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Council of Europe Action Plan for Armenia 2012 – 2014 Final Report

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I. 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 to provide added focus and cohesion to Council of Europe assistance to Armenia in fulfilling its obligations as a member State of the Organisation. Based on priorities identified in consultations with the government, the Action Plan represented an important milestone in co-operation between Council of Europe and Armenia. The Plan has contributed to practical implementation of Council of Europe recommendations and resulted in revision of legislation, changes in policies, as well as strengthening the capacity of various institutions in Armenia. The Plan was backed by a total of €12 million in funding.

This document is a final report presenting the progress made in 2012 – 2014. The Report has been developed in consultation with Armenian authorities. Like the previous Progress Review Report for the period from March 2012 to December 2013, it consists of a narrative part with consolidated information about major achievements to date in each of the priority areas and an annexed list with a review of individual actions, along with details of their funding. 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.

Throughout its implementation, the Action Plan has enjoyed the active co-operation of Armenian stakeholders, in particular: the Presidential Administration, Ministry of Foreign Affairs, Ministry of Justice, Ministry of Territorial Administration, Ministry of Education and Science, Central Electoral Commission, Court of Cassation, the School of Advocates and the Chamber of Advocates, the Justice Academy, the police, the General Prosecutor's Office, the Ethics Commission for High-Ranking Officials, local authorities and local NGOs.

The progress in Armenia's fulfilment of its Council of Europe commitments was noted in the report by the Committee of Ministers' Rapporteur Group on Democracy (GR-DEM) following the 21 – 22 March 2013 visit to Armenia. The Ministers' Deputies therefore agreed on 7 May 2013 to end the special procedure put in place in December 2010. The monitoring of Armenia's commitments now takes place within the framework of regular procedure of the GR-DEM.

The 3-year Action Plan formally concluded in December 2014, however adoption of legislation and the functioning of institutions to meet the requirements of a democratic society respectful of human rights is a long-term process that requires continued commitment and renewal. It is important to note in this context that the Armenian authorities expressed their interest in continuing co-operation with the Council of Europe within the framework of a new Action Plan.

2. Main Achievements

The priorities of the AP included:

- Human rights interventions to reinforce human rights' protection mechanisms by ensuring effective implementation of the European Convention on Human Rights and to improve execution of European Court of Human Rights' judgements;
- Rule of law interventions to develop democratic institutions and procedures at national, regional and local level and to promote respect for the rule of law;
- Democracy interventions to strengthen democratic institutions at national and local level, to expand democratic culture, to build cohesion, to increase tolerance and to widen participation of key social and civil actors in the public decision-making process.

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

- A School of Advocates was established, which is unique in the region of the South Caucasus;
- An Armenian Electronic Notary System (AENIS) was introduced;
- A detailed assessment of the current situation in the field of non-custodial sanctions, early release and probation in Armenia, as well as recommendations on the needs for amendments and reform were provided to the authorities. The recommendations took into account the study on cost efficiency and social impact of custodial sentences and probation. As a result, the knowledge and awareness of national authorities and the public sector about the needs of legislative, institutional and operational reform in line with the European Probation Rules and other Recommendations of the Council of Europe increased;

- A revision of media-related legislation was conducted; a new training curriculum in journalism was developed; and self-organisation of journalists was facilitated;
- A Best Practice Programme for Local Authorities in Armenia was introduced and the pilot Armenian National Score Card on Public Ethics has been produced;
- A model consultation mechanism among local authorities and between local and central authorities was successfully piloted through a series of regional seminars with the participation of 150 Mayors and councillors throughout Armenia. The model consultation mechanism is in compliance with the right to be consulted, enshrined in the Charter of Local Self-Governance and recommendations of the CoE Congress on the State of Local Democracy in Armenia to create formal consultation mechanisms;
- Expert opinion was provided on different laws for ongoing territorial-administrative reform to harmonise them with European standards;
- Capacity-building activities involved over 250 judges and 1 000 lawyers who gained new knowledge and skills on the application of European standards and best practice in such areas as bankruptcy, combating corruption, fighting drug trafficking and professional ethics;
- The capacity of the Central Election Commission and civil society on various aspects of the electoral process and reporting on elections was strengthened;
- A policy of zero tolerance towards ill-treatment has officially been declared a priority of the Armenian government; amendments to the Criminal Code and Criminal Procedure Code were adopted in line with CoE recommendations;
- Assistance was provided to the newly established Specialised Cybercrime Department within the General Prosecutor's Office of Armenia;
- The DataLex database system (an internet information portal that provides information regarding court cases) of the judgments and decisions of the Court of Cassation and the European Court of Human Rights is in the process of codification and improvement;
- A full package of training materials on four human rights-related courses for the newly established Justice Academy of the Republic of Armenia is in the process of development;
- Collection of data on Armenian courts' case flow was reflected in the report on "Efficient Judicial Systems";
- 30 lawyers and human rights defenders were trained as national trainers on anti-discrimination, who in turn trained around 600 lawyers and human rights defenders on different anti-discrimination topics through 18 cascade seminars throughout Armenia;
- 70 judges, prosecutors, lawyers and other legal professional were trained on European standards in the fields of non-custodial sentences and probation.

3. Framework for Implementation

The Council of Europe and Armenian authorities have jointly established a Steering Committee to assess implementation of the Action Plan. The committee met in December 2013 in Yerevan to assess the progress of the Action Plan implementation. The Secretariat, through the Office of the Directorate General of Programmes, provided the Committee of Ministers with a progress review report which was adopted in March 2014.

The cooperation activities 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 in close co-ordination with the Armenian authorities and international partners active in Armenia, notably with the Delegation of the European Union to Armenia, the Swiss Agency for Development and Co-operation, the United Nations and development agencies of the CoE member States. The Action Plan implementation included needs-assessment, legislative expertise, capacity-building and training, awareness-raising and peer-to-peer reviews.

4. Council of Europe Office in Yerevan

The Council of Europe Office in Yerevan was established 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 CoE and the Armenian authorities signed a Memorandum of Understanding on 17 April 2013 which entered into force on 3 July 2013.

The CoE Field Office in Yerevan played a crucial role in co-ordination and implementation of the Action Plan. It currently employs 18 staff members in comparison with only four staff members in 2012 when the AP was adopted.

In close co-operation with relevant Departments of DG1, DG2 and the Congress of Local and Regional Authorities, the Office in Yerevan currently implements five de-centralised Armenia-specific projects and one joint CoE/EU regional project. The Office provided support to MAEs in the implementation of joint CoE/EU regional projects within the framework of the Action Plan.

The Office facilitated contacts with international partners present in the field. The Office also contributed to the increased visibility of the Organisation's actions in Armenia and significantly contributed to efficient and effective use of resources through de-centralised project management.

The Office closely co-ordinated its activities with other international partners and, together with the United Nations' Development Programme in Armenia, co-chairs a Working Group on Democratic Governance as part of co-ordination among the international donors present in Armenia. The Office also provided regular support for the organisation of events, project activities and monitoring visits of different Council of Europe bodies to Armenia.

5. Overview of Resource Mobilisation

In line with the Council of Europe resource mobilisation strategy, fundraising efforts under the co-ordination of the Office of the Directorate General of Programmes have been concentrated on the Action Plan as a whole. The revised overall budget of the Action Plan is approximately € 16.5 million. Funding amounting to more than € 12 million (73% of the total budget) has been secured for the programming cycle 2012 – 2014.

Substantial funding has been secured *via* the partnership between the Council of Europe and the European Union with over € 6.7 million² set aside for Armenia for both country-specific actions and within regional frameworks, including within the Eastern Partnership Facility.

Three key programme areas of the Action Plan (protection and promotion of human rights, justice and democratic governance) are being implemented with voluntary contributions coming from member States totalling just over €4.3 million. Denmark, the largest bilateral donor, provided funding of approximately €2.7 million, initially pledged on the occasion of the launch of the Action Plan. Norway, Switzerland, Luxembourg and the Human Rights Trust Fund (Finland, Germany, Netherlands, Norway, Switzerland and United Kingdom) have also contributed to the funding of these areas of the Action Plan.

6. Programming Outlook

It is intended to continue co-operation in 2015 to assist Armenia in further implementing its reforms. Following completion of the present Action Plan in December 2014, the CoE technical assistance to Armenia could be continued based on:

- the recommendations of CoE monitoring bodies;
- the reports on the State of Democracy, Human Rights and the Rule of Law in Europe published by the Secretary General of the Council of Europe;
- the context of the national reform agenda; and
- the results of the previous Action Plan's implementation.

Armenia will benefit from participation in projects to be funded through the Programmatic Co-operation Framework (PCF) between the Council of Europe and the European Union in areas related to criminal justice reform and combating ill-treatment and impunity, penitentiary reform, electoral assistance and combating corruption in higher education. Funding of €1 895 000 under the PCF has been secured for the next programming cycle planned to start in 2015.

Taking the above into account, future co-operation might be focused on the following priority areas:

² Excluding the Council of Europe Ordinary Budget contribution of € 825 896 to the EU/CoE Joint Programmes.

Protecting and Promoting Human Rights

- Application of the European Convention on Human Rights (ECHR) and the Revised European Social Charter at national level, execution of ECtHR judgments;
- Supporting the implementation of the National Strategy on Human Rights Protection;
- Strengthening the capacity of the Human Rights Defender's Office;
- Supporting the Chamber of Advocates;
- Promoting democratic citizenship;
- Promoting gender equality and combating domestic violence;
- Combating ill-treatment and torture (within the armed forces, police, penitentiary system);
- Strengthening the protection of human rights in the armed forces;
- Strengthening freedom of expression/media;
- Strengthening capacity to protect the right to freedom of conscience and religion.

Ensuring Justice

- Strengthening constitutional justice;
- Supporting further the justice system and judicial reforms;
- Establishing a probation service;
- Advancing legislative reforms (penitentiary system – early release, life sentence, new Penitentiary and Civil Procedure Codes);
- Strengthening the independence, professionalism and accountability of the justice system;
- Supporting the police reform process.

Combating Threats to the Rule of Law

- Fighting corruption and money-laundering (including in the sphere of higher education), enhancing the institutional capacity of the Ethics Commission;
- Fighting cybercrime.

Promoting Democratic Governance

- Co-operation on electoral matters;
- Strengthening local democracy by supporting territorial administrative reform and promoting democratic standards and culture at local level; capacity-building of local authorities, strengthening leadership of elected local representatives;
- Enhancing capacity-building of civil society institutions and ensuring their participation in decision-making processes.

Co-operation between the CoE and Armenian authorities will take into account activities of other international organisations (EU, UN, OSCE, etc.) and partner states, to ensure synergy and complementarity and to avoid overlap.

II. SECTOR REVIEW

1. Human Rights

BACKGROUND

The AP in this sector improved the effective implementation of European human rights standards in Armenia. The activities focused on:

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

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

SECTOR IMPACT

The capacity of legal professionals to sustain the implementation of human rights has increased along with their ability to promote European human rights standards domestically developed in line with the 2012 Brighton Declaration. The ongoing training of judges, prosecutors and lawyers incorporates relevant courses on the rights enshrined in the European Convention on Human Rights (ECHR). Legal professionals have better access to the relevant educational resources in Armenian.

Promoting freedom, professionalism and pluralism of the media has directly contributed to mainstreaming the exercise of the right to freedom of expression and information. The recommendations of Council of Europe experts on the draft Law on Radio and Television were sent to the Parliament for adoption. New courses on journalists' rights and ethics were added to the curriculum of journalism teaching at the largest Armenian higher education institution – the State University. Armenian journalists play an active part in the work of the regional network of press councils (which also includes representatives from Azerbaijan, Georgia, the Republic of Moldova, the Russian Federation, Ukraine and Tajikistan). Improved co-operation between state authorities and civil society, as well as increased confidence in the self-regulation and the higher standing of journalists are yet more examples of the Action Plan's activities impact on the media sector in Armenia.

The CoE has assisted the Armenian authorities in developing and implementing a multi-faceted strategy to address the problem of ill-treatment, working with judges, prosecutors, investigators, police officers and civil society. Now all these stakeholders have 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 Human Rights (ECtHR). Although it was 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. The CoE assisted Armenian authorities in reinforcing the status and operational capacities of the Special Investigations Service of Armenia, focusing on independent investigations of ill-treatment in line with European standards. This institution is in charge of investigations of cases against the state, law enforcement and penitentiary officials. The CoE has organised several rounds of consultations on the status, organisation and functioning of the Disciplinary Committee of Police of Armenia, in view of ensuring its independence and transparency. Increasing the capacity and recognition of Human Rights Defender's Office was another area of the CoE work, with particular focus on the rights of prisoners. In addition, the CoE advised the Ministry of Justice on the creation of the NGO-led Prison Monitoring Group, which is offering an additional protection against ill-treatment of prisoners.

ACTIVITIES AND RESULTS

National application of the European Convention on Human Rights

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). The newly established Justice Academy of Armenia has not only mainstreamed human rights in the curricula, but has also introduced a separate compulsory course 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 will benefit from sharing good practice and experience in human rights education with legal professionals across Europe.

As a result of the actions to strengthen the application of the European Convention on Human Rights (ECHR) and the case law of the European Court of Human Rights (ECtHR) in Armenia, a needs assessment was conducted and recommendations were provided on how to promote human rights, on the codification of the Court of Cassation decisions and on the improvement of the existing *Datalex* online database. The training needs of the Court of Cassation judges were identified and an action plan to improve the uniform application of European human rights standards was developed.

The capacity of the Ministry of Justice to ensure the application of European human rights standards at national level continues to be increased through organisation of regular workshops, study visits, round tables and translation of relevant materials.

The assessment report on human rights training and education capacity in the Justice Academy provided recommendations for the development of an action plan to strengthen the training capacity of the Academy. A needs-assessment mission of an international IT consultant was organised to assess and suggest specific measures for improvement of the *Datalex* online database that provides up-to-date information on court cases in Armenia.

Within the CoE/EU regional action to strengthen the lawyers' capacity for domestic application of the European Convention on Human Rights (ECHR) and of the Revised European Social Charter RESC, 18 cascade training seminars for over 600 lawyers and human rights defenders were organised on non-discrimination topics, in partnership with the Chamber of Advocates, School of Advocates and two lead NGOs in the area. Relevant training materials were developed and certified by the Chamber of Advocates as eligible for CLE credit. The trained experts initiated an anti-discrimination group on Facebook in order to share useful information on discrimination and to trigger group discussions. A handbook on European non-discrimination law and case law updates for the period from July 2010 to December 2011 was translated, published and disseminated. An e-learning course on anti-discrimination was uploaded into the HELP system.

Freedom of the media

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 were 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, the Republic of Moldova, the Russian Federation and Ukraine.

Prevention of ill-treatment and impunity

Legal advice and capacity-development to strengthen the effective investigation of allegations of ill-treatment were also provided. The draft Criminal Procedure Code incorporated Council of Europe recommendations and was presented for public discussion in September 2013. The recommendations 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.

PROGRAMMING OUTLOOK

Armenia has made the ECHR an integral part of its legal system and accepted the jurisdiction of the ECtHR. The ongoing action to strengthen the application of the European Convention on Human Rights (ECHR) and the case law of the European Court of Human Rights (ECtHR) in Armenia will end in December 2015. Its long-term goal aims to ensure the uniform application of European human rights standards in Armenia.

The ongoing CoE/EU regional action to strengthen lawyers' capacity for domestic application of both the European Convention on Human Rights (ECHR) and the Revised European Social Charter RESC will end in June 2015. After the completion of the activities it is expected that the national capacity to train and retrain lawyers on selected articles of the ECHR and the RESC will have been strengthened, and the ability of lawyers to promote European human rights standards and use them in legal proceedings before national courts and the ECtHR will have been improved.

Sustaining the positive changes which have resulted from the Council of Europe actions 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 co-operation between state authorities and civil society. In its 2013 resolution, the Parliamentary Assembly recalled the crucial importance of freedom of expression before and during elections. The PACE called on Armenia to take steps to remedy shortcomings identified in recent election observation reports. The regional EU PCF programme (to start in 2015), "The role of national parliaments in protecting media freedom", aims to increase the compliance of national legislation and media regulations with European standards. Armenia could benefit from participation in the following areas: public service broadcasting, independence of media regulators, access to public information, concentration and transparency of media ownership.

Interventions should be made in the fields of promoting gender equality and combating domestic violence, as a follow-up to the October 2014 visit of the Commissioner for Human Rights to Armenia. The Council of Europe Convention on preventing and combating violence against women and domestic violence has not been signed by Armenia. Co-operation towards accession to this convention might be included in the new AP.

Further measures to prevent ill-treatment will require an efficiently functioning investigation mechanism, adequate punishment of perpetrators and improved legislations. Country-specific actions are planned within the CoE/EU Programmatic Co-operation Framework for 2015 – 2017 to support the criminal justice reform and combat ill-treatment and impunity in Armenia. As a result of those actions, it is expected that: 1) The legislation on criminal matters and institutional mechanisms for combating ill-treatment will be improved in line with European human rights standards; 2) The capacity of the Justice Academy to train investigators, judges and prosecutors on criminal justice and human rights will be strengthened; 3) the knowledge and skills of investigators on criminal justice and human rights, including effective investigations of ill-treatment cases, will be improved.

It is anticipated that in the framework of the future regional actions within PCF EaP aimed at improving women's access to justice in five EaP countries, national research studies will be developed, and specific legal and procedural, as well as socio-economic and cultural obstacles to women's access to justice will be identified; recommendations will be formulated for possible further development of national standards for women's access to justice, including in the field of data collection; the capacity to design measures to ensure that the justice chain is gender-responsive and addresses the needs of the most disadvantaged women (poor, illiterate, from rural areas, minorities and disabled) will be enhanced.

Safety of journalists, improved training in journalists' rights and ethics, enhanced professionalism of journalists covering elections and the improved effectiveness of media self-governing bodies are among areas in which CoE expertise might be required.

Following consultations with Armenian authorities, CoE interventions in the field of Human Rights should concentrate on:

- Application of the European Convention on Human Rights (ECHR) and the Revised European Social Charter at national level, execution of ECtHR's judgments;
- Supporting the implementation of the National Strategy on Human Rights Protection;
- Strengthening the capacity of the Human Rights Defender's Office;
- Support to the Chamber of Advocates;
- Promoting democratic citizenship;

- Promoting gender equality and combating domestic violence;
- Combating ill-treatment and torture (within armed forces, police, penitentiary system);
- Strengthening the protection of human rights in the armed forces;
- Strengthening freedom of expression/media.

2. Rule of Law

BACKGROUND

Improving the independence and quality (including integrity) of the judiciary is a key element in the ongoing reforms of the justice sector of Armenia. 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 actions 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;
- support the fight against corruption;
- enhance co-operation against cybercrime.

SECTOR IMPACT

Following the adoption by the Armenian Parliament of the *Law on Advocacy* in 2011, the School of Advocates as the institution responsible for initial and continuous training for lawyers in Armenia was established in 2012. 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 E-notary system was introduced in 2014 to increase the security of real estate documents and transactions, protect property rights, decrease the overload of courts and enhance the quality of notary services in Armenia.

CoE actions also aimed to revise specific provisions of the Judicial Code and to address current shortcomings in Civil Code and the Civil Procedure Code which overburden the court system and cause excessive length of proceedings.

A system of initial and in-service training of judiciary professionals and advocates was enhanced. The newly established Justice Academy benefits from developed training materials and pool of trainers. The education methodology for training judges and prosecutors is being improved and a single training programme for judges and prosecutors to help avoid different interpretations of legal standards is being developed.

The Strategic Programme for Legal and Judicial Reform 2012 – 2016 adopted in July 2012 by the Government included CoE recommendations; in particular, concerning 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; defining the power between various parts of the system; introducing indicators such as public trust in the justice system for measuring the efficiency of the reforms.

Since October 2013, work on strengthening the capacities of the Court of Cassation, the Justice Academy and strengthening the human rights protection capacity of the Ministry of Justice is carried out within the framework of the programme to strengthen the application of the European Convention on Human Rights (ECHR) and the case law of the European Court of Human Rights (ECtHR) in Armenia”, funded by Denmark.

Support to the establishment of probation service in Armenia will be provided as a result of funds made available by the Government of Norway in May 2014. This intervention was developed as a follow-up to the project, “Reducing Use of Custodial Sentences in Line with European Standards”, which was also funded by Norway and came to an end in April 2014. The CoE aims to introduce a probation service in two pilot regions of Armenia using Council of Europe standards and best European practice.

The CoE activities to reduce the use of custodial sentences have brought the Armenian prison system closer to the European Prison Rules and other European Probation Rules, Recommendations of the Council of Europe and the standards of the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT), the case law of the European Court of Human Rights (ECtHR) and best European practice. One of the major achievements is a full assessment of the current situation in the field of non-custodial sanctions, early release and probation in Armenia.

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;
- 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*;
- Efficiency of international co-operation was increased and 24/7 points of contact were made available.

ACTIVITIES AND RESULTS

Effective functioning and organisation of the judiciary

The 39-month EU/CoE joint activities to support the access to justice in Armenia” assisted the reform of the justice sector in Armenia through institutional capacity-building, training of legal professionals and provision of legislative assistance. As a result, a School of Advocates was established in September 2012. The School provides relevant training to 120 advocates and advocate candidates per year. The Manual for the entrance exam at the School of Advocates has been compiled in line with European best practices based on the Human Rights Programme for Legal Professionals (HELP Programme).

The Armenian Electronic Notary System (AENIS) was developed and introduced and the necessary hardware and software were purchased.

In the framework of actions aimed at strengthening the independence, professionalism and accountability of the Justice System in Armenia, a detailed needs assessment report was finalised, and, based on the findings and recommendations of the report, a workplan was elaborated. In collaboration with the Ministry of Justice, 26 local experts were selected for the revision of the Civil Code and drafting the Special Part of the Code of Administrative Offences. In addition, the draft General Part of the new Code of Administrative Offences was submitted for international expertise to ensure its compliance with CoE standards. The CoE also supports a working group responsible for drafting the Code of Administrative Offences. In partnership with the World Bank, expert opinion was provided to the Insolvency Law Reform of Armenia and the main areas of insolvency to be amended were identified. In addition, a team of local and international experts is conducting a comprehensive assessment of laws and practice in the field of alternative dispute resolution (ADR) to identify the main areas requiring reform.

Criminal justice reform: penitentiary and probation

The Council of Europe provided recommendations on the use of non-custodial sanctions and on the improvement of the early release system. The objectives of CoE interventions to reduce the use of custodial sentences were fully in line with the *2012 – 2016 Action Plan for Legal and Judicial Reforms of the Republic of Armenia*. Through the course of implementation, the CoE focused on raising the awareness of decision-makers and professionals on alternative sanctions and measures, on the need to extend the use of such sentences and on the importance of establishing a mechanism for supervision of the implementation of non-custodial sentences. To support the establishment of a probation service and to prepare an informed and analytical basis for that process, a qualitative and quantitative survey on re-offending was conducted. A study on cost efficiency and the social impact of custodial sentences and probation was also carried out and used for the evidence-based advocacy on probation.

A number of representatives of the Ministry of Justice, the judiciary, the penitentiary service, the Alternative Sanctions Division (ASD), civil society, and other organisations involved in the area of criminal justice reform became acquainted with European standards and best practices on probation, and awareness was raised among them for better use of non-custodial measures and sentences. A national conference on probation was organised in 2014, bringing together more than 50 representatives of different state institutions from the criminal justice sector, representatives of international organisations and civil society. The conference aimed to disseminate knowledge on European standards of probation and to identify opportunities and capacities for the establishment of a probation service in Armenia.

In the framework of activities aimed at supporting the establishment of probation service in Armenia, two study visits to Croatia and Georgia were organised for a mixed delegation comprised of representatives of the Judiciary, the Ministry of Justice, the Office of the Prosecutor General and NGOs. The delegation members learned about the work and experience of the probation services in those countries. The knowledge gained is meant to help the Armenian partners in developing national probation service.

Combating threats to the rule of law

Joint actions 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 these regional capacity-development. They were trained on the application of European standards and best practices in such areas as bankruptcy and combating corruption, drug trafficking and professional ethics. Data on Armenian courts' case flow was collected in 2014 and the data analysis was reflected in a comprehensive report on "Efficient Judicial Systems" and presented to the Armenian authorities for their further consideration in the reform agenda. Recommendations on the compatibility of national legislation and practice with relevant European standards were provided, covering issues such as the institutional independence of the judiciary and individual judges, the role of the Bar, access to the profession of lawyer and improvement of ethical standards.

In the fight against corruption, pilot activities were implemented in Armenia to assist the newly established Ethics Commission for High-Ranking Officials of Armenia with establishing a verification procedure of income and asset declarations of public officials in line with international standards. In addition, a Manual on processing and verifying financial declarations which includes all aspects of implementing the declarations system, such as standard procedures for analysing declarations, red flags, co-operation with other institutions, implementing sanctions, etc., was developed. It aims to serve as a guideline for the future work of the Ethics Commission. In addition, capacity-building activities on methodology and best practice in the verification of financial declarations were organised for the staff of the Ethics Commission.

PROGRAMMING OUTLOOK

The adoption of the Criminal Procedure Code will further contribute to the liberalisation of the justice system in Armenia due to modifications of the definitions of various offences, as well as the penalties to be imposed which increasingly envisage alternative sentences. Amendments to the *Law on Advocacy* were proposed and re contributing to the improvement of the legal aid system in the country.

The setting-up of a probation service along the lines of Council of Europe recommendations will be an important step towards the implementation of non-custodial sentences and measures in the country. The CoE supported the establishment of a probation service in Armenia by organising a pilot electronic monitoring system, by providing relevant training to probation service staff and other related professionals in two pilot locations in Armenia, and by assisting with revision of probation legislation.

Since May 2014 jointly with EU the CoE launched actions to strengthen independence, professionalism and accountability of the justice system in Armenia. The aim is to assist justice sector reform, including revision of key legal acts, such as the Civil Code, Civil Procedure Code, the Code of Administrative Offences, the Code of Administrative Offences, the Law on Bankruptcy, and the Code of Judicial Conduct. Alternative dispute resolution mechanisms (ADR), will be developed. As a result, public confidence in the judiciary will be improved by enhancing ethical and disciplinary framework for the judiciary. As a result, it is anticipated that: the judiciary can base its decisions on a sound legislative framework in certain key legal areas; judicial accountability system and procedures are improved; the training capacities of the Justice Academy and the School of Advocates are enhanced.

The Council of Europe's Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) carried out ad hoc visits to Armenia in April 2013 and in May 2014. Among problems previously reported are degrading treatment in custody and poor conditions of detention. In this regard and following discussions with national authorities the following future priority areas of co-operation have been identified in the field of the penitentiary reform:

- Prison health: it is envisaged to ensure more professional independence of prison health staff, to improve the material conditions in prisons' health units, as well as to build and strengthen capacities of prison staff on human rights. These priorities will be covered by the EaP PCF country-specific activities aimed strengthening the health care and human rights protection in prisons in Armenia";
- Revision of penitentiary legislation and advancing legislative reforms (Penitentiary Code, Law on Treatment of Arrestees and Detainees, secondary legislation – internal regulations etc.): the EaP PCF regional programme on "Promoting penitentiary reforms" will provide assistance to the Armenian authorities in this respect.

In addition, future activities can concentrate on supporting the police reform process and strengthening constitutional justice.

Despite government efforts, the effective implementation of legislation on anti-money laundering and the fight against corruption remains a challenge. Armenia has volunteered to be next year the first country to be fully evaluated in MONEYVAL's 5th round to assess the effectiveness of implementation of the Financial Action Task Force (FTAF) recommendations and actions in the areas of Anti-Money Laundering/Combating the Financing of Terrorism (AML/CFT). A study visit to Armenia is planned for 2015. Moreover, in 2015, GRECO will carry out an evaluation visit to Armenia in the context of its 4th Evaluation Round where it will scrutinise the legislative and institutional framework for preventing corruption of members of parliament, judges and prosecutors.

3. Democracy

BACKGROUND

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

- support the consolidation of local democracy;
- support free and fair elections.

Local democracy was among the priorities of the Armenian Chairmanship of the Committee of Ministers. This facilitated co-operation between the Council of Europe and Armenian authorities and contributed to the successful launch of the comprehensive €1.7 million programme on local democracy in October 2013 funded by Denmark followed by a launch of € 0.7 million programme to enhance capacities of the Communities' Association of Armenia funded by Switzerland.

Armenia has also benefited from capacity-building and awareness-raising activities in the framework of the regional joint actions of the European Union/Council of Europe aimed at supporting free and fair elections in the Eastern Partnership countries.

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

SECTOR IMPACT

Since 2002, following the ratification by Armenia of the European Charter of Local Self-Governance, important legislative and institutional reforms have taken place in the field of local self-government. New amendments were introduced in 2013 to the Law on local self-government following the ratification of the Additional Protocol to the Charter, which aims to enhance the transparency of the operations carried out by local self-government bodies, as well as legally reinforce participation of citizens in local affairs.

The visit by the Congress of Local and Regional Authorities of Europe (the Congress) to Armenia took place at the end of November 2013 to monitor the implementation of the Charter of Local Self-Governance and to take stock of the situation and recommendations were produced. The Congress adopted Recommendation 351(2014) on the state of local democracy in Armenia at its 26th session in March 2014. The Recommendation welcomes the efforts made to implement the provisions of the Charter of Local Self-Governance but refers to various remaining points of concern. Armenian authorities are urged to review the legislation for implementing the principle of subsidiarity, to foster inter-municipal co-operation, to increase the capacity of community councils, and to define and ensure the exercise of full and exclusive powers for local authorities.

An ongoing programme to provide support to consolidating local democracy in Armenia contributes to:

- local government reform, mainly in the 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.

In the framework of the programme, peer reviews on Territorial Administrative reform and financial equalisation were organised, and recommendations have been taken on board by Armenian authorities for further promoting these key reforms in the field of local self-government. Expertise and assistance were provided for preparing amendments to several key legal acts and drafting new legislation, these included:

- Draft Amendments to the Law on Administrative and Territorial Division;
- Law on Local Self-Government of Armenia;
- Draft Amendments to the Law on the Election Code of the Republic of Armenia (concerning elections to local self-government bodies);
- New draft legislation on Financial Equalisation.

An expert opinion was provided on a package of proposals for constitutional revision of Chapter 7 on Local Self-Government of the Armenian Constitution.

The Centre of Expertise on Local Government Reform launched one of its flagship projects in 2014 in Armenia. The Best Practice Programme aims to identify, publicly recognise and disseminate best practice among local authorities in Armenia and in 2014 the first winners were identified and awarded.

The development of a pilot National Benchmark for Public Ethics with the active contribution and participation of pilot municipalities of the public ethics benchmarking programme has been a tangible result achieved in 2014. The development process helped to identify several shortcomings in Public Ethics practices in local authorities. Addressing these will be the main aim of the project for the upcoming 2 years.

A situation analysis has been conducted on Human Resource Management (HRM) in Armenia's local government units and new tools are being piloted.

A recommendation entitled "Local Democracy in Armenia – Call to Government" is the tangible outcome of consultations among local and central authorities which involved over 150 locally elected representatives and the Ministry of Territorial Administration.

In the elections field, the Council of Europe helped the electoral administrations to 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" has been extended to several schools in Armenia with a particular focus on schools situated in regions which are difficult to access.

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. This information serves as a basis for decision-making bodies to adapt their gender equality policies to the real needs of the society and helps NGOs to monitor women's representation in elections.

The field of education continues to be an important area of international co-operation for Armenia. Council of Europe advice on a national qualifications framework in Armenia facilitated 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.

ACTIVITIES AND RESULTS

Local government reform

In the field of local democracy, CoE expertise facilitated debates among concerned stakeholders on possible revision of *Article 7 on Local Self-Government* of the Armenian Constitution. A wide expert discussion was organised on a package of proposals on 1 October 2014 in Yerevan. The proposals combined suggestions by the Ministry of Territorial Administration of Armenia and associations of local authorities.

The Best Practice Programme (BPP) was being implemented for the first time in Armenia, as part of the actions aimed at capacity-building of local authorities. Three main themes were identified in which about 50 communities throughout Armenia submitted applications for best practice status. Those were: promotion of citizens' participation; provision of pre-school and extra-curricular education; development of local arts and crafts. Following a thorough selection procedure, six municipalities were granted Best practice Community status and one municipality (the city of Sevan) was given a special prize for the outstanding initiatives undertaken in promoting citizen participation in local life.

The Human Resource Management component of the programme resulted in a needs assessment report and identified some very important gaps improving which can significantly improve human resource management practices in all Armenian municipalities. The Public Ethics' benchmarking component paved the way to further improvements in public ethics' practices in participating municipalities.

Component 3 of the programme – Strengthening Local Elected Representatives' Leadership, is implemented by the Congress of Local and Regional Authorities of the Council of Europe. It targets mayors and municipal councillors. The objective is to strengthen their leadership abilities, thus reinforcing confidence and trust in local authorities, and promoting constructive dialogue amongst themselves, with national authorities and with citizens.

Based on an interactive methodology and a peer-to-peer approach involving members of the Congress and experts from other European countries, a selected group of Armenian mayors has been engaged in a series of workshops to share experience on ways to lead successful local policies and increase their knowledge of standards of local self-governance.

In order to strengthen the capacity of local authorities to engage in a constructive dialogue amongst themselves and with national authorities, and ultimately to improve local political governance in the country, thematic regional seminars were organised for 150 mayors and community councillors.

Elections

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;
- 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.

Education

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.

People with disabilities

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 experts in the area of disability.

PROGRAMMING OUTLOOK

The programme on local democracy, during 2015, will continue to focus on promoting legislative reforms in the field of local democracy in accordance with established European norms and standards, enhancing the capacities of local self-government bodies in Armenia based on principles of good governance at local level, as well as on the promotion of citizen participation policies. Initiatives for consulting and co-producing policies locally will be implemented in a number of pilot communities in partnership with local NGOs and civic groups, while thematic regional seminars will provide a wider forum to disseminate best practice and discuss the principles of citizens' involvement and influence on decision-making.

The activities will also support Armenian communities to implement the legislative changes following the ratification of the Additional Protocol to the European Charter of Local Self-Government on the right to participate in the affairs of a local authority.

The CoE, through the Congress, will lend its support to the Communities' Association of Armenia to enhance the latter's capacity to become an active stakeholder in the governance system of Armenia through the institutional support programme funded by the Swiss government (budget € 708 451).

Armenia will benefit from the regional EaP PCF programme, "Strengthening institutional frameworks for local governance", which aims to improve the legislative framework on local government, to promote ethical behaviour by locally elected representatives, as well as to share best practice in financial and human resources management.

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 national stakeholders' capacities (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.

The country-specific EaP PCF activities to provide long-term electoral assistance to the election related stakeholders of Armenia (budget € 95 000) will contribute to amending legislation on elections and/or political parties in line with international standards. It will also aim to ensure better functioning of the electoral administration, in particular through the elaboration of instructions of a general character and in the settlement of disputes. Additionally, assistance could be provided: to enhance the system of voters' registration; to increase women's participation in the election process; to improve professionalism of media coverage of elections; to involve further NGOs and young voters in election observations; and to increase transparency and public trust in electoral processes.

Armenia may benefit from the regional EaP/PCF programme, "Reforming electoral legislation and practice, and developing regional co-operation in electoral matters", by being part of a network to share best practice on such issues as electoral legislation, institutional and operational capacity of election administration, capacity-building of electoral training centres, gender equality in politics, domestic observation of elections, election dispute resolution.

Higher education is an important priority on the agenda of Armenia, which is currently chairing the Bologna Secretariat (European Higher Education Area). The country-specific EaP PCF actions to strengthen integrity and combat corruption in higher education in Armenia will help develop legislative and institutional frameworks to ensure integrity and combat corruption in higher education.

The parliamentary dimension is an important element in co-operation between the CoE and Armenia. Further strengthening parliamentary democracy and its institutions, as well as the capacity of parliamentarians to remain vigilant regarding realisation of Council of Europe standards and policies in Armenia will be one of the priorities during period 2015 – 2017. Through the regional EaP PCF programme, "Fight against corruption and fostering good governance: fight against money-laundering", Armenia will benefit from CoE assistance in strengthening anti-corruption preventive measures within the public sector/administration, reinforcing the capacity of national institutions to provide policy advice, and to co-ordinate and monitor anti-corruption and good governance-related reforms.

Armenia will benefit from the regional PCF programme, "Criminal justice action on cybercrime", in strengthening criminal justice action on cybercrime and enabling efficient regional and international co-operation on cybercrime and electronic evidence.

APPENDIX I SUMMARY TABLE – COUNCIL OF EUROPE COMPLETED PROJECTS IN ARMENIA 2012 – 2014

PROJECT	OBJECTIVE	OUTCOME
1. HUMAN RIGHTS		
1.1. Protection of human rights		
<p>Project 1.1.3. Reinforcing the fight against ill-treatment and impunity</p>	<p>To reinforce the national capacities for combating ill-treatment by law enforcement agencies and penitentiary institutions, including strengthening the effectiveness of investigations of allegations of ill-treatment.</p>	<p>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.</p> <p>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).</p> <p>The project provided expert advice to the authorities in regard to the draft Criminal Procedure Code of Armenia.</p> <p>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.</p> <p>At the same time, in co-operation 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.</p>
<p>Project 1.1.4. Promoting freedom, professionalism and pluralism of the media</p>	<p>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 CoE standards and as regards both traditional and new media.</p>	<p>The project contributed to increased awareness among media professionals, public officials, NGOs and society as a whole on the right to freedom of expression and the responsibilities that go along with its exercise.</p> <p>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.</p> <p>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.</p> <p>The project led to improved co-operation between state authorities and civil society, as well as to the higher standing of journalism self-regulation.</p>

2. RULE OF LAW		
2.1. Justice		
<p>Project 2.1.1. Improvement of the penal system in the Criminal Code</p>	<p>To reduce the use of custodial sentences in line with European standards.</p>	<p>The Project aimed to bring the Armenian prison system closer to the European Prison Rules and other European Probation Rules, Recommendations of the Council of Europe and the standards of the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT), the case law of the European Court of Human Rights (ECtHR) and the best European practices.</p> <p>Project objectives were fully in line with the 2012 – 2016 Action Plan for Legal and Judicial Reforms of the Republic of Armenia. Through the course of implementation the Project focused on raising the awareness of alternative sanctions and measures, on the need to extend the use of such sentences and on the importance of establishing a mechanism for supervision of the implementation of non-custodial sentences.</p> <p>The main accomplishments of the project include:</p> <ul style="list-style-type: none"> • recommendations following a fact-finding mission and the development of a needs-assessment report • a qualitative and quantitative survey and a study on re-offending • a study on the cost efficiency of custodial sentences and probation • training seminars for more than 70 judges, prosecutors, lawyers and other professionals on the best European practices in probation; • a conference to raise awareness of the role of alternative sanctions and measures; • two study visits to Council of Europe member States (Romania and Ireland) concerning best practices in the area of probation; • Translation, publication and dissemination of three CoE recommendations on: probation, early release, and electronic monitoring <p>The Project created a solid basis for the new project on the establishment of two pilot probation units in Armenia.</p>
<p>Project 2.1.3. Support for access to justice</p>	<p>To promote the rule of law and human rights in Armenia through the improvement of the 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.</p>	<p>The 39-month EU/CoE Joint Project on “Support for Access to Justice in Armenia” assisted the reform of the justice sector in Armenia through institutional capacity-building, training of legal professionals and provision of legislative assistance.</p> <p>The main accomplishments of the project include:</p> <ol style="list-style-type: none"> a) The establishment of a School of Advocates in Armenia. The School welcomed students for the first semester of 2012 academic year. It will be able to provide training to 120 students per year (60 students per semester). The new premises (currently under renovation) will be able to host more students. In future it is planned to introduce a distance-learning course, which will include study modules over the internet.

		<p>b) The introduction of amendments to the Law on Advocacy which will contribute to a more efficient legal aid system in the country.</p> <p>c) Revision of the Civil Code, the Civil Procedure Code, the Law on Notary, the Judicial Code, and the Criminal Code by leading European and Armenian experts who had an opportunity to exchange ideas and practices through a number of working groups organised within the project.</p> <p>d) The setting up of the Armenian Electronic Notary System (AENIS). The AENIS will provide the Armenian population with an easy online access to information of various State registries. The system aims to increase the security of real estate documents and transactions, protect property rights, decrease the overload of the courts, and enhance the quality of notary services.</p> <p>e) Improved knowledge and capacities of 250 judges and around 1 000 lawyers in the application of European standards and best practices in such areas as bankruptcy and combating corruption, drug trafficking, deontology and professional ethics.</p>
<p>Project 2.1.4. Enhancing judicial reform</p>	<p>To support and enhance the on-going 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.</p>	<p>During the project implementation Armenia 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.</p> <p>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.</p> <p>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.</p> <p>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.</p> <p>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.</p> <p>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”.</p>

		<p>The analysis will serve Armenia as a base line and will benchmark the progress of their reforms <i>vis-à-vis</i> the key issues and recommendations provided by the project:</p> <ul style="list-style-type: none"> • 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. <p>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.</p> <p>An informal multilateral forum of judicial professionals has been created through the work of the targeted Working Groups meetings.</p>
<p>2.2. Threats to the Rule of Law</p>		
<p>Project 2.2.1. Good governance and fight against corruption</p>	<p>To enhance the reform processes in the six partner countries through a multilateral approach and to bring them closer to CoE and EU standards in core areas covered by the Eastern Partnership Platform 1.</p>	<p>As a result of the project, 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 the proceeds of corruption are more likely to be detected and investigated in line with European standards. The capacity to draft adequate regulations on all above topics in line with European standards is 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.</p> <p>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, co-operation with other institutions, implementing sanctions, etc. It aims to serve as a guideline for the future work of the Ethics Commission for High-Ranking Officials of Armenia.</p>

		<p>The capacity of Armenian Ethics commissioners was built up with regard to best practice of verifying declarations and to applying the Manual.</p> <p>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.</p> <p>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 training in Armenia.</p> <p>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.).</p> <p>The following practical and training guidance is available to Armenian experts:</p> <ul style="list-style-type: none"> • 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.
<p>Project 2.2.2. Co-operation against cybercrime</p>	<p>To enhance the reform processes in the six partner countries through a multilateral approach and to bring them closer to CoE and EU standards in core areas covered by the Eastern Partnership Platform 1.</p>	<p>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 <i>Budapest Convention on Cybercrime</i>.</p> <p>The main achievements can be summarised as follows:</p> <ul style="list-style-type: none"> • 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 <i>Budapest Convention on Cybercrime</i>; • Gaps were identified and Armenia was encouraged to undertake legislative reforms;

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| | | <ul style="list-style-type: none">• The possibility was increased for identification and discussion of the main obstacles that prevent effective investigation of cybercrime;• The 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 <i>Budapest Convention on Cybercrime</i>;• More active participation of Armenia in international cybercrime efforts was ensured. <p>The project advised Armenia how to strengthen legislation. Relevant legal provisions were assessed in view of their compliance with international standards, in particular the <i>Budapest Convention on Cybercrime</i>. Gaps were identified and Armenia was encouraged to undertake legislative reforms. Currently, Armenia is assisted in drafting legislative amendments.</p> <p>With the help of the project, a specialised cybercrime department was established under the General Prosecutors' Office of the Republic of Armenia.</p> <p>Armenia has been involved in the development of a <i>Guide on Electronic Evidence</i> under <i>CyberCrime@IPA</i>. The purpose of the guide is to assist in the identification and handling of electronic evidence.</p> <p>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 (<i>CyberCrime@IPA</i>). This facilitated the exchange of experience in the fight against cybercrime between two regions in a cost-effective manner.</p> |
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3. DEMOCRACY		
3.1. Democratic Governance		
<p>Project 3.1.5. Support free and fair elections in the Eastern Partnership countries</p>	<p>To ensure the effective implementation of the principles of the European electoral heritage, relying notably on capacity-building and awareness-raising activities involving both the competent authorities and civil society.</p>	<p>The capacity of the electoral management bodies was enhanced through productive exchanges of views in the framework of thematic seminars.</p> <p>NGOs responsible for domestic election observation became more professional and increased their capacity to draft observation reports.</p> <p>First-time voters aged 15 to 16 increased their knowledge about the role of elections in a democratic process.</p> <p>Women improved their knowledge on democracy and electoral system as well as women's rights.</p> <p>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.</p> <p>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.</p> <p>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.</p> <p>Armenia has now a country report with statistical data on women's 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.</p>

3.2. Sustainable Democratic Societies		
<p>Project 3.2.1. Supporting higher education reform</p>	<p>To reform the higher education system of Armenia, in line with the requirements of the Bologna Process (the European Higher Education Area).</p>	<p>In the course of 2012 expert support was provided for the development of the national qualifications framework of Armenia (two expert missions, a workshop and a report with recommendations).</p> <p>Following the request of the Armenian authorities an expert mission took place in 2012 to examine the possibility of preparing the new <i>Law on Higher Education</i> in Armenia. For the time being, Armenian authorities decided not to proceed with drafting of a new law.</p> <p>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.</p>

APPENDIX II SUMMARY TABLE – COUNCIL OF EUROPE ONGOING PROJECTS IN ARMENIA

Project	Objective	Outcome
<p>Project 1.1.1.</p> <p>Strengthening the application of the European Convention on Human Rights (ECHR) and the case law of the European Court of Human Rights (ECtHR) in Armenia</p>	<p>To strengthen the capacity of the Court of Cassation and Justice Academy as regards the appropriate application of law by lower courts, through improved knowledge of the ECHR and of the case law of the ECtHR.</p>	<p>This Project has been developed to address the needs of the Court of Cassation (CoC) and the Justice Academy to ensure the uniform application of European human rights standards at national level and to enhance knowledge and skills of judges, prosecutors and judicial servants to apply European human rights standards. The major expected result of the project is the establishment of an institute of human rights promotion that will allow judges and legal professionals at all levels to receive timely and up-to-date information on newly codified decisions of the Court of Cassation and judgments from the European Court of Human Rights.</p> <p>Achievements to date include:</p> <ul style="list-style-type: none"> • Translation in Armenian of handbooks on Articles of the ECHR; • 4 training courses on the ECHR have been developed and will be used by the Justice Academy; • Over 30 trainers were trained on application of the ECHR; • A round table on the role of government agent in the ECtHR was organised for 70 participants.
<p>Project 1.1.2.</p> <p>European programme for human rights education for legal professionals (the HELP Programme)</p>	<p>To strengthen the capacity of national training institutions for judges, prosecutors and lawyers to fully integrate the ECHR into initial and continuous training.</p>	<p>The project aims to support member States of the CoE with the implementation of the European Convention on Human Rights (ECHR) at national level, by co-ordinating and improving national and international training activities for legal professionals, enhancing judges, prosecutors and lawyers' capacity to apply the ECHR in their daily work.</p> <p>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.</p> <p>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, and has started to provide adequate information and training about the Convention.</p> <p>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.</p> <p>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 is 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.</p>

<p>Strengthening the independence, professionalism and accountability of the justice system in Armenia</p>		<p>The Project aims to strengthen the independence and professionalism of the Armenian justice system and facilitation of institutional and legislative reforms related to the Armenian judiciary in line with European standards.</p> <p>As a result of Project implementation it is anticipated that:</p> <ul style="list-style-type: none"> • The judiciary can base its decisions on a sound legislative framework in certain key legal areas. (Component 1); • Judicial accountability system and procedures are improved (Component 2); • The training capacities of the Justice Academy and the School of Advocates are enhanced (Component 3). <p>During 2014 the project team became fully operational, and the Project Steering Committee was established. Revision of the Civil Code has started. A team of 16 local experts is working on the draft Code of Administrative Offences. The current process of constitutional reform in Armenia will inevitably affect implementation of the project activities. The project team monitors the reform process and ready to make relevant adjustments and adaptations to the project plan.</p>
<p>Project 2.1.2. Penitentiary reform</p>	<p>Establishment of a comprehensive system of reintegration of formerly incarcerated individuals in social life, improved system of social-psychological work with sentenced individuals.</p>	<p>“Support to the Establishment of Probation Service in Armenia” project aims to introduce a probation service in two pilot regions of Armenia using the Council of Europe standards and best European practices. Specific objectives of the project are:</p> <ul style="list-style-type: none"> • technical support to the establishment of probation service, including introduction of a pilot electronic monitoring system; • training of probation service staff and other related professionals in two pilot regions. <p>The objectives will be achieved through the development of training curricula on probation, organisation of training-for-trainers (ToT) on probation for national trainers from different training institutions and universities, facilitation of follow-up cascade training seminars, including initial, in-depth and in-service training courses, study visits to CoE member States, as well as development of pre-release and post-release re-integration programmes for offenders.</p> <p>The project team and steering committee were established.</p> <p>The first steps towards two pilot projects on probation in Armenia were undertaken:</p> <ul style="list-style-type: none"> • support with the revision of current legislation regarding alternative measures and sanctions, and with draft legislation on probation; • a list of actions for the implementation of probation pilots; • technical specificities for Electronic Monitoring equipment; • the development of a training curriculum on probation for future probation officers.

<p>Support to consolidating local democracy in Armenia</p>	<p>The Council of Europe aims to provide legal expertise, policy advice and support to the process of local self-government reform, including the preparation of the administrative-territorial reform, and to strengthen the capacities of local authorities.</p>	<p>The first component (Support to Local Government Reform) aims to bring Armenian legislation in the field of local self-government in line with European standards. The second component (Capacity-Building of Local Authorities) targets the institutional capacities and service-delivery means of local authorities. And finally the third component (Strengthening Leadership by Local Elected Representatives) aims to improve leadership capacities of local elected representatives and generating a spirit of co-operation among Local Government Units.</p> <p>Achievements to date include:</p> <ol style="list-style-type: none"> 1. Peer reviews on Territorial Administrative reform and financial equalization have been organised, resulting recommendations have been taken on board by Armenian authorities for further developing these key reforms in the field of local self-government. 2. Expertise and assistance were provided for preparing amendments to several key legal acts or drafting new legislation: <ul style="list-style-type: none"> • Draft Amendments to the Law on Administrative and Territorial Division and the Law on Local Self-Government of Armenia • Draft Amendments to the Law on the Election Code of the Republic of Armenia 3. An expert opinion has also been provided on a package of proposals for Constitutional revision of Chapter 7 on Local Self-Government of the Armenian Constitution. The proposals combined suggestions by the Ministry of Territorial Administration of Armenia and associations of local authorities. CoE expertise was a key document for launching debates among concerned stakeholders on possible revision of Article 7. A wide expert discussion was organised on this subject on 1 October 2014 in Yerevan. 4. The Centre of Expertise launched the Best Practice Programme in 2014. About 50 communities throughout Armenia submitted applications for a best practice status covering 3 categories: promotion of citizens' participation, provision of pre-school and extra-curricular education, development of local arts and crafts. Six municipalities were granted Best practice Community status (two in each category) and one municipality (the city of Sevan) was given a special prize for the outstanding initiatives undertaken in promoting citizens' participation in local life. The identified best practices will be widely disseminated and publicised for possible replication by other municipalities. The representatives of winning municipalities were invited to a study tour of the Council of Europe. 5. The Human Resource Management component of the programme resulted in a needs assessment report in 2014. Draft job descriptions, personal specifications and appraisal schemes to comply with existing requirements of Armenian legislation for 3 municipal positions were elaborated as a result of the combined efforts of local and international experts, and pilot municipalities.
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APPENDIX III LIST OF DONORS

1. European Union
2. Denmark
3. Finland
4. Germany
5. Luxembourg
6. Netherlands
7. Norway
8. Switzerland
9. United Kingdom

APPENDIX IV FINANCIAL INFORMATION

Total Action Plan revised budget: **€16.5 million**

Funding Secured: **€12 million**

Table 1: GENERAL BUDGET (in Euro)

Type of project	Funding secured			Total funding secured
	Ordinary Budget*	EU/CoE Joint Programmes	Voluntary Contributions	
TOTAL	925 896	6 724 204	4 364 371	12 014 471

Table 2: BUDGET BY PILLAR (all figures in Euro)

Pillars	Total funding secured
1. Human rights	2 102 000
2. Rule of law	7 296 800
3. Democracy	2 595 671
TOTAL	12 014 471

*Including Council of Europe Ordinary Budget contribution of € 825 896 to the EU/CoE Joint Programmes.