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Action Plan for Armenia 2012 – 2014

Progress Review Report
2012 – 2013

Document prepared by the Office of the Directorate General of Programmes

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I. PROGRESS REPORT OVERVIEW

1. Introduction

The Council of Europe Action Plan for Armenia 2012 – 2014 (DGProg/Inf(2012)1) was adopted by the Committee of Ministers in March 2012.

The Action Plan is a framework for co-operation between the Council of Europe (CoE) and Armenia for the period 2012 – 2014. It sets priorities based on consultations and dialogue with Armenian authorities. The Action Plan's main objective is to assist Armenia in fulfilment of its obligations as a Council of Europe member state. The Action Plan is developed taking into account the results and achievements of the previous Action Plan 2008 – 2011 as well as national authorities' domestic priorities in the areas of expertise of the Council of Europe, namely human rights, rule of law and democracy.

Implementation of the Action Plan has coincided with Armenia's first Chairmanship of the Committee of Ministers (May to November 2013), an important landmark in the country's membership of the Council of Europe.

The report by the Committee of Ministers' Rapporteur Group on Democracy (GR-DEM) following the 21 – 22 March 2013 visit to Armenia noted progress in Armenia's fulfilment of its Council of Europe commitments. This progress can be seen in the many ongoing initiatives to adapt both legislation and the functioning of institutions to meet the requirements of a democratic society respectful of human rights. The Ministers' Deputies therefore agreed on 7 May 2013 that the monitoring of Armenia's commitments will now take place within the regular work of the GR-DEM, and decided accordingly to end the special procedure put in place in December 2010.

The present draft Progress Review Report (PRR) covers the implementation of the Action Plan during the period of March 2012 – December 2013. This review was discussed on 12 December 2013 by the Council of Europe Secretariat and the Armenian authorities at the 1st Steering Committee meeting (SCM) on the "The Council of Europe Action Plan for Armenia 2012 – 2014" held in Yerevan. At the SCM some adjustments to the existing projects were discussed and agreed upon. The new project proposals contained in Appendix II of the present document were also discussed and positively considered by both parties. These projects are developed as a follow up to the projects already implemented in Armenia within the framework of the Action Plan and complement existing actions of the Council of Europe in Armenia.

2. Main Achievements And Prospects

Since its adoption in 2012, the Action Plan significantly contributed to the following reforms:

- Revision of legislation¹ to bring it closer to European standards;

¹ This includes revision of specific provisions of the Judicial Code, revision of the Civil Code and the Civil Procedure Code, draft Law on Radio and Television, draft Criminal Procedure Code of Armenia.

- Revision of the legal framework and practices of the penal system in Armenia, including the introduction of alternatives to imprisonment;
- Revision of media-related legislation, the introduction of a new training curriculum in journalism courses as well as facilitating self-organisation of journalists;
- Establishment of the School of Advocates which provides training to 120 students per year;
- Development and piloting of the Armenian Electronic Notary System (AENIS);
- Capacity-building of over 250 judges and 1000 lawyers on the application of European standards and best practice in such areas as bankruptcy, combating corruption, fighting drug trafficking and professional ethics;
- Capacity-building of the Central Election Commission and civil society on various aspects of the electoral process and reporting on elections.

Cooperation will continue in 2014 to assist Armenia in further implementing its reforms, in the following Action Plan sectors:

- Reform of the judiciary, i.a. revision of the Civil Code, the Civil Procedure Code, the Judicial Code, the Code of Administrative Offences, the *Law on the Prosecutorial Service*;
- Education of legal professionals, including assistance to the School of Advocates and the establishment of the Justice Academy;
- Legislation, guidelines and procedures concerning the Ethics and Disciplinary Commission of Judges;
- The fight against corruption including implementation of anti-corruption legislation adopted in 2012 and reinforcement of the capacity, independence and transparency of the State Commission on the Ethics of High-Ranking Officials;
- Reform of the penal system, the reduction of custodial sentencing and the establishment of an effective probation service;
- Reform of local self-government, including advice on related legislative reforms and capacity-building of local authorities;
- Free and fair elections, including the harmonisation of the legal and administrative framework with European standards as well as capacity-building for election observation and awareness-raising among voters on their rights;
- Reform of education system to bring it in line with the Bologna Process – European Higher Education Area (EHEA).

3. Framework For Implementation

Projects included in the Action Plan are funded from multiple sources which include the Council of Europe's ordinary budget as well as voluntary contributions from donor countries and international organisations. A number of projects mentioned in the Action Plan are being, or will be, implemented through Joint Programmes with the European Union, including projects within the Eastern Partnership framework.

The Action Plan takes into account activities of other international organisations and partner states active in Armenia, ensuring synergy and complementarity and avoiding overlap.

A Steering Committee was jointly established by the Council of Europe and Armenian authorities to assess implementation of the Action Plan. The Secretariat provides the Committee of Ministers with regular updates on the progress of the programmes and projects through the Office of the Directorate General of Programmes.

Projects were implemented by the Directorate General of Human Rights and Rule of Law, the Directorate General of Democracy as well as the Congress of Local and Regional Authorities of Europe. CoE staff and local and international experts carried out activities based on a comprehensive approach which included needs-assessment, legislative expertise, capacity-building, awareness-raising, peer-to-peer exchanges and evaluation, and paying attention to project impact and sustainability.

4. The Council Of Europe Office In Yerevan

The Secretary General visited Armenia on 17 April 2013. In this context, a Memorandum of Understanding was signed with the Minister of Foreign Affairs of Armenia, Edward Nalbandian, on the establishment of the Council of Europe Office in Yerevan and its legal status, based on Resolution (2010)5 on the status of Council of Europe Offices adopted by the Council of Europe Committee of Ministers in July 2010. The Memorandum entered into force on 3 July 2013.

The Council of Europe Office in Yerevan ensures the necessary coordination between the CoE Directorates General at Headquarters, the project teams present in the country and the national stakeholders. The Office facilitates contacts with international partners present in the field.

The Office contributes to the increased visibility of Council of Europe actions in Armenia and significantly contributes to efficient and effective use of resources through decentralised project management. As of October 2013, the Office comprises five core and four project staff, and manages four de-centralised projects with an overall budget of over €3 million.

The Office closely coordinates with other international partners and co-chairs, together with the United Nations Development Programme in Armenia, a Working Group on Democratic Governance as part of coordination among the international donors present in Armenia. The Office also provides regular support for the organisation of events in Yerevan and relevant visits.

5. Overview Of Resource Mobilisation

In line with the Council of Europe resource mobilisation strategy, fundraising efforts under the coordination of the Office of the Directorate General of Programmes have been concentrated on the Action Plan as a whole. This ensures a strategic approach, an increased level of sustainability and predictability of resources and thus an efficient and effective implementation of the Action Plan.

The current overall estimated budget of the Action Plan is approximately €11.2 million. Funding is secured for projects with a total planned cost of over €9.5 million.

The European Union contributed approximately €4.1 million towards the implementation of the Council of Europe project on Access to Justice, which was successfully completed in December 2012. A number of Joint Projects funded by the EU have been implemented within the framework of the regional CoE Eastern Partnership Facility. The total volume of support through EU Joint Programmes amounts to over €5.8 million. On the occasion of the launch of the Action Plan, funding of approximately €2.7 million was pledged by Denmark, which remains the largest bilateral donor, ahead of Norway and Luxembourg. Three key programme areas of the Action Plan (protection of human rights, justice and democratic governance) are being implemented with voluntary contributions from member states totalling just over €3.5 million. In addition, the multilateral HELP project is funded by the Human Rights Trust Fund.

II. SECTOR REVIEW

1. Human Rights

Background

The AP projects implemented in this sector served to improve **the effective implementation of European human rights standards** in Armenia. The activities have so far focused on:

- human rights education for legal professionals;
- promoting freedom, professionalism and pluralism of the media;
- supporting a policy of zero tolerance towards ill-treatment.

The Armenian Chairmanship of the Council of Europe Committee of Ministers included the strengthening of European standards on human rights among its top priorities. This provided additional impetus for the Council of Europe activities in Armenia in the field of Human Rights during 2013.

Sector Impact

The capacity of legal professionals to sustain the implementation of **human rights** increased during the implementation period and their ability to promote European human rights standards domestically has been further developed in line with the 2012 Brighton Declaration. Raising awareness and consolidating knowledge and skills on the rights enshrined in the European Convention on Human Rights (ECHR) among legal professionals is now ensured through the incorporation of relevant courses in the ongoing training of judges, prosecutors and lawyers as well as through increasing accessibility to the relevant educational resources in Armenian.

Promoting freedom, professionalism and pluralism of the media (as the overall objective of the implemented project) has directly contributed to mainstreaming the exercise of the **right to freedom of expression and information**, a fundamental human right which is essential for guaranteeing other human rights, for democracy and good governance. Improved cooperation between state authorities and civil society, as well as increased confidence in the self-regulation and higher standing of journalism self-regulation are yet more examples of the Action Plan's activities impact on the media sector in Armenia.

Judges, prosecutors, police officers and civil society have now access to international standards for **preventing and combating ill-treatment**. The Council of Europe advised on the draft Criminal Procedure Code of Armenia in order to ensure guarantees for the protection of fundamental human rights enshrined in the ECHR and developed by the European Court of the Human Rights (ECtHR). Although it has proved to be a complex process, there has been a clear trend of increasing the ECHR-based national court rulings in Armenia. Judgements by the Court of Cassation of Armenia on ill-treatment cases had a direct impact on judicial practice in the country.

Activities and Results

As a result of the Council of Europe Programme for **human rights education for legal professionals** (HELP), the standards of the ECHR were integrated in the curricula of the Judicial School and the Prosecutor's School (these are National Training Institutions (NTIs) for judges and prosecutors). HELP self-learning materials, distance-learning courses, as well as methodology for training the trainers, are now available in Armenian and can be accessed through a dedicated web-page on the internet. Along with NTIs, a Chamber of Advocates has joined the HELP network and can benefit from sharing good practice and experience in human rights education with legal professionals across Europe.

The Council of Europe has played an important role in the development of legal and institutional guarantees for **freedom of expression, higher quality journalism and a pluralistic media landscape** in Armenia. 15 activities were implemented within the framework of the regional project that was completed in December 2012. Expertise and advice was provided concerning draft amendments to the *Law on Radio and Television*. Through a combination of awareness-raising, training, study visits and networking, 183 media professionals and 35 media lawyers benefited from learning about international media-related legal standards and best practices based on Article 10 of the ECHR and the relevant case-law of the ECtHR. New university courses were introduced on media-related legislation, journalistic ethics and social issues related to journalism. Armenia is an active participant of the regional network of press councils. This informal network unites self-regulatory media bodies from Armenia, Azerbaijan, Georgia, Moldova, the Russian Federation and Ukraine.

Legal advice and capacity development to strengthen **the effective investigation of allegations of ill-treatment** were also provided. The draft Criminal Procedure Code incorporated recommendations of the Council of Europe and was presented to public discussion in September 2013. The recommendations were related to compliance with Article 3 of the ECHR on prohibition of torture, inhuman and degrading treatment or punishment. The newly established Disciplinary Committee of the Police benefited from Council of Europe expertise for developing the relevant regulatory framework, organisation of consultations with civil society and training organised for judges, prosecutors, police officers and lawyers. The Court of Cassation adopted landmark judgements in ill-treatment cases which uses the ECHR terminology and refers to the state's duty to effectively investigate such cases. 22 landmark judgements of the ECtHR in regard to ill-treatment and impunity were translated and published in Armenian to become a source of legal reference for national judges.

During the reporting period Council of Europe interventions in the field of Human Rights were implemented mainly through regional projects funded by the European Union and the Human Rights Trust Fund. Approximately €2 million has been secured and €600,000 has already been spent on or committed to these projects to date in Armenia. A country-specific project with a budget of €1 million, funded by the Government of Denmark, started in October 2013. It will further strengthen the application of the ECHR and the case law of the ECtHR at national level.

Programming Outlook

Armenia has made the ECHR an integral part of its legal system and accepted the jurisdiction of the ECtHR. The Council of Europe has started the project on "Strengthening the application of the European Convention on Human Rights (ECHR) and the case law of the European Court of Human Rights (ECtHR) at national level" in October 2013. The project's long-term goal aims at ensuring the uniform application of European human rights standards in Armenia.

Sustaining the positive changes which have resulted from the Council of Europe project on promoting the freedom of the media will require proper implementation of the media-related legal framework, maintaining high standards of journalism training, as well as facilitating cooperation between state authorities and civil society.

Further measures to prevent ill-treatment will require an efficiently functioning investigation mechanism, adequate punishment of perpetrators and improved legislations.

The Project on "Protecting Children Rights and Creating of Child-Friendly and Non-violent Environment in Schools through Awareness-Raising and Monitoring" remains unfunded.

2. Rule of Law

Background

Action Plan activities have supported the implementation of the Strategic Programme for Legal and Judicial Reforms for 2012 – 2016 approved by the President of the Republic of Armenia. Through a combination of country-specific projects complemented by regional programmes the Council of Europe aimed to:

- improve the penal system and reduce the use of custodial sentences;
- improve access to justice;
- support information exchange and share best judicial practice;
- enhance the system of training for judicial professions and lawyers.

Sector Impact

Following the adoption by the Armenian Parliament of the *Law on Advocacy* in 2011, the **School of Advocates** was established in 2012 which is a unique example in the region. This is one of the major achievements of the Council of Europe interventions in the field of rule of law in Armenia.

A law on the **Electronic Notary System** was adopted and follows the recommendations of the Council of Europe. The set-up of the e-notary system will significantly increase the safety of transactions, the protection of property rights, decrease overload of the courts and enhance the quality of notary services. A revision of specific provisions of the Judicial Code as well as the revision of the compatibility of the Civil Code and the Civil Procedure Code with European standards was carried out.

A system of initial and in-service **training of judiciary professionals and advocates** was enhanced. The newly established Justice Academy will benefit from developed training materials and pool of trainers. Thus, the education methodology for training judges and prosecutors will be improved – a single training programme for judges and prosecutors will avoid different interpretations of legal standards. *The Strategic Programme for Legal and Judicial Reform 2012 – 2016* was adopted in July 2012. It includes plans in line with recommendations, in particular, this concerns the introduction of a new system for the training and appointment of judges; shortening the length of trials and identifying the causes for slow trials; clearer division of power between various parts of the system; introduction of indicators such as public trust in the justice system twice every year for measuring the efficiency of the reforms.

In the field of good governance and the **fight against corruption**, the main outcomes are:

- Procedures for verifying asset declarations for high-ranking officials are in line with European best practice;
- Prosecution of corruption offences committed by legal entities is more likely to follow European principles;
- Patterns of illegal political finance and of laundering the proceeds of corruption are more likely to be detected and investigated in line with European standards;
- The capacity of authorities to draft adequate regulations on the above topics in line with European standards is enhanced.

In the field of **co-operation against cybercrime**, the main achievements are:

- Priority actions were developed to ensure a comprehensive response to cybercrime and other offences involving electronic evidence;
- Tools for action against cybercrime and legal advice on strengthening the legal framework were provided;
- Gaps were identified in the legislation in view of its compliance with international standards, in particular the *Budapest Convention on Cybercrime*, and Armenia was encouraged to undertake legislative reforms;
- Efficiency of international co-operation was increased and 24/7 points of contact in all Eastern Partnership countries were made available, as they are parties to the *Budapest Convention on Cybercrime*.

The project on “Reducing use of custodial sentences in line with European standards” identified necessary amendments to the legislation and suggested measures to establish **probation service** in Armenia. The project on providing “Support to the Establishment of Probation Service in Armenia” is being developed and should be implemented in 2014. These measures will facilitate the introduction of alternatives to imprisonment in Armenia and contribute to the liberalisation of the penal system and tackle the problem of overcrowding of prisons in Armenia.

Activities and Results

Leading CoE and Armenian experts provided **advice and recommendations** on the revision of the Civil Code, the Civil Procedure Code, the *Law on Notary*, the Judicial Code, the Criminal Procedure Code and the Criminal Code.

The Council of Europe provided recommendations on the use of **non-custodial sanctions and on the improvement of the early release system**. An exchange of experience and best practice was facilitated among Armenian and European penal system decision-makers and practitioners.

As a result of the Joint Project with the European Union to improve **access to justice**, a **School of Advocates** was established in September 2012. The School provides relevant training to 120 advocates and advocate candidates per year. The Charter, the curriculum, the rules and the regulations of the School were developed with the support of Council of Europe experts. The Armenian **Electronic Notary System** (AENIS) was developed and piloted and the necessary hardware and software have been purchased.

Joint projects with the European Union on enhancing judicial reform, fight against corruption and co-operation against cybercrime were implemented in the framework of the **CoE Eastern Partnership Facility**. About 250 judges and around 1,000 lawyers in Armenia benefited from taking part in this regional capacity-development programme. They were trained in the application of European standards and best practices in such areas as **bankruptcy and combating corruption, drug trafficking, and professional ethics**.

To date, projects in the field of the rule of law have benefited from contributions of the European Union and Norway. An estimated €5 million has been secured and €3.9 million has been spent or committed to projects which contributed to enhancing efficiency, independence and professionalism of the justice system in Armenia.

Programming Outlook

The Armenian authorities declared their intention to continue the reform of the judicial and prison systems². The authorities have decided to adopt a new Criminal Code and a new Code of Criminal Procedure to increase the number of alternatives to imprisonment, based on Council of Europe recommendations. The setting up of a probation service along the lines of Council of Europe recommendations will be another step in solving the problem of overcrowding in prisons. Some concrete measures for the social rehabilitation of offenders will also have to be considered. The adoption of the Criminal Procedure Code, presented for public discussion in September 2013, will further contribute to the liberalisation of the justice system in Armenia. Amendments to the *Law on Advocacy* were proposed and, if introduced, they could contribute to a more efficient legal aid system in the country. The low rate of acquittal in judicial proceedings will be addressed through the establishment of the Judicial Academy. It will provide training to both judges and prosecutors which would contribute to changing attitudes among judiciary. The Action Plan will continue exploring further cooperation with the Armenian authorities in these areas during the course of 2014. In the future it is planned to introduce a distance-learning course in the School of Advocates, which will include study modules over the internet. A European Union/Council of Europe Joint Programme "Support to the Armenian Justice system – improving quality and accountability" is under negotiations.

² Report on a visit by a delegation of the GR-DEM to Armenia (**GR-DEM(2013)3** on 26 April 2013).

3. Democracy

Background

In the field of **democracy**, the Action Plan aimed to:

- support local governance reform;
- further develop the administrative capacity of local authorities;
- strengthen leadership by locally elected representatives.

The issues related to **local and regional democracy** were among the priorities of the Armenian Chairmanship of the Committee of Ministers. This facilitated cooperation between the Council of Europe and Armenian authorities and contributed to the successful launch of the comprehensive programme on local democracy in October 2013. Approximately €1.7 million has been secured for funding actions by the Council of Europe in the field of democracy in Armenia.

Armenia has benefitted from capacity-building and awareness-raising activities within the framework of the regional joint European Union/Council of Europe project to **support free and fair elections** in the Eastern Partnership countries. The project aimed to ensure the effective implementation of the principles of European electoral heritage, relying especially on capacity-building and awareness-raising activities involving both the competent authorities and civil society.

The Council of Europe has supported reforms in higher education by providing expertise and advice to national authorities on legislation and policy frameworks.

Sector Impact

The Armenian authorities have shown a strong commitment to implementing the programme on **local democracy**³. The country is in the process of territorial-administrative reform, which is expected to proceed through community-enlargement pilots. In this context, CoE expert assistance was requested with a view to providing advice on possible legislative changes, including the revision of the *Law on Financial Equalisation*, the *Basic Law on Local Self-Governance* and other related legal acts. The advice takes into account the recommendations resulting from the monitoring visit of the Congress of Local and Regional Authorities of Europe's rapporteurs to Yerevan that took place on 26 – 28 November 2013.

The thematic events organised by the Council of Europe allow the electoral administrations better comply with **European electoral standards**, in particular regarding the issue of administrative resources and voters' lists and registers. The Armenian election authorities committed themselves to the dissemination and practical implementation of the Council of Europe Handbook for Civil Society Organisations on Election Reporting. Following a successful piloting, the curriculum on the "Introduction to elections for students of 15 to 16 years" will be implemented in all schools of Armenia with a particular focus on schools situated in regions with difficult access.

³ 5 October 2013 speech of President Sargsyan on the *3rd Conference of Rural Communities of Armenia* and 29 October 2013 speech of Mr Armen Gevorgyan, Deputy Prime Minister and Minister of Territorial Administration of Armenia at the 25th Session of the Congress of Local and Regional Authorities.

In addition to statistics on women's participation in decision-making, the Armenian authorities have received information on gender-disparity issues such as unemployment, political engagement, education, standards of living, the role of the media, etc. The report will serve as a basis for decision-making bodies to adapt their gender equality policies to the real needs of the society. It will also help NGOs to monitor women's representation in elections.

The field of **education** continues to be an important area of international cooperation for Armenia, with Armenia hosting of the Bologna Secretariat in 2013. Council of Europe advice on a national qualifications framework in Armenia facilitates recognition of qualifications at national and international level. Following the request of the Armenian authorities, expertise on the new *Law on Higher Education* was provided with the aim of bringing it closer to European standards. The adoption of the law has been postponed and the Council of Europe expects its recommendations to be reflected in the final draft of the law.

Activities and Results

A comprehensive €1.7 million programme providing "**Support to consolidating local democracy in Armenia**" funded by Denmark was launched in October 2013. It will contribute to:

- local government reform, mainly in legislative field;
- building the capacity of local authorities as well as dissemination of the best local initiatives and achievements, specifically in human resource management and public ethics benchmarking;
- strengthening the leadership capacities of local elected representatives.

A peer review by representatives of the Council of Europe member States⁴ was organised in November 2013 with a view to providing recommendations on community enlargement process. The Office in Yerevan facilitates coordination among international organisations in the field of local democracy. In addition, two international conferences (on *Participatory Democracy at Local Level* and an *International Conference of Capital Cities of the Council of Europe Member States*) were held in Yerevan in 2013 in the framework of the Armenian Chairmanship of the Committee of Ministers in close cooperation with the Congress of Local and Regional Authorities.

The Action Plan supported free and fair **elections** processes in Armenia through:

- awareness-raising and capacity-building seminars for representatives of the Central Election Commission and of civil society on such issues as voters' lists and registers as well as use of administrative resources during electoral campaigns;
- ensuring participation of Armenian NGOs and representatives of Central Election Commission training centres in the platform of domestic election observers;

⁴ Peers and experts from respective government agencies of Albania, Denmark, Latvia, the Netherlands, and Spain visited Yerevan on 11-12 November to exchange experience of similar reforms and territorial mergers in their countries and put forward recommendations for their Armenian counterparts.

- pilot implementation of the Curriculum on the “Introduction to elections for students of 15 to 16 years” in Armenian schools;
- assistance in the development of the country report with statistical data on women’s participation in decision-making.

In the field of **education**, the Council of Europe provided expert advice on the new *Law on Higher Education* in Armenia as well as on the national qualifications framework of Armenia. In October 2013 a regional ministerial meeting on the implementation of the European Higher Education Area was organised in Yerevan in the framework of the Armenian Chairmanship of the Committee of Ministers of the Council of Europe, with a specific focus on qualification networks and students participation. The topic of higher education is highly important for Armenia since it hosts the Secretariat of the Follow-up Group for EHEA (July 2012 – June 2015). Armenia will be the organiser of the next 2015 EHEA Ministerial Conference.

In addition, although the present Action Plan does not explicitly address people with disabilities, the Council of Europe contributed to raising the awareness of the social and human rights-based approach to disability and to increasing the capacity to implement relevant Council of Europe instruments at national level through a conference organised in October 2013 in Yerevan for governmental and non-governmental disability experts.

Programming Outlook

The programme on local democracy is in its early stages of implementation and will require the continued active participation of the national partners. The visit by the Congress of Local and Regional Authorities at the end of November 2013 to monitor the implementation of the Charter of Local Self-Government took stock of the situation and its findings will be used in implementing the ongoing programme on local democracy.

Positive developments in the presidential elections of February 2013 were noted by international observers. The findings and recommendations of the election monitoring reports, Council of Europe’s Venice Commission opinions and local elections observation reports by the Congress of Local and Regional Authorities will be taken into account in the implementation of the election assistance activities in Armenia. Further efforts are needed to harmonise the legal and administrative framework of elections with European standards. Further development of capacities of the national stakeholders (Central Election Commission, domestic observers groups, civil society) is required to address such shortcomings as lack of public trust in the electoral process, heavy bureaucracy for appeals procedures, lack of impartiality by public authorities.

Although the proposals on Combating Corruption in Higher Education and Implementing the Revised Core Curriculum based on the European Framework of Reference for Languages (CEFR) did not receive feedback from potential donors it is suggested to retain these projects in the Action Plan at the request of the Armenian authorities.

ADDENDUM I – FINANCIAL TABLES

1. Table 1. State of funding by pillars, 31 January 2014

Pillars	Budget approved by CM	Revised budget	Total funds secured	Additional funds required
1. Human rights	€1,937,400	€2,364,400	€2,102,000	€262,400
2. Rule of law	€10,621,900 ⁵	€5,627,589	€5,627,589	-
3. Democracy	€3,201,000	€3,221,171	€1,891,171	€1,330,000
TOTAL	€15,760,300	€11,213,160	€9,620,760	€1,592,400

2. Table 2. State of funding by type of project and donor, 31 January 2014

Type of project	Funding secured			Total funds secured	Additional funds required
	Ordinary Budget	EU/CoE Joint Programmes	Voluntary Contributions		
National	€50,000	€4,159,500	€3,539,871	€7,749,371	€1,592,400
Regional/ Multilateral		€1,721,389	€150,000	€1,871,389	
TOTAL	€50,000	€5,880,889	€3,689,871	€9,620,760	€1,592,400

⁵ During the Action Plan SCM held in Yerevan on 12 December 2013, it was agreed with the Armenian authorities that a step-by-step approach will be applied for the implementation of projects **2.1.1. Improvement of the penal system in the Criminal Code** (initial budget € 1,000,000) and **2.1.2. Penitentiary reform** (initial budget € 5,000,000). Budgets for mentioned projects will be defined at a later stage. A component of project 2.1.1. aimed **to reduce the use of custodial sentences in line with European standards** is under implementation with a budget of € 300,000. A component of project 2.1.2. aimed **to support the establishment of a Probation Service in Armenia** has been approved by donor with a budget of € 554,700 and will start in the first half of 2014.

APPENDIX I - PROJECTS REVIEW

1. HUMAN RIGHTS

1.1. PROTECTION OF HUMAN RIGHTS

Project title:	1.1.1. Strengthening the application of the European Convention on Human Rights (ECHR) and the case law of the European Court of Human Rights (ECtHR) at national level
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Duration: 1 October 2013 – 30 September 2015

Implementation status: ongoing

Funding status: Funding secured: € 1,000,000 (voluntary contribution by Denmark)

Overall objective:

To improve the effective implementation of European human rights standards in Armenia.

Project impact:

The project started on 1 October 2013, therefore it is not possible to assess the impact at this stage.

Results:

The Project started officially on 1 October 2013 and it is in its inception phase. An inception report, that includes a risk analysis and a work plan, was prepared in January 2014, following a preliminary visit organised in December 2013. The staff of the project has been recruited and the office has been established. The identification of potential international and national consultants to be involved in the different activities has started. Contacts with partners are being maintained, especially to follow the establishment of the new Justice Academy.

Project outlook:

A possible risk that could delay the implementation was related to the establishment of the new Justice Academy. It is operational since January 2014 and committed to the project. Therefore no major problem is expected. The launch and the first SCM will take place on 21 February and will be followed by two needs-assessment missions.

Project title:	1.1.1 (a). Strengthening the capacity of lawyers and human rights defenders for domestic application of the ECHR and the Revised European Social Charter.
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Duration: 30 months (1 January 2013 – 30 June 2015)

Implementation status: ongoing

Funding status: Funding secured: € 327,000 is the approximate budgetary allocation to Armenia from an overall € 1,960,000 budget of the regional CoE/EU joint programme.

Objective:

To develop national capacities for effective human rights protection by increasing knowledge and skills on the ECHR and RESC.

Project impact:

The Project started on 1 January 2013. Therefore it is not possible to assess the impact at this stage.

Results:

The following progress towards results was made:

- the completion of a study which outlines the gaps in the training of lawyers on the ECHR and the RESC, as well as anti-discrimination;
- 47 lawyers and human rights defenders trained on the admissibility criteria and how to avoid submitting manifestly unfounded cases to the ECtHR;
- a group of 31 potential trainers has been selected in consultation with the Chamber of Advocates and human rights NGOs and participated in two training-of-trainers seminars;
- the translation of the ECtHR Handbook on European non-discrimination law into Armenian.

Project title:	1.1.2. European Programme for human rights education for legal professionals (the HELP Programme)
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Duration: 1 January 2010 – 31 December 2015

Implementation status: ongoing

Funding status: Funding secured: € 150,000 (the budgetary allocation to Armenia from a total € 2,700,000 of the subsequent HELP programmes which started in 2010).

Overall objective:

To support member states of the CoE in implementing the European Convention on Human Rights (ECHR) at national level, by coordinating and improving national and international training activities for legal professionals, enhancing judges, prosecutors and lawyers' capacity to apply the ECHR in their daily work

Project impact:

The Judicial Academy is a member of the HELP Network and more recently the Chamber of Advocates also joined the HELP Network. Their representatives regularly participate in annual conferences and share best practice and experience. They also vote and approve decisions on future training activities.

The Judicial Academy as NTI has integrated standards of the ECHR, as interpreted by the case law of the ECtHR, into their curricula for initial and continuous training of judges and prosecutors, starting to provide adequate information and training about the Convention.

HELP resources and methodology are regularly used by Armenian national training institutions and disseminated by the Armenian HELP Focal Point. A national HELP page for Armenia, written in Armenian, has been developed.

Results:

Armenian legal professionals have access to self-training resources on the HELP website and also to general information on ECHR training on the national HELP page for Armenia. A new distance-learning course on anti-discrimination issues has been developed and will be available for the Armenian legal professionals. Advertisements on HELP and links to the HELP website are regularly published on the website of the Association of Judges of the Republic of Armenia, and in the Judicial newsletter.

Project outlook:

The Judicial Academy aims to adopt curricula and develop the distance learning approach in line with HELP.

Project title:	1.1.3. Reinforcing the fight against ill-treatment and impunity
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Duration: 1 July 2011 – 31 March 2014

Implementation status: ongoing

Funding status: Funding secured: € 350,000 (the budgetary allocation to Armenia from a total of € 1,750,000 of the regional EU/Council of Europe programme).

Overall objective:

To reinforce national capacities for combating ill-treatment by law enforcement agencies and penitentiary institutions, including strengthening the effectiveness of investigations of allegations of ill-treatment.

Project impact:

The policy of zero tolerance towards ill-treatment is officially declared as a priority of the national government. It is being highlighted in the addresses of high-level public officials and systematically introduced in policy documents.

The project paid particular attention to training of judges, prosecutors, police officers, penitentiary officials and lawyers on European standards for the effective investigation and adjudication of allegations of ill-treatment and on safeguards for the protection of the rights of detainees and prisoners.

Results:

The project provided expert advice including the draft Decision of the Government of the Republic of Armenia "On defining the staff and work order of the Disciplinary Committee of Police of the Republic of Armenia" (the latter was adopted on 27 December 2012, Decision No. 1672).

The project provided expert advice to the authorities in regard to the draft Criminal Procedure Code of Armenia.

The Court of Cassation of Armenia adopted a series of landmark judgments in ill-treatment cases, with references to relevant European standards and with a direct impact on the judicial practices in the country using the ECHR terminology and referring to the requirements of Article 3 of the ECHR as regards not only the prohibition of torture but also the state's duty to effectively investigate such cases. At the same time, in cooperation with the Association of Judges of Armenia, 22 landmark judgments of the ECtHR in regard to ill-treatment and impunity have been translated into Armenian and published to become a source of legal reference for national judges of all levels of jurisdiction.

Project outlook:

The Project is based on the assumption that relevant national authorities are willing to develop the legislative framework, as well as the procedures and mechanisms for an effective investigation of complaints against law enforcement and penitentiary officials.

A follow up country-specific project on supporting the criminal justice reform and combating ill-treatment and impunity in Armenia is under negotiation with authorities to further strengthen the results achieved and ensure their sustainability.

Project title:	1.1.4. Promoting freedom, professionalism and pluralism of the media
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Duration: 1 January 2011 – 31 December 2012

Implementation status: completed

Funding status: Funding secured: € 275,000 (approximate budgetary allocation to Armenia from a total of € 1,100,000 of the regional EU/Council of Europe programme).

Overall objective:

To support the development of legal and institutional guarantees for freedom of expression, higher quality journalism and a pluralistic media landscape in Armenia, Azerbaijan, Georgia and Republic of Moldova, in line with Council of Europe standards and as regards both traditional and new media.

Project impact:

Thanks to the project, there was an increased awareness – among media professionals, public officials, NGOs and society as a whole – of the right to freedom of expression and the responsibilities that go along with its exercise.

The recommendations of the Council of Europe experts were included in the draft amendments to the *Law on Radio and Television* submitted to the Parliament.

The project led to positive changes in university journalism curricula, with the introduction of new university courses linked to the Council of Europe core values and with publication of textbooks.

The project led to improved cooperation between state authorities and civil society, as well as to higher standing of journalism self-regulation.

Results:

Improvements in the implementation of the media-related legal framework are expected thanks to the training of 35 media lawyers and 80 media professionals as well as the participation of members of the media regulatory authority in a study visit.

A total of 183 media professionals were trained and a Regional Network of Press Councils was established. 5,000 copies of the "Guide to the Interpretation and Meaning of Article 10 of the European Convention on Human Rights" were published and distributed to journalists, civil society actors, legal professionals, public officials, academics, members of parliament and other national decision-makers.

New university courses – "New and alternative media: ethical and legal problems" and "Social issues journalism" – were developed. 800 hundred copies of the handbooks for each course were published and distributed to the journalism faculties of Armenian universities and other interested organisations. A handbook on "Journalistic Ethics: Examples, Comments, Interviews and Analysis" was also published and distributed in the same way.

1.2. PROMOTING HUMAN RIGHTS

Project title:	1.2.1. Protecting Child Rights and Creating Child-Friendly and Non-violent Environment in Schools through Awareness Raising and Monitoring
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Implementation status: proposed

Funding status: unfunded (total budget: € 262,400)

Overall objective:

The objective of the project is to create working mechanisms to protect child rights and prevent violence towards children in schools through extending the mandate of the existing public monitoring group to cover not only the boarding schools but all schools in the country.

Project outlook:

This project did not receive a positive response from the donor community despite the Council of Europe's active fundraising efforts.

2. RULE OF LAW

2.1. JUSTICE

Project title:	2.1.1. Improvement of the penal system in the Criminal Code Currently, a component of the project aimed to reduce the use of custodial sentences in line with European standards is under implementation with a budget of € 300,000.
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Duration: 1 January 2012 – 31 October 2014

Implementation status: ongoing

Funding status: € 300,000 – funded by the Norway Framework Agreement

Overall objective:

To reduce the use of custodial sentences in line with European standards.

Project impact:

As part of the Programme for Legal and Judicial Reforms 2012 – 2016, a law on probation service has been drafted and planned to be adopted in early 2014. The fact-findings mission and the assessment report confirmed that the establishment of a complex probation service should start step by step from the existing legislation, legal framework, and practices.

Results:

Overall, 15 meetings were conducted with 22 officials from the Presidential Administration, Ministry of Justice, the judiciary, the General Prosecutor's Office, the penitentiary, the police and representatives of civil society and the strengths, weaknesses and gaps in the current institutional and legislative framework of Armenia were identified.

Representatives of the judiciary, national authorities, and civil society discussed the assessment report during a round table in Yerevan and the main advantages and challenges regarding the use of non-custodial sanctions and measures, and the establishment of a probation service were identified. A set of recommendations accompanying the report was endorsed and some new ones were proposed. Representatives of the authorities and NGOs acquainted themselves with the experience and challenges related to the establishment of a probation service in Romania during a study visit to the Romanian Probation Service.

Project outlook:

The use of pre-trial detention as a preventive measure should be reduced and replaced by non-custodial measures; the monitoring of offenders under the current institutional framework should be more effective; the early release procedure should become more transparent and effective.

The draft law on probation and accompanying amendments/supplement to related legislation has not been submitted to the Parliament.

Project title:	2.1.2. Penitentiary reform
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Implementation status: proposed by Armenian authorities

Funding status: the budget is currently under revision by the Armenian authorities and the Council of Europe; € 554,700 – funded by the Norway Framework Agreement

Overall objective:

Establishment of a comprehensive system of reintegration of formerly incarcerated individuals in social life, improved system of social-psychological work with sentenced individuals.

Project outlook:

The Armenian authorities have adopted a step by step approach and are currently revising the programme and budget. Following presentation of the achievements of the project aimed at reducing the use of custodial sentences in line with European standards and presentation of the main objectives of the project to support the establishment of the Probation Service in Armenia the Armenian side agreed with the step by step approach for the programming of the first two phases and a possible third phase to replace the existing €5 million project proposal. Thus, the original project proposal was divided into sequences to reflect the current situation in the field and the needs of the Armenian Ministry of Justice (subject to further negotiation between the Council of Europe and Armenian authorities).

Project title:	2.1.3. Support for Access to Justice
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Duration: 1 October 2009 – 31 December 2012

Implementation status: completed

Funding status: Funding secured: € 4,159,500.

Overall objective:

To promote the rule of law and human rights in Armenia through the improvement of the system of training of judicial professions and advocates, to support the reform of the justice sector by improving the efficiency of the judiciary; to improve access to justice for the population in general and free/affordable access for vulnerable groups of the population.

Project impact:

The Ministry of Justice amended the *Law on Advocacy* on the basis of the recommendations made by the Council of Europe.

The establishment of the School of Advocates in September 2012 is a unique example for the South Caucasus region. The project also contributed to the implementation of the *Law on Advocacy* as well as to the revision of specific provisions of the Judicial Code, of the compatibility of the Civil Code and the Civil Procedure Code with European standards.

A manual on training methodology for judges was developed. The draft law on the e-notary was adopted following the opinion of the Council of Europe. The e-notary system is now operational due to installation of necessary hardware and software purchased in the framework of the project.

Results:

The setting up of a School of Advocates represents an important achievement. The Charter of the School and its general curriculum were developed along with regulations and testing procedures. A manual for the entrance exam at the School of Advocates was designed. As a result of the training-of-trainers session, the School can now rely on a pool of certified trainers.

A module for organising initial training at the Justice Academy was created. The case-law of both the ECtHR and the Court of Cassation of Armenia was published. A manual on training methodology, a manual on court practice for judges' mentors and a manual for judicial servants were developed. Training seminars were organised with a view to making judges familiar with the techniques of mediation.

The project supported the overall review of the Civil Procedure Code.

The project contributed to the purchase of hardware and the development of software for the creation of an electronic e-notary system. This system is expected to increase significantly the safety of transactions and the protection of property rights. The project assisted the Ministry of Justice with the drafting of the new *Law on Notary*.

Project outlook:

There were no legislative developments with regard to the judges' profession. Contrary to expectations, the *Law on the Justice Academy* was not passed, and there continued to be discussions among stakeholders in the justice system.

One of the major challenges of the School is to continue to perform continuous legal education to the same extent and degree of quality after the completion of the Project.

Project title:	2.1.4. Enhancing judicial reform
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Duration: 1 March 2011 – 31 December 2014

Implementation status: ongoing

Funding status: Funding secured: € 227,328 (approximate budget allocation to Armenia from a total of € 1,363,973 of the regional EU/CoE programme)

Overall objective:

To support and enhance the ongoing process of reform of the judiciary with a view to increasing the independence, efficiency, and professionalism of the judicial systems of the participating beneficiary countries, through intensive information exchange and best practice sharing.

Results:

The project has carried out a comprehensive analysis of the current state of judicial reforms in Armenia focusing on the issues of independence, professionalism and efficiency of its judicial system. This analysis has become part of the four in-depth reports on "Judicial Self-Governing Bodies and Judges' Career", "The Profession of Lawyer", "Training of Judges" and "Efficient Judicial Systems". The analysis will serve Armenia as a base line and will benchmark the progress of their reforms *vis-à-vis* the key issues and recommendations provided by the project:

- the compatibility of domestic legislation and practice with relevant European standards;
- the steps needed to be taken to meet these standards; and
- An overview of regional trends and examples of best practice.

The project has completed dissemination of the recommendations and discussions with Armenia on a bilateral level; all the reports were further disseminated among the key stakeholders and beneficiaries in Armenia.

An informal multilateral forum of judicial professionals has been created through the work of the targeted Working Groups meetings.

Project impact:

During the project implementation Armenia has benefited from an exchange of experience and good practice with other Eastern Partnership Countries on issues related to the independence, professionalism and efficiency of judicial systems.

The Strategic Programme for Legal and Judicial Reforms 2012 – 2016, adopted in July 2012, includes reform plans that are in line with some of the recommendations proposed by the project. In particular, this concerns the introduction of a new system for training and appointing judges; shortening the length of trials and identifying the causes for slow trials; a clearer division of power between various parts of the system; the introduction of indicators such as public trust in the justice system twice every year for measuring the efficiency of the reforms, etc.

Project findings aimed to reform the system for judicial administration and self-governance, reforming the procedures and grounds for disciplining judges and introducing the objective criteria and procedures for performance evaluations of judges.

The project has fully identified legal and practical obstacles to an independent and professional judiciary, as well as shortcomings in the field of judicial efficiency in Armenia.

The multilateral forum has allowed the participants from the Armenian judicial self-governing bodies, the bar association, the Judicial Academy, the Ministry of Justice and civil society representatives to discuss the current state of affairs of the national judicial system in Armenia.

2.2. THREATS TO THE RULE OF LAW

Project title:	2.2.1. Good Governance and Fight against Corruption
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Duration: 1 March 2011 – 31 December 2014

Implementation status: ongoing

Funding status: Funding secured: € 237,061 (approximate budget allocation to Armenia from a total of € 1,422,366 of the regional EU/CoE programme)

Overall objective:

To enhance the reform processes in the six partner countries through a multilateral approach and to bring them closer to Council of Europe and EU standards in core areas covered by the Eastern Partnership Platform 1.

Project impact:

Procedures for verifying asset declarations are in line with European best practice. Prosecution of corruption offences committed by legal entities is more likely to follow European principles. Patterns of illegal political finance and of laundering proceeds of corruption are more likely to be detected and investigated in line with European standards. Capacities to draft adequate regulations on all above topics in line with European standards are enhanced. Further impact will depend on the application of acquired skills and of the training material and guidance made available by the Project. All activities followed a regional approach and combined technical advice, with training, assessments, development of methodologies, and policy design and tools exchange in the area of good governance, corruption and money laundering. The capacity of experts from relevant state institutions is enhanced in relation to: the liability of legal persons; political finance; the verification of asset declarations; patterns of laundering the proceeds of corruption; carrying out risk assessments to identify institutional causes of corruption and weaknesses in countermeasures.

Results:

A "Manual for the Ethics Commission for High-Ranking Officials of Armenia on processing and verifying financial declarations" was drafted. The Manual includes all aspects of implementing the declarations system, such as standard procedures for analysing declarations, red flags, cooperation with other institutions, implementing sanctions, etc. It is aimed to serve as a guideline for the future work of the Ethics Commission for High-Ranking Officials of Armenia.

The capacity of Armenian Ethics commissioners was build up with regard to best practice of verifying declarations and to applying the Manual.

A comprehensive Training Manual was piloted during the Regional Training on "Implementing standards on criminal, administrative and civil liability of legal persons for corruption offences" (Kyiv, 2013), which will allow law enforcement officials to improve their skills and to support further vocational training in their respective countries, including Armenia.

A comprehensive Training Manual was piloted during the Regional Training on "Political party and electoral campaign financing" (Republic of Moldova, 2013), which will allow the relevant officials of the Armenian Court of Auditors to reinforce their skills and to support further vocational trainings in Armenia.

A risk assessment on "Weaknesses in the income and asset declaration system of Armenia" (Yerevan, Armenia, 21 – 23 November 2012) identified corruption risks and potential weaknesses in the income and asset declaration system of Armenia and provided recommendations for action (regulatory, organisational, training, etc.).

The following practical and training guidance is available to Armenian experts:

- Training manual on liability of legal persons;
- Training manual on political finance;
- Manual on verifying asset declarations;
- Study on patterns of laundering proceeds of corruption.

Project outlook:

Further impact will depend on participants' application of acquired skills and their use of training material and guidance made available by the project.

Project title:	2.2.2. Co-operation against Cybercrime
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Duration: 1 March 2011 – 31 December 2014

Implementation status: ongoing

Funding status: Funding secured: € 149,000 (the budgetary allocation to Armenia from a total of € 894,000 of the regional EU/CoE programme)

Overall objective:

To enhance the reform processes in the six partner countries through a multilateral approach and to bring them closer to Council of Europe and EU standards in core areas covered by the Eastern Partnership Platform 1.

Project impact:

The implemented actions contributed to strengthening the capacity of criminal justice authorities of the Eastern Partnership countries to co-operate effectively against cybercrime, in line with European and international instruments and practices, including the *Budapest Convention on Cybercrime*.

The main achievements can be summarised as follows:

- Steps were taken towards defining strategic priorities regarding cybercrime;
- A needs-assessment for cybercrime strategy was carried out;
- Priority actions were developed to ensure a comprehensive response to cybercrime and other offences involving electronic evidence;
- Tools were provided for action against cybercrime and notably legal advice on strengthening the legal framework;
- Relevant legal provisions were assessed in view of their compliance with international standards, in particular the *Budapest Convention on Cybercrime*;
- Gaps were identified and Armenia was encouraged to undertake legislative reforms;
- The possibility was increased for identification and discussion of the main obstacles that prevent effective investigation of cybercrime;
- Efficiency of international co-operation was increased and 24/7 points of contact in all Eastern Partnership countries were made available, as they are parties to the *Budapest Convention on Cybercrime*;
- More active participation of Armenia in international cybercrime efforts was ensured.

Results:

The project advised Armenia how to strengthen legislation. Relevant legal provisions were assessed in view of their compliance with international standards, in particular the *Budapest Convention on Cybercrime*. Gaps were identified and Armenia was encouraged to undertake legislative reforms. Currently, Armenia is assisted in drafting legislative amendments.

With the advice of the project a specialised cybercrime department was established under the General Prosecutors' Office of the Republic of Armenia.

Armenia has been involved in the development of a *Guide on Electronic Evidence* under *CyberCrime@IPA*. The purpose of the guide is to assist in the identification and handling of electronic evidence.

The project continued to create synergies with another joint project of the Council of Europe and European Union on co-operation against cybercrime in South-Eastern Europe (CyberCrime@IPA). This facilitated the exchange of experience in the fight against cybercrime between two regions in a cost-effective manner.

3. DEMOCRACY**3.1. DEMOCRATIC GOVERNANCE**

<p>Programme title: Support to consolidating local democracy in Armenia</p> <p>3.1.1. Support to Local Government Reform</p> <p>3.1.2. Capacity building of local authorities</p> <p>3.1.3. Strengthening leadership by local elected representatives</p>
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Duration: 1 October 2013 – 30 September 2016

Implementation status: ongoing

Funding status: Funding secured: € 1,665,171 (voluntary contribution by Denmark)

Overall objective:

The overall objective is to improve the quality of local self-government through decentralisation and increased capacity of local government units.

The strategic objectives are to:

- provide Council of Europe legal expertise, policy advice and support to the process of local self-government reform, including preparation of the administrative-territorial reform, and strengthening of capacities for local authorities;
- establish a sound institutional and legislative framework for local democracy;
- help implement the National Strategy for Local Self-Government Reform;
- develop a system of decentralised governance consistent with Council of Europe standards.

Project impact:

The project started on 1 October 2013 and therefore it is not possible to assess the impact at this stage.

Results:

The agreement concerning the Danish funding for the project was signed in September 2013. The project started formally on 1 October 2013 with one interim project officer on the ground, while recruitment of project staff is currently ongoing.

The representatives of the Council of Europe visited Yerevan in June – October 2013 and held a series of bilateral meetings with representatives of the Armenian Government, international organisations, and NGOs active in the field. Coordination and information exchange with relevant local stakeholders has been continued by the Council of Europe Office in Yerevan since then.

During a meeting held in September 2013 with the Council of Europe representatives, Deputy Prime Minister has emphasised the need for significant legal assistance in the near future. On 5 October, the President of Armenia gave the green light to the envisaged gradual path of territorial-administrative reforms through pilot community-enlargement projects⁶.

In October 2013 it was agreed to organise as soon as possible a peer-review by representatives of 3 to 5 Council of Europe member states and independent experts to advise the Ministry on community enlargement issues. In the end of November 2013, the Ministry presented a detailed project work plan for 2014 – 2015 that outlines overall project assistance in line with the Government's needs in the next two years. A monitoring visit on local and regional democracy in Armenia took place in November 2013 with Congress Co-rapporteurs Nigel Mermagen (United Kingdom) and Ludmila Sfirloaga (Romania).

Project title:	3.1.4. Support free and fair elections in Armenia⁷
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Implementation status: proposed by the Secretariat

Funding status: Total budget: € 400,000

Overall objective:

To complement the Eastern Partnership Facility through bilateral activities in ensuring the effective implementation of the principles of the European electoral heritage in Armenia, relying notably on capacity-building and awareness-raising activities involving both the competent authorities and civil society.

⁶ Speech of President Sargsyan on the 3rd Conference of Rural Communities of Armenia.

⁷ It is suggested to replace this project with the project Long term electoral assistance to the election related stakeholders of Armenia (see page 36).

Project title:	3.1.5. Support free and fair elections in the Eastern Partnership countries
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Duration: 1 March 2011 – 31 December 2013

Implementation status: completed

Funding status: Funding secured: € 156,000 (the approximate budget allocation to Armenia from a total of € 923,995 of the regional EU/Council of Europe programme)

Overall objective:

To ensure the effective implementation of the principles of European electoral heritage, relying notably on capacity-building and awareness-raising activities involving both the competent authorities and civil society.

Project impact:

The capacity of the electoral management bodies was enhanced through productive exchanges of views in the framework of thematic seminars.

NGOs responsible for domestic election observation became more professional and have increased their capacity to draft observation reports.

First-time voters aged 15 to 16 have increased their knowledge about the role of elections in a democratic process.

Women improved their knowledge on democracy and electoral system as well as women's rights.

Results:

Thanks to the events organised with the electoral commissions of the Eastern Partnership countries, electoral administrations are better prepared to comply with European electoral standards, in particular regarding the issue of administrative resources and voters' lists and registers.

Armenian NGOs and representatives of CEC training centres committed themselves to the dissemination and practical implementation of the Council of Europe Handbook for Civil Society Organisations on Election Reporting.

The curriculum on the "Introduction to elections for students of 15 to 16 years" was successfully implemented in Heratsi High School, Yerevan (December 2012). Based on this positive experience, the curriculum will be implemented in all schools of Armenia with a particular focus on schools situated in regions difficult to access.

Armenia has now a country report with statistical data on women participation in decision making. In addition to figures, the report covers gender disparity – related issues such as unemployment, political engagement, education, standards of living, the role of the media, etc. The report has been published in Russian and English and will serve as a basis for NGOs to monitor women's representation in elections as well as for decision-making bodies to adapt their gender equality policies to the real needs of the society.

Project outlook:

Further funding is needed in order to implement the instruments drafted in the framework of Eastern Partnership Facility such as curricula for first-time voters and the handbook for CSOs on election reporting as well as to implement the recommendations of the high level conference from Chisinau.

3.2. SUSTAINABLE DEMOCRATIC SOCIETIES

Project title:	3.2.1. Supporting higher education reform
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Duration: 1 June 2012 – 31 December 2014

Implementation status: ongoing

Funding status: partially funded: (funding required: € 250,000; funding secured through the OB: € 50,000)

Overall objective:

Reform of the higher education system of Armenia, in line with the requirements of the Bologna Process (the European Higher Education Area).

Project impact:

In the course of 2012 expert support was provided for the development of the national qualifications framework of Armenia (an expert mission for two experts took place, a workshop and a report with recommendations).

Results:

Following the request of the Armenian authorities an expert mission took place in 2012 to examine the possibility of preparing the new *Law on Higher Education* in Armenia. For the time being, Armenian authorities decided not to proceed with drafting of a new law.

In October 2013 a regional ministerial meeting on the implementation of the European Higher Education Area was organised in Yerevan. The topics concerned higher education reform, in particular focusing on national qualifications frameworks and student participation in university governance. The meeting was attended by over 100 representatives of Armenian academic representatives, staff and students.

Project outlook:

This project was not funded by international donors, as most funds for higher education are disbursed directly to universities (through the TEMPUS programme).

However, this project is highly relevant for Armenia as it is currently hosting the Bologna Secretariat and will host the 2015 Bologna Ministerial meeting, therefore partial funds for this project were made available through the ordinary budget. The regional ministerial meeting was co-funded by the Council of Europe and the Armenian authorities.

Project title:	3.2.2. Combating Corruption in Higher Education
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Implementation status: proposed

Funding status: unfunded (total budget € 500,000)

Overall objective:

To combat corruption in the higher education sector by improving transparency, accountability and student participation in institutional governance.

Project outlook:

Although this project has not received a positive response from the donors despite active fundraising efforts on the side of the Council of Europe, the topic remains a priority for the Armenian authorities. Therefore it is suggested to retain the project in the Action Plan. Recently a contact has been established with international partners with a view of developing joint actions, notably with the EU programmes in the field of higher education (TEMPUS Office in Yerevan) as well as with the OSCE Office in Yerevan.

3.3. BUILDING A DEMOCRATIC CULTURE

Project title:	3.3.1. Implementing the Revised Core Curriculum Based on the Modern Languages Common European Framework of Reference for Languages (CEFR)
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Implementation status: proposed

Funding status: unfunded (total budget € 200,000)

Overall objective:

- To develop common reference levels for Armenian and 4 foreign languages: English, French, German and Russian, for all levels of education in accordance with CEFR;
- To introduce the developed reference levels into the core curriculum for primary, secondary and high schools as well as into the standards (learning outcomes) for languages at the bachelor and master levels of higher education.

Project outlook:

This project did not receive positive response from the donor community despite the Council of Europe's active fundraising efforts.

APPENDIX II – NEW PROJECT PROPOSALS

1. Human Rights

Project title:	European Programme for human rights education for legal professionals (the HELP Programme) – Training for lawyers
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Duration: 24 months

Implementation status: proposed

Total cost: budget is under discussion

Funding status: funding required

Partner: Chamber of Advocates of Armenia, School of Advocates

<p><i>Source of justification:</i> The School of Advocates, established by the Council of Europe, wants to develop the distance learning approach in line with HELP programme. The project is an important new step in supporting newly established School of Advocates. The start of the project is envisaged in the late 2014 – early 2015.</p>
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Overall objective:

To support member states of the CoE in implementing the ECHR at national level, by coordinating and improving national and international training activities for legal professionals, and specifically advocates' capacity to apply the ECHR in their daily work.

Specific objectives:

- To develop the distance learning approach for the School of Advocates in line with HELP programme and using Moodle e-learning software;
- To further incorporate the HELP resources and methodology in the School of Advocates to make its curriculum and resources more compatible with and accessible through HELP network;
- To develop a methodology to accurately measure the specific training needs of Armenian advocates.

Project title:	Supporting the criminal justice reform and combating ill-treatment and impunity in Armenia
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Duration: 24 months

Implementation status: proposed

Total cost: budget is under discussion

Funding status: funding required

Partners: Ministry of Justice, Police of the RA, Department of Penitentiary Institutions, Prosecutor's Service, Special Investigation Service, Ombudsman institution/NPM and NGOs, Judiciary, Chamber of Advocates.

Source of justification: reports of the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) on the periodic visits to Armenia; the ECtHR's judgments finding violations of Article 3 of the ECHR; reports by the CoE Commissioner for Human Rights on visits to Armenia; requests by national authorities and partner institutions and results of the consultations with the ECtHR and the Department for the Execution of Judgments of the ECtHR; Interlaken and Brighton Declarations; country reports under the previous regional projects; recommendations of the CoE following assessment of the effectiveness of the ill-treatment complaints mechanism within the penitentiary system of Armenia. The project is an important and necessary follow up to the regional CoE/EU project on reinforcing the fight against ill-treatment and impunity which ends in March 2014. It is important to sustain the pace of the support to Armenia in this field. Therefore, the start of the project is envisaged in late 2014 – early 2015.

Overall objective

To facilitate the measures needed to execute the relevant judgments of the ECtHR and compliance with the recommendations of the CPT by supporting the ongoing reform of the criminal justice system and consolidating measures for combating ill-treatment and impunity.

Specific objectives

- To contribute to the revision of the criminal material and procedural law and to the development of the new institutional role of the public prosecution in line with European standards.
- To enhance the role of the Ombudsman in his function of national prevention mechanism as well as civil society in monitoring detention facilities.
- To further develop the regulatory and institutional guarantees against ill-treatment and to support the complaint mechanisms.
- To enable the key groups of legal professionals, prison and medical staff and decision-makers to apply the European standards against ill-treatment in their daily work.

Expected results

- The Criminal Procedure Code and the new Law on the Public Prosecution Service is drawn up in line with the European standards.
- The institutional/operational systems for combating ill-treatment are in conformity with European and international standards. Allegations of ill-treatment are effectively investigated.
- The development of modern security systems and procedures in order to ensure respect for human rights in prisons and other detention facilities is supported.
- Improving the standards of medical examination and medical care of detainees. The existing legal framework and related practice of medical screening of prisoners is enhanced.
- The mechanism of monitoring of detention facilities by the Ombudsman and national prevention mechanisms is strengthened and the framework of civilian monitoring is enhanced.

2. Rule of Law

Project title:	Support to the Establishment of Probation Service in Armenia
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Duration: 24 months

Implementation status: proposed

Total cost: € 554,700

Partner: Ministry of Justice, Alternative Sanctions Division (ASD) within the Criminal Executive Department, Office of the Prosecutor General, Prisons Administration, Judiciary, Police, civil society and academicians

Source of justification: CPT report of 2006 (CPT/Inf (2006) 38); Recommendation CM/Rec(2010)1 of the Committee of Ministers to member states on the Council of Europe Probation Rules. Recommendations by the Committee of Ministers (ex-Ago Group)

Overall objective:

Establishment of the probation service pilots in Armenia in line with the Council of Europe standards.

Specific objectives:

- Technical support is provided to introduce probation service in two pilot regions of Armenia (in line with the Council of Europe standards).
- Probation service staff and other related professionals in pilot regions are trained.

Project title:	Support to the Armenian Justice system – Improving quality and accountability
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Duration: 24 months

Implementation status: proposed

Total cost: € 1,500,000

Partner: Ministry of Justice, Judiciary, Chamber of Advocates, School of Advocates, Justice Academy

<u>Source of justification:</u> The ECtHR's judgments with findings of violations in Armenia; CEPEJ report; Reports by the Council of Europe Commissioner for Human Rights on his visits to Armenia; Recommendations by the Committee of Ministers (ex-Ago Group); Requests by national authorities and partner institutions for activities and consultations with the ECtHR and the Department for the Execution of Judgments of the ECtHR.

Overall objective:

To strengthen the quality, accountability and independence of the Armenian Justice system.

Specific objectives:

- The judiciary can base its decisions on a sound legislative framework in certain key legal areas.
- Judicial accountability and independence is strengthened.
- The training capacities of the Justice Academy and the School of Advocates are enhanced.

3. Democracy

Project title:	Supporting Territorial Administrative Reform and promoting democratic standards and culture at local level in Armenia
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Duration: 36 months (2014 – 2017)

Implementation status: proposed

Total cost: budget is under discussion

Funding status: funding required

Partner: Government of Armenia; Ministry of Territorial Administration; Communities Association of Armenia, Association of Municipal Councillors of Armenia, Communities Finance Officers Association; Armenia Local Democracy Agency and ALDA network (Association of Local Democracy Agencies); non-governmental organisations.

<p>Source of justification: the Armenian Government's decision to implement administrative-territorial reform; ratification by Armenia of the Additional Protocol to the European Charter of Local Self-Government on the right to participate in the affairs of a local authority (13/05/2013); a new <i>Law on Citizen Participation</i> approved on 19/06/2013, requiring local self-government units to inform, consult and actively engage citizens in all decisions; monitoring recommendation of the Congress on local and regional democracy in Armenia, to be adopted in 2014; Gender Equality strategy of the Council of Europe 2014 – 2017 (6/11/2013); legal acts, political roadmap of reform; reports of peer reviews and recommendation.</p>
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Short description:

The 36-month programme "Support for the consolidation of local democracy in Armenia" started in October 2013 with a help of the € 1.7 million contribution from Denmark. The new proposal contains a suggestion to support implementation of the Territorial Administrative Reform and to enhance capacities of the Communities Association of Armenia to become an active stakeholder of the governance system in Armenia.

Project title:	Long term electoral assistance to the election related stakeholders of Armenia
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Duration: 24 months

Implementation status: proposed

Total cost: € 600,000

Funding required: € 580,000

Funding available: € 20,000 (VC Luxembourg)

Partner: Central Electoral Commission, Ministry of Justice, domestic NGOs

<p><i>Source of justification:</i> This proposal is to replace the project, "Support free and fair elections in Armenia". Findings and recommendations of recent OSCE/ODIHR and PACE election monitoring reports, Venice Commission Opinions and local elections observation reports by the Congress of Local and Regional Authorities.</p>
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Overall objective:

Ensure the effective implementation of the principles of European electoral heritage in Armenia, through provision of technical support for improvement of the legal and administrative framework, capacity-building and awareness raising activities involving both the competent authorities and civil society.

Specific objectives:

- Armenian legal and administrative framework is harmonised with the European standards and mechanisms for the implementation are developed;
- Capacities of national stakeholders (including CEC staff) and CSOs on implementation of tools developed at regional level through the Eastern Partnership Facility are strengthened;
- Capacities of domestic observers groups for domestic election observation are strengthened;
- Armenian civil society (particularly young voters and women) become aware of the importance of participation in elections, the individual rights of each voter, and the freedom of choice in the casting of a ballot.