



EUROPEAN COMMISSION FOR THE EFFICIENCY OF JUSTICE
(CEPEJ)

SCHEME FOR EVALUATING JUDICIAL SYSTEMS 2013

Country: Armenia**National correspondent**

First Name - Last Name: **SANOYAN Armen**
Job title:
Organisation:
E-mail: **armensanoyan@mail.ru**
Phone Number :

First Name - Last Name: **GEILLER Jean-pierre**
Job title: **CoE**
Organisation:
E-mail: **jpgeiller@orange.fr**
Phone Number :

First Name - Last Name: **RSHTUNI Anush**
Job title: **First Degree Specialist of The Division of Eurointegration and Development**
Organisation: **Department of International Legal Relations of the Ministry of Justice**
E-mail: **anush.rshtuni@yahoo.com**
Phone Number : **00(37410) 380-248**

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 2013)

3 026 878

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 or federal level	1 908 920 703
Regional / federal entity level (total for all regions / federal entities)	

3) Per capita GDP (in €)

2 560

4) Average gross annual salary (in €)

2 628

5) Exchange rate of national currency (non-Euro zone) to € on 1 January 2013

481.16

A1. Please indicate the sources for questions 1 to 4 and give comments concerning the interpretation of the figures supplied if appropriate:

National Statistical Service of RA

1. 1. 2. Budgetary data concerning judicial system

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	11 717 070
1. Annual public budget allocated to (gross) salaries	<input checked="" type="checkbox"/> Yes	9 084 375
2. Annual public budget allocated to computerisation (equipment, investments, maintenance)		NA
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	30 015
4. Annual public budget allocated to court buildings (maintenance, operating costs)	<input checked="" type="checkbox"/> Yes	13 555
5. Annual public budget allocated to investments in new (court) buildings		NA
6. Annual public budget allocated to training and education	<input type="checkbox"/> Yes	306 176
7. Other (please specify):	<input checked="" type="checkbox"/> Yes	2 282 949

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:

[mail sent by the NC on 21/05/2014: "The allocations for other purposes include not only the reserve fund of courts but also constantly expenses (energetic services, communal services, communicative services, business trips, computer

services, information services, professional services, materials, goods and etc.)

The increase of allocations for other purposes is caused by the increase of reserve fund, which is connected with the increase of annual allocations, that is to say the reserve fund increases 2% with the increased sum (Judicial Code of RA, article 64, part 7).]

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 the law.

8.1) Please briefly present the methodology of calculation of courts fees?

8.2) Please indicate, if possible, the amount of court fees to commence an action for 3000€ debt recovery?

According to the RA law on "State duty" in the case of confiscation claim of 3000€ in the first instance court the state duty is 60€(2%) and 90€(3%) for appeals and cassation complaints.

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

2 871 855

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. (Question modified)

If your system enables to be granted legal aid for cases which are non litigious or not brought to court, please specify:

	Amount (in €)
Total annual approved public budget allocated to legal aid (12.1 + 12.2)	NA
12.1 Annual public budget allocated to legal aid for cases brought to court	
12.1.1 in criminal law cases	
12.1.2 in other than criminal law cases	
12.2 Annual public budget allocated to legal aid for non litigious cases or cases not brought to court (legal consultation, ADR, etc)	

Comment :

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 5 356 768

Comment :

Total annual budget allocated to the General prosecution is published in the official web site of the General Prosecutor's office of the Republic of Armenia(www.genproc.am), where allocations are classified within the separate economic fields.

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

	total court budget	court budget	allocation of the budget among the courts	the budget at a national level
Ministry of Justice	No	No	No	No
Other ministry	No	No	No	No

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

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

[mail sent by the NC on 21/05/2014: The clarification of question 14 is that the staffs of the Courts of RA take part in the detailed budget drafting proces which is adopted by Assambly Hall of RA. The discussion of budget is held in the Assambly Hall (The Law of the RA"On the Budgetary system of the RA"). Simoultaneously, it is worth mentioning that the court figure in the 14 point has not been mentioned, because in the budget drafting process are included the staffs of the courts, but not the courts, which are separated departments of the Court department and serve the courts according to the law on Court service. There have not been mentioned the other purposes in the same point of the 2010 questionnaire, because of technical misprint.

And as far as the clarification of the other category is concerned I would like to mention that the question mentioned in the comments done by the Court department in the 2010 and 2012 Questioners is clarified, particularly, as other bodies with the concrete authorities were mentioned The Court department, the Council of the heads of Courts.]

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

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

The Official site of General Prosecutor's office (www.genproc.am).

1. 1. 3. Budgetary data concerning the whole justice system

15) The following data would be useful for information

15.1) (Former question 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

17908393295537

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

Court (see question 6)	Yes
Legal aid (see question 12)	Yes
Public prosecution services (see question 13)	Yes
Prison system	Yes
Probation services	No
Council of the judiciary	No
Constitutional court	No
Judicial management body	No
State advocacy	No
Enforcement services	No
Notariat	No
Forensic services	No
Judicial protection of juveniles	No
Functioning of the Ministry of Justice	

	Yes
Refugees and asylum seekers services	No
Other	No

Comment :

Preparation of general court budget- court staff, Judicial department, the court presidents' council.

Adaption of general court budget- The Government of RA, Assembly Hall of RA

Budget management and allocation to separate courts- Judicial department, the court presidents' council.

Evaluation of budget expenses - The Government of RA.

2. Access to justice

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:

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 :

The expanses done by witness are compensated(e.g. transport,eating...)

20) Number of cases referred to the court for which legal aid has been granted. If data is not available, please indicate NA. If the situation is not applicable in your country, please indicate NAP.

Please specify in the "comment" box below, when appropriate.

[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	3119
in criminal cases	3119
other than criminal cases	NA

Comment :

20.1) Number of cases not brought to court (see 12.2 above) for which legal aid has been granted. If data is not available, please indicate NA. If the situation is not applicable in your country, please indicate NAP.

Number of cases

172

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 :

According to Article 10 of RA Criminal Code of Procedure the body conducting the criminal proceedings is entitled to make a decision to provide the suspect or the accused with free legal consulting based on the financial situation of the latter. Victims are provided with free of charge assistance on the ground of Article 41 of RA Law on Advocacy.

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 ? If you have such a system but no data available, please indicate NA. If you do not have such a system, please indicate NAP.-----
Please provide in the "comment" box below any information to explain the figures provided.

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

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:

Article 41 of RA Law on Advocacy provides for the instances when legal aid may be refused. According to the same article (§ 2) legal aid includes consultation and court representation. Thus, legal aid may be refused for the court representation when during consultation stage it comes clear that the case is lacking of merit.

25) In other than criminal cases, is the decision to grant or refuse legal aid taken by:

- the court?
 an authority external to the court?
 a mixed 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?	Yes
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 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):	<input checked="" type="checkbox"/> Yes	www.lexadin.am, www.court.am
case-law of the higher court/s? Internet address(es):	<input checked="" type="checkbox"/> Yes	www.arlis.am,www.datalex.am
other documents (e.g. downloadable forms, online registration)? Internet address(es):	<input checked="" type="checkbox"/> Yes	www.arlis.am,www.datalex.am

Comment :

In mentioned web-sites the legislation,international treaties, judicial and other normative and local acts are available.

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

- Yes
 No
 Yes only in some specific situations

If yes only in some specific situations, please specify:

The Civil, criminal, administrative procedure codes define fixed time frames for several judicial and per-trial activities (criminal cases). Other cases must be examined in the reasonable time frame.

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.]

	Information mechanism	Special arrangements in court hearings	Other
Victims of sexual violence/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	No	No	Yes
Juvenile offenders	No	Yes	Yes
Other (e.g. victims of human trafficking, forced marriage, sexual mutilation)	No	Yes	No

Comment :

31.1) Is it possible for minors to be a party to a judicial proceedings :

- Yes
 No

If yes, please specify which procedure can be concerned (civil, criminal, administrative/normal or accelerated procedure) and at which conditions (can children benefit from legal aid, be represented by a lawyer, etc.) :

There are some civil, criminal and administrative cases, where juveniles may be involved as a party to the proceedings, but in any case the participation of juvenile's legal representative in the trial is obligated.

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 illustrate with available data concerning 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 decision by a judge".

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

If necessary, please specify:

According to article 263 of the Criminal procedure code of the Republic of Armenia
 Within 7 days from the date of receipt of the copy of the termination decree, it can be appealed against to the higher prosecutor, by the suspect, the accused, the lawyer, as well as the injured person, his representative, the civil defendant and claimant or their representatives as well as by the representatives of the physical persons or legal entities

whose statement was the basis for the institution of persecution.
 The prosecutor's refusal to satisfy the appeal can be appealed against in court.

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):

Every person shall have the right to recover damages in case when he/she has illegally been deprived of freedom or subjected to search on the grounds and by the procedure defined by the law. Every person shall have the right to appeal to a higher instance court against the lawfulness and reasons for deprivation him/her of freedom or subjecting to search.

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 handling 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
Court concerned	No	No
Higher court	No	No
Ministry of Justice	No	No
High Council of the Judiciary	No	No
Other external bodies (e.g. Ombudsman)	No	No

Comment :

According to the article 155 of the Judicial Code of RA:

1. The following shall have the right to instigate disciplinary proceedings against first instance and appellate court judges and chairmen:

- 1) The Minister of Justice; and
- 2) The Disciplinary Committee of the Justice Council.

2. The following shall have the right to instigate disciplinary proceedings against a Cassation Court chamber judge and chamber chairman:

- 1) The Cassation Court Chairman; and
- 2) The Disciplinary Committee of the Justice Council, upon motion by the Ethics Committee of the Council of Court Chairmen.

3. The Disciplinary Committee of the Justice Council, upon motion by the Ethics Committee of the Council of Court Chairmen, has the right to file disciplinary proceedings against the Cassation Court Chairman.

4. If the Minister of Justice or the Cassation Court Chairman instigated disciplinary proceedings, then he shall notify the Disciplinary Committee of the Justice Council of such instigation and of the alleged offence. In case of instigating disciplinary proceedings against a first instance and appellate court judge or chairman, the Disciplinary Committee of the Justice Council shall notify the Minister of Justice of such instigation and of the alleged offence. In case of instigating disciplinary proceedings against a Cassation Court chamber judge or chamber chairman, the Disciplinary Committee of the Justice Council shall notify the Cassation Court Chairman of such instigation and of the alleged offence. Two concurrent sets of proceedings shall not be instigated against the same person in connection with the same offence.

5. The reasons for instigating disciplinary proceedings are the following:

- 1) A decision of the Cassation Court, which confirms that an obviously illegal judicial act was made in the administration of justice when resolving the case in substance, or the judge committed an obvious and grave violation of the rules of procedural law in the administration of justice;
- 2) An application by the person;
- 3) A communication from a state or local government body or official;
- 4) A motion filed by the Ethics Committee of the Council of Court Chairmen;
- 5) The finding, as a result of summarizing or studying court practice, of an act that gives rise to disciplinary liability; or
- 6) The finding, by the persons instigating the proceedings, of an act that gives rise to disciplinary liability.

6. The application, communication, or motion stipulated by Paragraphs 5(1), 5(3), and 5(4) of this Article, which does not contain prima facie evidence of a judge having committed an act that gives rise to disciplinary liability, shall be returned to the person that submitted it, without any examination.

7. In case of not instigating proceedings on the basis of the application, communication, or motion stipulated by Paragraphs 5 (1), 5(3), and 5(4) of this Article, the person responsible for instigating proceedings does not have to substantiate in his response the reasons for not instigating proceedings.

41.1) Please indicate the number of complaints that are upheld and the amount of compensation given to users in 2012 for complaints about the functioning of the judicial system

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)	21

43) Number (legal entities) of first instance specialised courts (or specific judicial order). If data is not available, please indicate NA.

If the situation is not applicable in your country, please indicate NAP.

	Number
Total (must be the same as the data given under question 42.2)	1
Commercial courts (excluded insolvency courts)	NAP
Insolvency courts	NAP
Labour courts	NAP
Family courts	NAP
Rent and tenancies courts	NAP
Enforcement of criminal sanctions courts	NAP
Fight against terrorism, organised crime and corruption	NAP
Internet related disputes	NAP
Administrative courts	1
Insurance and / or social welfare courts	NAP
Military courts	NAP
Other specialised 1st instance courts	NAP

Comment :

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
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:

NAP

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

The source of the question 42 is Judicial Code of RA.

3. 1. 2. Judges, court staff

46) Number of professional judges sitting in courts (if possible on 31 December 2012) (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	NAP
Total number of professional judges (1 + 2 + 3)	219	171	48	
1. Number of first instance professional judges	164	129	35	
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	NAP
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 2012).

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 2012) (e.g. lay judges and "juges consulaires", but not arbitrators and persons sitting in a jury):

If such non-professional judges exists in your country, please specify it in the "comment" box below:

Gross figure NAP

Comment :

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 2012) (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) Yes (among which women) 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 :

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

The registrant of judge:

- provides the registration of judge's judicial cases.
- Prepares the drafts of subpoenas and other documents
- Prepares the schedules of the judge's judicial session or other measures.
- Registers the data, which are managed by the staff of the court, provides the statistical records and is responsible for the accuracy and the completeness of data.
- Prepares appropriate materials and information according to the recommendation of judge.
- Assists the assistance of judge during his work and does the other recommendation of judge.
- Implements other duties which are defined in the legal acts.

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:

C1 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 2012) (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	NAP
Total number of prosecutors (1 + 2 + 3)	319	290	29	
1. Number of prosecutors at first instance level				
2. Number of prosecutors at second instance (court of appeal) level				
3. Number of prosecutors at supreme court level				

Comment :

The legislation of the Republic of Armenia does not provide for the distribution in prosecutors in different instances of court.

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	NAP
Total number of heads of prosecution offices (1 + 2 + 3)	16	15	1	
1. Number of heads of prosecution offices at first instance level	NA	NA	NA	
2. Number of heads of prosecution offices at second instance (court of appeal) level	NA	NA	NA	
3. Number of heads of prosecution offices at supreme court level	NA	NA	NA	

Comment :

See the comment of the question 55.

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

- Yes
 No
 NA

Number (full-time equivalent)

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

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

- Yes
 No

59.1) Do all prosecution offices have specially trained prosecutors in domestic violence and sexual violence etc.?

- Yes

60) Number of staff (non-public prosecutors) attached to the public prosecution service (if possible on 31 December 2012) (without the number of non-judge staff, see question 52) (in full-time equivalent and for permanent posts actually filled).

Number NA 160
 Among which women NA 132

C2 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. Management of the court budget

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 :

3. 1. 5. Use of Technologies in courts

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 caselaw	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 ?

Si "autres moyens de communication électronique", veuillez le préciser dans la boîte de commentaires ci-dessous.

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

Comment :

65) The use of videoconferencing in the courts (details on question 63).

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 or victims?	No
65.2 Can such court hearing be held in the police station and/or in the prison?	No
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?	No
65.4 Is videoconferencing used in other than criminal cases?	No

Comment :

C3 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

3. 2. Monitoring 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:
 Judicial Department of RA (www.court.am)
 Armenia, 0010, Yerevan, Vazgen Sargsisian5

66.1) Does this institution publish statistics on the functioning of each court on the internet:

- Yes
 No, only in an intranet website
 No

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, only in an intranet website

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:

If the question is about electronic program, there is a program, which gives an opportunity to answer to above mentioned questions, but there are not legislative mechanisms for the evaluation of judicial system.

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

If yes, 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:

[mail sent by the NC on 21/05/2014: "although there is no any legislation on the evaluation of the activities of courts, the Court department often studies the activities of the courts. That is the reason that in the 70 question the answer is „ no“, but in 71 question there are some comments on it".]

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, Higher Court)
- President of the 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)
- President of the 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:

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 principles

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 lawyer)?

NA

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

- Yes
 No

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

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:

The simplified procedure is stipulated in manner and order described by the law.

88.1) For these simplified procedures, may judges deliver an oral judgement with a written order and dispense with a full reasoned judgement?

Yes No

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. Case flow 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 and criminal law cases.

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 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 2012 + incoming cases) – resolved cases" should give the correct number of pending cases on 31 December 2012. Vertical consistency of data means that the sum of the individual case categories 1 to 7 should r

	Pending cases on 1 Jan. '12	Incoming cases	Resolved cases	Pending cases on 31 Dec. '12
Total of other than criminal law cases (1+2+3+4+5+6+7)*	23151	41889	41633	23407
1. Civil (and commercial) litigious cases (if feasible without administrative law cases, see category 6)*	12458	24480	25294	11644
2. General 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)*	721	4446	4473	694
3. Non litigious enforcement cases	NAP	NAP	NAP	NAP
4. Non litigious land registry cases**	NAP	NAP	NAP	NAP
5. Non litigious business registry cases**	NAP	NAP	NAP	NAP
6. Administrative law cases	8207	11775	11070	8912
7. Other cases (e.g. insolvency registry cases)	1765	1188	796	2157

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) 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 2012 + incoming cases) – resolved cases" should give the correct number of pending cases on 31 December 2012. 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. '12	Incoming cases	Resolved cases	Pending cases on 31 Dec. '12
Total of criminal cases (8+9)	974	3441	3442	973
8. Severe criminal cases	52	117	116	53
9. Misdemeanour and / or minor criminal cases	922	3324	3326	920

95) To differentiate between misdemeanour / minor offenses and serious offenses and ensure the consistency of the responses between different systems, the CEPEJ invites to classify as misdemeanour / minor all offenses for which it is not possible to pronounce a sentence of deprivation of liberty. Conversely, should be classified as severe offenses all offenses punishable by a deprivation of liberty (arrest and detention, imprisonment). If you cannot make such a distinction, please indicate the categories of cases reported in the category "serious offenses" and cases reported in the category "minor offenses":

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 90 to 95 (specific situation in your country e.g. NA-answers and the calculation of the total number of other than criminal law cases, differences in horizontal consistency etc.)

97) Second instance courts: total number of cases

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.

	Pending cases on 1 Jan. '12	Incoming cases	Resolved cases	Pending cases on 31 Dec. '12
Total of other than criminal law cases (1+2+3+4+5+6+7)	699	5 301	5 046	954
1. Civil (and commercial) litigious cases (if feasible without administrative law cases, see category 6)*	467	3 713	3 551	629
2. General 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. Non litigious enforcement cases	NAP	NAP	NAP	NAP
4. Non litigious land registry cases	NAP	NAP	NAP	NAP
5. Non litigious business registry cases	NAP	NAP	NAP	NAP
6. Administrative law cases	232	1 588	1 495	325
7. Other cases (e.g. insolvency registry cases)	NAP	NAP	NAP	NAP

98) 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. '12	Incoming cases	Resolved cases	Pending cases on 31 Dec. '12
Total of criminal cases (8+9)	141	2104	2099	146
8. Severe criminal cases	NA	NA	NA	NA
9. Misdemeanour and/or minor criminal cases	NA	NA	NA	NA

Comment :

99) Highest instance courts: total number of cases

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.

	Pending cases on 1 Jan. '12	Incoming cases	Resolved cases	Pending cases on 31 Dec. '12
Total of other than criminal law cases (1+2+3+4+5+6+7)	237	2599	2620	216
1. Civil (and commercial) litigious cases (if feasible without administrative law cases, see category 6)	166	1789	1791	164
2. General 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)	NAP	NAP	NAP	NAP
3. Non litigious enforcement cases	NAP	NAP	NAP	NAP
4. Non litigious land registry cases**	NAP	NAP	NAP	NAP
5. Non litigious business registry cases	NAP	NAP	NAP	NAP
6. Administrative law cases	71	810	829	52
7. Other cases (e.g. insolvency registry cases)	NAP	NAP	NAP	NAP

99.1) At the level of the Higher court, is there a procedure of manifest inadmissibility?

- Yes. If yes, please indicate the number of cases closed by this procedure?
 No

Number
2393

100) 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. '12	Incoming cases	Resolved cases	Pending cases on 31 Dec. '12
Total of criminal cases (8+9)	922	3324	3326	920
8. Severe criminal cases	NA	NA	NA	NA
9. Misdemeanour and/or minor criminal cases	NA	NA	NA	NA

Comment :

101) Number of litigious divorce cases, employment dismissal cases, insolvency, 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 January 2012	Incoming cases	Resolved cases	Pending cases on 31 December 2012
Litigious divorce cases	443	1861	1845	459
Employment dismissal cases	56	99	118	37
Insolvency	1765	1188	796	2157
Robbery cases	24	48	39	31
Intentional homicide	31	64	57	38

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.]

	% 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
Insolvency	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):

According to the legislation of RA there are two possibilities of divorce procedure:

1. If there is no dispute between marrieds the divorce procedure can be made by the body of the registration of the civil acts.
2. In the case of dispute divorce procedure should be solved by the court.

104) How is the length of proceedings calculated for the five 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 request 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 the enforcement procedure
- to discontinue a case without needing a decision by a judge (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 article 103 of the Constitution of the Republic of Armenia Prosecutor General shall:

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

The Office of the Prosecutor General shall operate within the powers granted by the Constitution and on the basis of the law.

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

- Yes
- No

If yes, please specify:

According to article 103 of the Constitution of the Republic of Armenia
Prosecutor General shall bring actions in court to defend the interests of the state.

According to article 27 of the law of the Republic of Armenia on "Prosecution"

1. 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.

3. In the cases stipulated by sub-paragraphs 1, 2, 4, and 5 of Paragraph 2 of this Article, the prosecutor is obliged to file a court claim for the protection of state interests.

4. If the prosecutor considers that sufficient grounds are present for filing a claim for the protection of state interests, he shall have the right, before filing a claim, to warn the person that inflicted damage upon state interests of the need to compensate such damage voluntarily.

5. For the purposes of this Article, the power to file a claim includes the exercise of all rights and the performance of all duties that are attributed to the plaintiff, applicant, or respondent under the procedural law.

6. If grounds for filing a claim for the protection of state interests are present, the prosecutor may decide, for purposes of preparing materials:

- 1) To carry out audits in state and local government bodies and state non-commercial organizations, and to demand and receive legal acts, documents, and other information; and
 - 2) To demand and receive explanations from officials of state and local government bodies and state non-commercial organizations.
7. The prosecutor shall exercise the powers stipulated by Paragraph 6 of this Article also in cases in which the information on a violation of state interests came from the Republic of Armenia President, Government, Chamber of Controls, an ad hoc committee of the National Assembly, or the National Assembly, by a decision taken as a result of reviewing inquiries.

8. The powers stipulated by Paragraph 6 of this Article shall not go beyond the scope of the claim for the protection of state interests.

106.1) Does the public prosecutor also have a role in insolvency cases?

- Yes
 No

If yes, please specify:

According to the point 3 of the article 6 of the law of RA on "Bankruptcy" if the state bodies fail to file a bankruptcy application within the prescribed time limit, the application shall be filed by the prosecution authorities in the manner prescribed by the Law of the Republic of Armenia on Prosecutor's Office and by other laws.

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	NA	4470	4513	NA

107.1) Among cases charged by the public prosecutor before the courts, how many were brought to court under a guilty plea procedure or similar ?

	Before the court case:	During the court case:
If possible, please distinguish the number of guilty plea procedure:	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)	4 470
1. Discontinued by the public prosecutor because the offender could not be identified	NA
2. Discontinued by the public prosecutor due to the lack of an established offence or a specific legal situation	NA
3. Discontinued by the public prosecutor for reasons of opportunity	NA

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**

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

5. Career of judges and public prosecutors

5. 1. Recruitment and promotion

5. 1. 1. Recruitment 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:

110.1) Are there specific provisions for facilitating gender equality within the framework of the procedure for recruiting judges?

- Yes
- No

If "yes", please specify:

Gender balance is taken into account during the preparation of the candidates' list for judges. If the number of one of the sex is less than 25% of the total number of judges, The representatives of that sex should have more 5 places in the list.

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 ?

112.1) Are there specific provisions for facilitating gender equality within the framework of the procedure for promoting judges?

- Yes
- No

If "yes", please specify:

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

The Article 135 of the Judicial Code of RA defines criterias, which are necessary for the preparation of the official promotion list of judges:

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

If yes, please indicate the frequency

115) Is the status of prosecution services:

Independent?

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:

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:

According to the RA Constitution the Prosecutor General is proposed by the president of the RA and nominated by the National Assembly for 6 years period. Other prosecutors are nominated by the prosecutor general.

117.1) Are there specific provisions for facilitating gender equality within the framework of the procedure for recruiting prosecutors?

Yes

No

If "yes", please specify:

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:

According to article 35 of the law of the Republic of Armenia on "Prosecution" the official promotion List of prosecutors shall be compiled by the Qualification Committee.

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

According to article 35 of the law of the Republic of Armenia on "Prosecution"

The official promotion List of prosecutors shall be 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 shall be included in the Official Promotion List of Prosecutors in case the Qualification Committee has issued a positive opinion; and

3) In exceptional cases, when the Qualification Committee decides that a person relieved of the duty to study in the Prosecutorial School shall be included concurrently in both the list of prosecutor candidates and the Official Promotion List of Prosecutors.

119.1) Are there specific provisions for facilitating gender equality within the framework of the procedure for promoting prosecutors?

- Yes
 No

If "yes", please specify:

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)?

If yes, are there exceptions (e.g. dismissal as a disciplinary sanction)? Please specify in the "comment" box below

Yes. If yes, please indicate the compulsory retirement age	65
No	

Comment :

Ex. According to the Judicial Code Of RA termination of judge's power is possible in the basis of Disciplinary Liability and in others cases, such as e.g. resign or work inability of judge.

121.1) Can a judge be transferred to another court without his consent:

- For disciplinary reasons
 For organisational reasons
 For other reasons. Please specify modalities and safeguards

Please specify modalities and safeguards

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 the probation period (in years)
Yes	
No	
NAP	NAP

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

If yes, are there exceptions (e.g. dismissal as a disciplinary sanction)? Please specify in the "comment" box below:

Yes. If yes, please indicate the compulsory retirement age	65
No	

Comment :

Ex. According to the Law on "Prosecution" termination of prosecutor's power is possible in the basis of Disciplinary Liability and in others cases, such as e.g. resign or work inability of judge.

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

	Duration of the probation period (in years)
Yes	
No	
NAP	Nap

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

NAP

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

NAP

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 public 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 / Regular (e.g. every 3 months)
In-service training for specialised judicial functions (e.g. judge for economic or administrative issues)	Annual / Regular (e.g. every 3 months)
In-service training for management functions of the court (e.g. court president)	Annual / Regular (e.g. every 3 months)
In-service training for the use of computer facilities in courts	Annual / Regular (e.g. every 3 months)

129) Training of public prosecutors

Initial training	Compulsory
General in-service training	Compulsory
In-service training for specialised functions (e.g. public prosecutor specialised on organised crime)	Compulsory
In-service training for management functions of the court (e.g. Head of prosecution office, manager)	No training proposed
In-service training for the use of computer facilities in office	No training proposed

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

General in-service training	No training proposed
In-service training for specialised functions (e.g. public prosecutor specialised on organised crime)	Annual / Regular (e.g. every 3 months)
In-service training for management functions of the court (e.g. Head of prosecution office, manager)	Occasional (e.g. at times)
In-service training for the use of computer facilities in office	Annual / Regular (e.g. every 3 months)

131) Do you have public training institutions for judges and / or prosecutors? If yes, please indicate the budget of such institution(s) in the "comment" box below.

If your judicial training institutions do not correspond to these criteria, please specify it:

	Initial training only	Continuous training only	Initial and continuous training	2012 budget of the institution, in €
One institution for judges	NA	NA	NAP	Yes
One institution for prosecutors	NA	NA	NAP	Yes
One single institution for both judges and prosecutors	NA	NA	NAP	NA

Comment :

The initial and continuous trainings are implemented in the "Prosecutor's school" state non-commercial organization and the budget was around 265000€.

131.1) If there is no initial training for judges and/or prosecutors in such institutions, please indicate briefly how these judges and/or prosecutors are recruited and trained ?**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 public prosecutors and the main reforms that have been implemented over the last two years

[mail sent by the NC on 21/05/2014: "The public training institution for judges and prosecutors is the 'Justice Academy of Armenia' nonprofit organization.

It conducts professional training of persons included in the list of judges and prosecutors, as a result of which these people get an opportunity to occupy positions of judges or prosecutors. The other sphere of activities is annual

retraining for all acting judges and prosecutors".]

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 2012	Net annual salary, in €, on 31 December 2012
First instance professional judge at the beginning of his/her career	1145	918
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)	1877	1485
Public prosecutor at the beginning of his/her career	NA	NA
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)	NA	NA

Comment :

According to Article 55 of the Law of the Republic of Armenia

1. The salary of a prosecutor shall comprise the official pay rate, supplements, and other payments stipulated by law.
2. The official pay rate of the Prosecutor General shall amount to 95% of the sum of the official pay rate of the Republic of Armenia Cession Court Chairman and the supplement equal to one quarter of the official pay rate.
3. The official pay rate of the Deputy Prosecutor General shall be 85% of the official pay rate of the Prosecutor General.
4. The official pay rate of a department head in the General Prosecution Office, the Yerevan City Prosecutor, and the Deputy Military Prosecutor shall be 80% of the official pay rate of the Prosecutor General.
5. The official pay rate of a Marz prosecutor, a Yerevan City district prosecutor, or a garrison military prosecutor shall be 75% of the official pay rate of the Prosecutor General.
6. The official pay rate of a deputy department head in the General Prosecution Office, a division head in the General Prosecution Office, a senior prosecutor in the General Prosecution Office, or the deputy prosecutor for the City of Yerevan shall be 70% of the official pay rate of the Prosecutor General.
7. The official pay rate of a senior prosecutor in a department or division of the General Prosecution Office, a deputy prosecutor for a district of the City of Yerevan, or the deputy military prosecutor of a garrison shall be 65% of the official pay rate of the Prosecutor General.
8. The official pay rate of a prosecutor in the General Prosecution Office, a prosecutor in a department or division of the General Prosecution Office, a division head in the Central Military Prosecution Office, and a senior prosecutor in the Central Military Prosecution Office shall be 60% of the official pay rate of the Prosecutor General.
9. The official pay rate of a senior prosecutor of the Yerevan City Prosecution Office and a senior prosecutor in a division of the Central Military Prosecution Office shall be 55% of the official pay rate of the Prosecutor General.
10. The official pay rate of a prosecutor of the Yerevan City Prosecution Office, senior prosecutors in the Marz Prosecution Office, the Yerevan City district prosecution offices, and the garrison military prosecution offices, a prosecutor in the Central Military Prosecution Office, and a prosecutor in a division of the Central Military Prosecution Office shall be 50% of the official pay rate of the Prosecutor General.
11. The official pay rate of a prosecutor in the Marz Prosecution Office or the Yerevan City district prosecution offices or in the garrison military prosecution offices shall be 45% of the official pay rate of the Prosecutor General.
12. For the rank of a State Counselor of Justice, a maximum supplement shall be established in the amount of 100% of the official pay rate of the Prosecutor General. For other ranks, a maximum supplement shall be established on the basis of the following percentages of the official pay rate of the Prosecutor General:
 - 1) For a First Category State Counselor of Justice—85%;
 - 2) For a Second Category State Counselor of Justice—80%;
 - 3) For a Third Category State Counselor of Justice—75%;
 - 4) For a First Category Counselor of Justice—65%;
 - 5) For a Second Category Counselor of Justice—60%;

- 6) For a Third Category Counselor of Justice—55%;
- 7) For a First Category Counselor—50%;
- 8) For a Second Category Counselor—45%; and
- 9) For a Third Category Counselor—40%.

13. A prosecutor that has a rank shall receive a supplement for each year worked in the position of a prosecutor, judge, and prosecution investigator in the amount of 4% of the maximum supplement established for the rank awarded to him. In each case, the supplement paid for the rank cannot exceed the official pay rate.

133) Do judges and public prosecutors have additional benefits?

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

134) If other financial benefit, please specify:

- 1) Premium
- 2) An annual paid leave;

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

	With remuneration	Without remuneration
Teaching	Yes	Yes
Research and publication	Yes	Yes
Arbitrator	No	No
Consultant	No	No
Cultural function	Yes	Yes
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.

A judge may not occupy an office, which is not related to the performance of his duties, in a state government or local self-government body, or an office in a for-profit organization, or perform any paid work other than scientific, pedagogic, and creative work.

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

	With remuneration	Without remuneration
Teaching	Yes	Yes
Research and publication	Yes	Yes
Arbitrator	No	No
Consultant	No	No
Cultural function	Yes	Yes
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:

A prosecutor may not occupy an office, which is not related to the performance of his duties, in a state government or local self-government body, or an office in a for-profit organization, or perform any paid work other than 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 has been 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:

According to the article 155 of the Judicial Code of RA:

1. The following shall have the right to instigate disciplinary proceedings against first instance and appellate court judges and chairmen:

- 1) The Minister of Justice; and
- 2) The Disciplinary Committee of the Justice Council.

2. The following shall have the right to instigate disciplinary proceedings against a Cassation Court chamber judge and chamber chairman:

- 1) The Cassation Court Chairman; and
- 2) The Disciplinary Committee of the Justice Council, upon motion by the Ethics Committee of the Council of Court Chairmen.

3. The Disciplinary Committee of the Justice Council, upon motion by the Ethics Committee of the Council of Court Chairmen, has the right to file disciplinary proceedings against the Cassation Court Chairman.

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:
 The general prosecutor and higher-ranking prosecutor.

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 (1+2+3+4)	NA	22
1. Breach of professional ethics	48	NA
2. Professional inadequacy	NAP	NAP
3. Criminal offence	NAP	NAP
4. Other	NAP	NAP

Comment :

145) Number of sanctions pronounced in 2012 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)	28	NA
1. Reprimand	6	7
2. Suspension	NA	NA
3. Removal of cases	NAP	NAP
4. Fine	NAP	NAP
5. Temporary reduction of salary	10	NA
6. Position downgrade	NAP	NAP
7. Transfer to another geographical (court) location	NAP	NAP
8. Resignation	NA	2
9. Other	12	9

Comment :

Disciplinary Sanctions Applied to Judges

1. As a result of considering the matter related to the disciplinary liability of a judge, the Justice Council may apply any of the following types of disciplinary sanctions against the judge:

1) Warning;

2) Reprimand, which shall be combined with depriving the judge of 25% of his salary for a six-month period;

3) Severe reprimand, which shall be combined with depriving the judge of 25% of his salary for a one-year period; or

4) Filing a motion requesting the President of the Republic to terminate the judge's powers.

2. A warning is formal reproach of a judge, which is applied for a disciplinary offence that the Justice Council considers an offence of the least gravity, unless the judge has another pending sanction.

3. The type of disciplinary sanction prescribed by Paragraph 1(4) of this Article shall be applied, if the grave disciplinary offence or the regular disciplinary offences committed by the judge renders him incompatible with the judge position.

4. The disciplinary sanction applied to a judge shall be proportionate with the offence. When applying a disciplinary sanction, the Justice Council shall also take into account the consequences of the offence, the personal characteristics of the judge, the degree of guilt, any pending sanctions, and other noteworthy circumstances characterizing the judge.

5. If a judge is not subjected to a new disciplinary sanction within two years of receiving a reprimand or severe reprimand, or within one year of receiving a warning, he shall be considered not to have a disciplinary sanction.

6. If a judge is consecutively subjected to disciplinary sanctions that lower the salary, the total lowering of the salary for each month cannot exceed 50% of the salary.

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 public prosecutors and the main reforms that have been implemented over the last two years

Please indicate the sources for answering questions 144 and 145

www.court.am

The general prosecutor's annual report about prosecution activities in 2012.

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.

1373

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:

RA Civil Procedure Code (Article 40) refers to RA Law on Advocacy corresponding article of which (Article 5) provides for exceptional instances when not only lawyers may incur legal representation.

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:

Please indicate the sources for answering questions 146 and 148:

List of lawyers as prescribed by Articles 34-35 of RA Law on Advocacy

F1 Comments for interpreting the data mentioned in this chapter:

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

F2 Useful comments for interpreting the data mentioned in this chapter:

Concerning question 156: Currently the Board of Chamber of Advocates has adopted standards that applies only to cases related to Article 1087.1 of RA Civil Code. Meanwhile, according to Article 6(5) of RA Law on Advocacy the Board of Chamber of Advocates may adopt average prices of legal services which can be taken into consideration only by the courts within the making a decision on determining the amount of reasonable compensation of a lawyer.

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:

According to Article 39.1 of RA law on Advocacy one of the reasons of initiation of disciplinary proceedings against a lawyer is violation of this law or the existence of features of violations of the requirements provided by the Code of Conduct of Advocates.

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.]

	Number
Total number of disciplinary proceedings initiated (1 + 2 + 3 + 4)	29
1. Breach of professional ethics	23
2. Professional inadequacy	
3. Criminal offence	
4. Other	6

Comment :

162) Sanctions pronounced against lawyers.

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.

	Number
Total number of sanctions (1 + 2 + 3 + 4 + 5)	23
1.Reprimand	21
2. Suspension	
3. Removal	
4. Fine	2
5. Other (e.g. disbarment)	

Comment :

F3 You can indicate below any useful comments for interpreting the data mentioned in this chapter:

7. Alternative Dispute Resolution

7. 1. Mediation and other forms of ADR

7. 1. 1. Mediation and other forms of ADR

163) Does the judicial system provide for judicial 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

163.1) In some fields, does the judicial system provide for mandatory mediation procedures?

If there are mandatory mediation procedures, please specify which fields are concerned in the "comment" box below.

- Before going to court
- Ordered by a judge in the course of a judicial proceeding

If there are mandatory mediation procedures, please specify which fields are concerned:

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 judicial 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 You can indicate below:

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

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

393

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:

Citizens serving in the Compulsory Enforcement Service are government servants. The Compulsory Enforcement Service is a special type of government service; its functions are defined by the Law of the Republic of Armenia on Judicial acts compulsory enforcement service.

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 on Definition of the maximum number of State management bodies, staff and depute

chiefs.

Decision of the Prime minister of the RA from November 6,1998 on "Definition of the maximum number of State management bodies, staff and deputies of heads of state bodies".

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:

According to the article 20 on the Law of the Republic of Armenia on Judicial acts compulsory enforcement service The Ministry of Justice of the Republic of Armenia shall arrange, supervise, and carry out methodical guidance over the activities of the Compulsory Enforcement Service.

179) Have quality standards been determined for enforcement agents?

Yes

No

If yes, what are the quality criteria used?

The right to take office in the Compulsory Enforcement Service as a compulsory enforcement officer shall be vested in nationals of the Republic of Armenia with higher education, who, irrespective of sex, national origin, race, social origin, property or other status:

(1) have completed compulsory military service (except for female citizens and for cases referred to in the third paragraph of this part);

(2) have a command of Armenian;

(3) their professional knowledge, practical and individual qualities and health condition enable them to perform the duties of compulsory enforcement officer.

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 standards of the enforcement agents are defined in the law of the Republic of Armenia on Judicial acts compulsory enforcement service (article 9).

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 how the enforcement procedure is conducted by the enforcement agent?

- Yes
 No

If yes, please specify

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 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 length of 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 initiated disciplinary proceedings (1+2+3+4)	<input type="checkbox"/> number:	17
1. for breach of professional ethics		NA
2. for professional inadequacy		NA
3. for criminal offence		NA
4. Other		NA

Comment :

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 initiated 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 checked="" type="checkbox"/> number:	16
1. Reprimand	<input checked="" type="checkbox"/> number:	11
2. Suspension	<input type="checkbox"/> number:	
3. Dismissal	<input checked="" type="checkbox"/> number:	5
4. Fine	<input type="checkbox"/> number:	
5. Other	<input type="checkbox"/> number:	

Comment :

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 have been implemented over the last two years**

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

The source of the 186th question's answer is the secretary of the compulsory enforcement service of the Republic of Armenia, which is responsible for sending the parties' notices.

The human resource section, which is responsible for keeping the statistics of the disciplinary proceedings.

8. 2. Execution of decisions in criminal matters

8. 2. 1. Functioning

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%
- 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. Statute

9. 1. 1. Functioning

192) Do you have notaries in your country? If no please skip 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 | 92 |
| 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:

9. 1. 2. Supervision

195) Is there an authority entrusted with supervising and monitoring 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**

Please indicate the sources for answering question 193:

10. Court interpreters

10. 1. Court interpreters

10. 1. 1. Functioning

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:
 Expert's obviously false conclusion is punishable according to the article 338 of the criminal Code of RA.

207) Are the courts responsible for selecting judicial experts?

If no, please specify in the "comments" 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 :

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

Please indicate the sources for answering question 205:

12. Foreseen reforms

12. 1. Foreseen reforms

12. 1. 1. Foreseen 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 at this stage. 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)

3.1 Access to justice and legal aid

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

6.1 Personal status

7. Enforcement of court decisions

8. Mediation and other ADR

9. Fight against crim

The 2012-2013 strategic program for legal and judicial reforms in the Republic of Armenia and the list of measures deriving from the program had been approved by the Executive order NK-96-A of the President of the Republic of Armenia dated 30 June 2012.

The main objective of the Program is to ensure a legal system and judicial power in the Republic of Armenia complying with the criteria of a contemporary rule-of-law State, which particularly implies the following:

- 1) ensuring a fair, effective and publicly accountable judicial power;
- 2) increasing the effectiveness of criminal justice and the system of criminal punishments;
- 3) increasing the effectiveness of administrative justice and administrative proceedings;
- 4) increasing the effectiveness of civil justice and improvement of civil legislation;
- 5) increasing the effectiveness of performance of procedural functions;
- 6) ensuring reforms in the system of advocacy;
- 7) increasing the effectiveness of prosecutorial activities;
- 8) increasing the effectiveness of the maintenance of arbitrary, notary and public registers;
- 9) restructuring the legal co-instruction and legal education system.

The English and Armenian texts of the Program are in the official website of the Ministry of Justice of the Republic of Armenia (http://www.moj.am/improvements/programs/p/judicial_reform/).

During 2012- May 2013 the legal acts within the measures prescribed by the abovementioned Executive order have been elaborated and partially been approved by the National assembly of the Republic of Armenia. Particularly:

1) The draft laws "On amendment in the Law on Entering into force of the Judicial Code of the Republic of Armenia" and "On amendment and supplement in the Judicial Code of the Republic of Armenia" provide for amendments concerning the increase in number of administrative judges and pension of judges. The National Assembly has adopted these laws by second reading on 19 December 2012.

These laws have been adopted urgently because of the overload of the administrative courts, which was a problem since their establishment. The main objective of the Law is to amend the Judicial Code of the Republic of Armenia in order to increase the number of administrative judges to 10. The laws are also aimed to solve the issues on pension of judges.

It is prescribed that functioning judges who stopped their powers because of physical handicap or illness shall receive pension from the date of stopping the powers on the date of obtaining of disability pension instead of the date of receiving old-age pension. It is foreseen to have equal approach for all judges concerning their pension and extra payments.

2) The Draft Laws of the Republic of Armenia "On supplements and amendments to the Law on Prosecutorial Service and on Prosecution", "On supplements to the Law on Public Service", "On amendment to the Law on Salary of Officials of the Legislative, Executive and Judicial Bodies of the Republic of Armenia", "On amendment and supplement to the Law of the Republic of Armenia on State Administrative Agencies" have been submitted to the Government of the Republic of Armenia. The Laws have been approved by the Government. They will be submitted to the National Assembly of the Republic of Armenia.

The aim of these Laws is to have a separate Legal act which will regulate the issues concerning public service in the staff of the Prosecution offices of the Republic of Armenia, as well as to avoid possible contradictions between other Laws.

3) The Draft Laws of the Republic of Armenia "On amendments and supplement in the Judicial Code of the Republic of Armenia" and "On supplement to the Law on State duty" are aimed to establish mechanisms providing possibility to have transparent and objective processes for listing the candidates of judges and for assessment of judges not only through their professional skills, but also through their ability, efficiency and quality to judge.

These Laws inter alia will provide for detailed regulation for election of judges by ensuring the objectiveness of the process of election of judges.

4) The National Assembly of the Republic of Armenia on its session dated 2 May 2013 adopted the Laws of the Republic of Armenia "On Justice Academy", "On amendments and supplements in the Judicial Code of the Republic of Armenia", "On amendments and supplements in the Law on Prosecution", "On amendments and supplement in the Law on State Non Profit Organizations", "On the amendments in the Law on Military Service", "On the amendments

and supplements in the Law on Judicial Service”, as well as “On the supplement in the Criminal Code of the Republic of Armenia”.

The draft Law on Justice Academy of the Republic of Armenia prescribes the establishment of a united body for preparation and training of the staff of judicial and prosecutorial authorities, which is in line with international developments and the efficiency of which is justified in several international instruments. The Law on Justice Academy of the Republic of Armenia provides for improvements, such as:

-optimal management of recourses: organization of trainings in the united body shall give a possibility to train the judges and prosecutors on the same topic jointly;

- professionally unification of judicial and prosecutorial systems, where the joint training of judges and prosecutors will have good influence not only in the process of exchange the experience, but also in their further work.

5) The Draft Law on the amendment in the Administrative Procedure Code of the Republic of Armenia amends the Code entirely.

The main objective of the suggested regulations is to limit the highest position of the State in the citizens-state relations and to carry out efficient control of such limitations.

The Draft shall exclude regulations which are subject to civil procedure, such as adoption of payment orders.

6) The Draft Laws of the Republic of Armenian “On amendments and supplement in the Civil Procedure Code of the Republic of Armenia” and “On supplement in the Criminal Executive Code of the Republic of Armenia” have been approved by the Government on 28 February 2013 and have been submitted to the National Assembly. The Drafts were submitted to the National Assembly for second reading.

The adoption of the Drafts is necessary for prescribing by Civil Procedure Code the bases and terms for outdoor trials, as well as requirements to make decision on outdoor trial.

7) The Draft Laws “On amendments and supplements in the Judicial Code of the Republic of Armenia” and “On supplement in the Criminal Code of the Republic of Armenia” are in the process of adoption: the Drafts have been submitted to the Government of the Republic of Armenia on 20 February 2013. On this moment they are in the process of elaboration, after will be submitted to the Government once more.

In the Republic of Armenia there is no efficient and transparent system for assignment of cases among judges. The Council of Courts’ Presidents of the Republic of Armenia approved the order of random selection. But this system does not prescribe objective standards for assignment of cases.

It is foreseen to establish such system of assignment of cases, which will give an opportunity to assign the cases in accordance with the standards prescribed by the Law through exception of any subjective approaches. Moreover, the system will be computerized and any human intervention will be excluded.

8) The Draft Laws “On amendments and supplements in the Judicial Code of the Republic of Armenia” and “On amendment and supplements in the Law on Judicial Service”, “On amendments in the Criminal Procedure Code of the Republic of Armenia” are in the process of adoption. They will be elaborated in line with opinions about them.

New regulations are prescribed in order to establish new system of self governing judicial powers. A Council of Judges, which will be the new permanent body of self governing judicial powers, will ensure the participation of all judges in the process of solution of problems concerning judicial powers.

Moreover, the Drafts prescribe the body, which shall file disciplinary proceeding against a judge and, which shall make decision on disciplinary punishment.

9) The Draft Law on amendment and supplement in the Judicial Code of the Republic of Armenia is now elaborated in the line with opinion about it.

Nowadays there is no regulation about judicial statistics in the Judicial Code of the Republic of Armenia. Practically the Judicial Department collects judicial statistics. But there is no legal regulation on obligatory collection of judicial statistics and on making them available for public.

The regulations suggested by this Draft are aimed to prescribe in the legislation the requirement of ensuring transparency of judicial powers’ activities as a valuable guarantee for implementation of State policy in the fields of accountability, assessment of quality of functioning of judicial system and increase of efficiency of judicial powers’ functioning. The Draft Law prescribes the minimum requirements regarding collection of statistical data, time-frames and terms of their publication and circulation.

10) The Draft Law “On amendments and supplements in the Civil Procedure Code have been adopted by the National Assembly in 5 December 2013.