period.

142) Which authority has disciplinary power on judges? (multiple options possible):

- Court
- Higher Court / Supreme Court
- Judicial Council
- Disciplinary court or body
- Ombudsman
- Parliament
- Executive power
- Other?

If "executive power" and/or "other", please specify:

143) Which authority has the disciplinary power on public prosecutors? (multiple options possible):

- Supreme Court
- Head of the organisational unit or hierarchical superior public prosecutor
- Prosecutor General /State public prosecutor
- Public prosecutorial Council (and Judicial Council)
- Disciplinary court or body
- Ombudsman
- Professional body
- Executive power
- Other?

If "executive power" and/or "other", please specify:

144) Number of disciplinary proceedings initiated against judges and public prosecutors. If data is not available, please indicate NA. If the situation is not applicable in your country, please indicate NAP. If "other", please specify it in the "comment" box below.

[If disciplinary proceedings are undertaken because of several mistakes, please count the proceedings only once and for the main mistake.]

	Judges	Public prosecutors
Total number	NA	3

(1+2+3+4)		
1. Breach of professional ethics	NA	2
2. Professional inadequacy	NA	1
3. Criminal offence	NA	NA
4. Other	NA	NA

Comment :

145) Number of sanctions pronounced against judges and public prosecutors. If data is not available, please indicate NA. If the situation is not applicable in your country, please indicate NAP.

If "other", please specify it in the "comment" box below. If a significant difference between the number of disciplinary proceedings and the number of sanctions exists, please indicate the reasons in the "comment" box below.

	Judges	Public prosecutors
Total number (total 1 to 9)	NA	3
1. Reprimand	NA	2
2. Suspension	NA	NA
3. Removal of cases	NA	NA
4. Fine	NA	NA
5. Temporary reduction of salary	NA	NA
6. Position downgrade	NA	NA
7. Transfer to another geographical (court) location	NA	NA
8. Resignation	NA	NA
9. Other	NA	NA

Comment :

Among the listed disciplinary sanctions there is no disciplinary sanction as reprimand. At the same time 2nd paragraph of article 47 of RA Law "On Prosecutor's office" provides that type of sanction. Disciplinary sanction is presented as "other" type of sanction.

E.3

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

Please indicate the sources for answering questions 144 and 145

6. Lawyers

6. 1. Status of the profession and training

6. 1. 1. Status of the profession and training

146) Total number of lawyers practising in your country.

1 129

147) Does this figure include "legal advisors" who cannot represent their clients in court (for example, some solicitors or in-house counsellors)?

- Yes
 No

148) Number of legal advisors who cannot represent their clients in court:

NA

149) Do lawyers have a monopoly on legal representation in (multiple options are possible):

- Civil cases?
 Criminal cases - Defendant?
 Criminal cases - Victim?
 Administrative cases?
 There is no monopoly

If there is no monopoly, please specify the organisations or persons that may represent a client before a court (for example a NGO, a family member, a trade union, etc) and for which types of cases:

150) Is the lawyer profession organised through? (multiple options possible)

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

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

- Yes
 No

If not, please indicate if there are other specific requirements as regards diplomas or university degrees :

152) Is there a mandatory general system for lawyers requiring in-service professional training?

- Yes
 No

153) Is the specialisation in some legal fields tied with specific training, levels of qualification, specific diploma or specific authorisations?

- Yes
 No

If yes, please specify:

F.1**Please indicate the sources for answering questions 146 and 148:**

Comments for interpreting the data mentioned in this chapter:

Concerning question 146 we clarify that the increase of the total number of lawyers practicing in Armenia between 2008 and 2010 is connected with some factors:

1. The high number of law specialization students.
2. The increase of trustworthiness of lawyer's profession.
3. With the fact that according with new Law "On advocacy" a School of advocacy will be established (in near future) and to become a lawyer the applicants should study in that School for some period. But till 2011 they could become a lawyer just passing their exams in the Chamber of Advocacy.

6. 2. Practising the profession**6. 2. 1. Practising the profession****154) Can court users establish easily what the lawyers' fees will be (i.e. do users have easy access to prior information on the foreseeable amount of fees, is the information transparent and accountable)?** Yes No**155) Are lawyers' fees freely negotiated?** Yes No**156) Do laws or bar association standards provide any rules on lawyers' fees (including those freely negotiated)?** Yes laws provide rules Yes standards of the bar association provide rules No, neither laws nor bar association standards provide rules**F.2****Useful comments for interpreting the data mentioned in this chapter:****6. 3. Quality standards and disciplinary proceedings****6. 3. 1. Quality standards and disciplinary proceedings****157) Have quality standards been determined for lawyers?** Yes No

If yes, what are the quality criteria used?

158) If yes, who is responsible for formulating these quality standards: the bar association? the Parliament? other?

If "other", please specify:

159) Is it possible to file a complaint about :

- the performance of lawyers?
 the amount of fees?

Please specify:

160) Which authority is responsible for disciplinary procedures?

- the judge
 the Ministry of justice
 a professional authority
 other

If other, please specify:

161) Disciplinary proceedings initiated against lawyers. If data is not available, please indicate NA. If the situation is not applicable in your country, please indicate NAP. If "other", please specify it in the "comment" box below.

[If disciplinary proceedings are undertaken because of several mistakes, please count the proceedings only once and for the main mistake.]

	Total number of disciplinary proceedings initiated (1 + 2 + 3 + 4)	1. Breach of professional ethics	2. Professional inadequacy	3. Criminal offence	4. Other
Number	27	NA	NA	NA	NA

Comment :

162) Sanctions pronounced against lawyers. If data is not available, please indicate NA. If the situation is not applicable in your country, please indicate NAP.

If "other", please specify it in the "comment" box below. If a significant difference between the number of disciplinary proceedings and the number of sanctions exists, please indicate the reasons in the "comment" box below.

	Total number of sanctions (1 + 2 + 3 + 4 + 5)	1.Reprimand	2. Suspension	3. Removal	4. Fine	5. Other (e.g. disbarment)
Number	16	NA	NA	NA	NA	NA

Comment :

F.3

You can indicate below any useful comments for interpreting the data mentioned in this chapter

7. Alternative Dispute Resolution

7. 1. Alternative Dispute Resolution

7. 1. 1. Alternative Dispute Resolution

163) Does the legal system provide for mediation procedures? If no skip to question 168

[Judicial mediation: in this type of mediation, there is always the intervention of a judge or a public prosecutor who facilitates, advises on, decides on or/and approves the procedure. For example, in civil disputes or divorce cases, judges may refer parties to a mediator if they believe that more satisfactory results can be achieved for both parties. In criminal law cases, a public prosecutor can propose that he/she mediates a case between an offender and a victim (for example to establish a compensation agreement).]

Yes

No

164) Please specify, by type of cases, the organisation of judicial mediation:

	Court annexed mediation	Private mediator	Public authority (other than the court)	Judge	Public 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

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

Yes

No

If yes, please specify:

166) Number of accredited or registered mediators who practice judicial mediation:

NAP

167) Number of judicial mediation procedures.

Please indicate the source in the "comment" box below:

Total number of cases (total 1+2+3+4+5)	NAP
1. civil cases	NAP
2. family cases	NAP
3. administrative cases	NAP
4. employment dismissals cases	NAP
5. criminal cases	NAP

Comment :

168) Does the legal system provide for the following ADR.

If "other", please specify it in the "comment" box below:

Mediation other than judicial mediation?	No
Arbitration?	Yes
Conciliation?	

	No
Other alternative dispute resolution?	No

Comment :

G.1

- 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

Please indicate the source for answering question 166:

8. Enforcement of court decisions

8. 1. Execution of decisions in civil matters

8. 1. 1. Functioning

169) Do you have enforcement agents in your judicial system?

- Yes
 No

170) Number of enforcement agents

349

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

- judges?
 bailiffs practising as private professionals under the authority (control) of public authorities?
 bailiff working in a public institution?
 other enforcement agents?

Please specify their status and powers:

The enforcement service acts in the structure of the ministry of justice of the RA and is competent to execute the performance papers, which are given by the courts.

172) Is there a specific initial training or examination to become an enforcement agent?

- Yes
 No

173) Is the profession of enforcement agents organised by?

- a national body?
 a regional body?
 a local body?
 NAP (the profession is not organised)

174) Are enforcement fees easily established and transparent for the court users?

- Yes
 No

175) Are enforcement fees freely negotiated?

- Yes
 No

176) Do laws provide any rules on enforcement fees (including those freely negotiated)?

- Yes
 No

Please indicate the source for answering question 170:

The November 6,1998 the decision of the prime minister of the RA on Definition of the maximum number of State management bodies, staff and depute chiefs.

Question 170 : The number of enforcement agents was 281 in the questionnaire of 2009 year, but in the year of 2011 questionnaire the answer is 349. We clarify that there has not been increase of staff in the enforcement service and the difference between these data concerns with the fact, that as opposed to the 2011 questionnaire, the 2009 questionnaire did not include the data about heads of divisions, their deputies and the heads of sections of the enforcement service and also the head staff and the people, who are not functioning as enforcement agents: the management department of central body staff, the law department, the general department, the analytic and organizational department, financial department, the auction and the property sales department agents and the territorial departments' accountants.

8. 1. 2. Efficiency of enforcement services

177) Is there a body entrusted with supervising and monitoring the enforcement agents' activity?

- Yes
 No

178) Which authority is responsible for supervising and monitoring enforcement agents?

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

If other, please specify:

The enforcement service acts in the structure of the ministry of justice.

179) Have quality standards been determined for enforcement agents?

- Yes
 No

If yes, what are the quality criteria used?

High education of certain professions, standarts of health.

180) If yes, who is responsible for establishing these quality standards?

- a professional body
 the judge
 the Ministry of Justice
 other

If "other", please specify:

The quality standarts are determined by the law and the decision of the government.

181) Is there a specific mechanism for executing court decisions rendered against public authorities, including for supervising such execution?

- Yes
 No

if yes, please specify

182) Is there a system for monitoring the execution?

- Yes
 No

If yes, please specify

There is an internal service electronic system for the investigation of the enforcement proceedings.

183) What are the main complaints made by 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?

If other, please specify:

184) 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:

185) Is there a system measuring the timeframes of the enforcement procedures:

- for civil cases?
- for administrative cases?

186) As regards a decision on debts collection, please estimate the average timeframe to notify the decision to the parties who 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

187) Number of disciplinary proceedings initiated against enforcement agents. If other, please specify it in the "comment" box below.

[If disciplinary proceedings are undertaken because of several mistakes, please count the proceedings only once and for the main mistake.]

Total number of disciplinary proceedings (1+2+3+4)	NA
1. for breach of professional ethics	NA
2. for professional inadequacy	NA
3. for criminal offence	NA
4. Other	NA

Comment :

The classification of service exams according to the basis of their action is not executed.

188) Number of sanctions pronounced against enforcement agents.

If "other", please specify it in the "comment" box below. If a significant difference between the number of disciplinary proceedings and the number of sanctions exists, please indicate the reasons in the "comment" box below.

Total number of sanctions (1+2+3+4+5)	<input type="checkbox"/> number:	22
1. Reprimand	<input type="checkbox"/> number:	15
2. Suspension		NA
3. Dismissal	<input type="checkbox"/> number:	6
4. Fine		NA
5. Other	<input type="checkbox"/> number:	1

Comment :

In one case the sanction of relegation was imposed.

The difference between the number of service exams and the number of sanctions imposed are conditioned by the fact, that not all service exams by which violation can be found and which are subject to sanction.

H.1

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

There have been implemented and continue the intensive reforms for the automation of the functions of the system, the investment of the information technologies, electronization of the connection with the bodies and organizations, possessing of information about debtor's property and also the reforms regulating enforcement proceeding legislation.

Please indicate the source for answering the questions 186, 187 and 188:

The answer of the question of 186 is given by the general section of the enforcement service, and the answers of the questions of 187 and 188 for the 2010 year by the section of staff management of the enforcement service.

8. 2. Execution of decisions in criminal matters**8. 2. 1. Execution of decisions in criminal matters**

189) Which authority is in charge of the enforcement of judgments in criminal matters? (multiple options possible)

- Judge
- Public prosecutor
- Prison and Probation Services
- Other authority

Please specify his/her functions and duties (initiative or monitoring functions). If "other authority", please specify:

190) Are the effective recovery rates of fines decided by a criminal court evaluated by studies?

- Yes
- No

191) If yes, what is the recovery rate?

- 80-100%
- 50-79%
- less than 50%
- it cannot be estimated

Please indicate the source for answering this question:

H.2

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. Notaries

9. 1. 1. Notaries

192) Do you have notaries in your country? If no go to question 197

- Yes
 No

193) Are notaries:

If other, please specify it in the "comment" box below.

- | | | |
|--|--|----|
| private professionals (without control from public authorities)? | <input type="checkbox"/> number | |
| private professionals under the authority (control) of public authorities? | <input checked="" type="checkbox"/> number | 79 |
| public agents? | <input type="checkbox"/> number | |
| other? | <input type="checkbox"/> number | |

Comment :

194) Do notaries have duties (multiple options possible):

- within the framework of civil procedure?
 in the field of legal advice?
 to certify the authenticity of legal deeds and certificates?
 other?

If "other", please specify:

195) Is there an authority entrusted with supervising and monitoring the the notaries' activity?

- Yes
 No

196) Which authority is responsible for supervising and monitoring notaries:

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

If other, please specify:

I.1

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

10. Court interpreters

10. 1. Court interpreters

10. 1. 1. Court interpreters

197) Is the title of court interpreters protected?

Yes

No

198) Is the function of court interpreters regulated by legal norms?

Yes

No

199) Number of accredited or registered court interpreters:

NA

200) Are there binding provisions regarding the quality of court interpretation within judicial proceedings?

Yes

No

If yes, please specify (e.g. having passed a specific exam):

201) Are the courts responsible for selecting court interpreters? If no, please indicate in the "comment" box below which authority selects court interpreters.

Yes for recruitment and/or appointment for a specific term of office

Yes for recruitment and/or appointment on an ad hoc basis, according to the specific needs of given proceedings

- No

Comment :

J.1

You can indicate below any useful comments for interpreting the data mentioned in this chapter:

Please indicate the sources for answering question 199:

11. Judicial experts

11. 1. Judicial experts

11. 1. 1. Judicial experts

202) In your system, what type of experts can be requested to participate in judicial procedures (multiple choice possible):

- "expert witnesses", who are requested by the parties to bring their expertise to support their argumentation
- "technical experts" who put their scientific and technical knowledge on issues of fact at the court's disposal
- "law experts" who might be consulted by the judge on specific legal issues or requested to support the judge in preparing the judicial work (but do not take part in the decision)

203) Is the title of judicial experts protected?

- Yes
- No

204) Is the function of judicial experts regulated by legal norms?

- Yes
- No

205) Number of accredited or registered judicial experts (technical experts)

NA

206) Are there binding provisions regarding the exercise of the function of judicial expert within judicial proceedings?

- Yes
- No

If yes, please specify, in particular the given time to provide a technical report to the judge:

207) Are the courts responsible for selecting judicial experts?

If no, please indicate in the "comment" box below which authority selects judicial experts?

- Yes for recruitment and/or appointment for a specific term of office
- Yes for recruitment and/or appointment on an ad hoc basis, according to the specific needs of given proceedings
- No .

Comment :

K.1

You can indicate below any useful comments for interpreting the data mentioned in this chapter:

Question 202 :

The answers are:

"expert witnesses", who are requested by the parties to bring their expertise to support their argumentation

"technical experts" who put their scientific and technical knowledge on issues of fact at the court's disposal

Please indicate the sources for answering question 205:

12. Foreseen reforms

12. 1. Foreseen reforms

12. 1. 1. Reforms

208) Can you provide information on the current debate in your country regarding the functioning of justice? Are there foreseen reforms? Please inform whether these reforms are under preparation or have only been envisaged. If possible, please observe the following categories:

- 1. (Comprehensive) reform plans**
- 2. Budget**
- 3. Courts and public prosecution services (e.g. powers and organisation, structural changes - e.g. reduction of the number of courts -, management and working methods, information technologies, backlogs and efficiency, court fees, renovations and construction of new buildings)**
- 4. High Judicial Council**
- 5. Legal professionals (judges, public prosecutors, lawyers, notaries, enforcement agents, etc.): organisation, education, etc.**
- 6. Reforms regarding civil, criminal and administrative laws, international conventions and cooperation activities**
- 7. Enforcement of court decisions**
- 8. Mediation and other ADR**
- 9. Fight against crime and prison system**
- 10. Other**

Action Plan on Legal and Judicial reforms of RA for 2012-2016 was adopted recently. The main aim of the project is to ensure such legal and judicial system in Armenia which complies with criterias of modern legal state. The Action Plan envisages in particular:

- 1) Ensuring of independent and transparent judicial power,
- 2) Strengthening of the efficiency of criminal justice and of the system of criminal punishment,
- 3) Enhancement of the efficiency of administrative justice and administrative procedure,
- 4) Enhancement of the efficiency of civil justice,
- 5) Strengthening of the efficiency of implementation of procedural functions,
- 6) Ensuring of reforms of lawyers system,
- 7) Enhancement of the efficiency of prosecutors activity,
- 8) Increase of the efficiency of services provided for the public.