



Council of Europe Action Plan for Armenia 2015-2018

Final Report 1 October 2015 –30 June 2018

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EXECUTIVE SUMMARY

The Action Plan for Armenia 2015-2018 was adopted by the Committee of Ministers (CM) of the Council of Europe at its 1235th meeting on 15-16 September 2015, and was launched on 21 May in Yerevan by the former Minister of Foreign Affairs of the Republic of Armenia, Edward Nalbandian, and the Deputy Secretary General of the Council of Europe, Gabriella Battaini-Dragoni. The mid-term and final Steering Committee Meetings of the Action Plan took place in Yerevan on 23 May 2017 and 12 June 2018 respectively.

A progress review report covering the period from 1st October 2015 until 31 May 2017 was endorsed by the Committee of Ministers at its 1292nd meeting of 6 September 2017. This final report covers the period from 1 October 2015 to 30 June 2018 and presents an overview of cooperation, main results and outstanding issues to date in the context of clearly defined objectives in each of the four agreed priority areas: protecting and promoting human rights, ensuring justice, combatting threats to the rule of law, and promoting democratic governance. Under the Action Plan, Armenia has benefitted from country-specific and regional actions in these strategic priority areas. The report neither aims at providing reflection on the general political, social and economic situation in the country nor detailed information on individual projects.

As indicated in the GR-DEM report on State of implementation of the commitments entered into by Armenia (GR-DEM (2018)2-rev), Armenia has been making constant and sustainable efforts in the honouring of its commitments while engaging constructively in the implementation of this Action Plan. The Council of Europe has accompanied Armenia in undertaking and implementing democratic reforms in compliance with the amended Constitution adopted in December 2015 by referendum. Major developments include: the adoption of the amended Constitution which brings the mechanisms for guaranteeing human rights and fundamental freedoms as well as the structure and the functioning of justice and local governance closer to European standards; a strengthened role and capacity of the Human Rights Defender (HRD) to protect and promote human rights, including as National Preventive Mechanism (NPM); improved professional capacities of the criminal justice actors to monitor and investigate ill-treatment; a strengthened application of human rights in the armed forces; the adoption of a law against domestic violence and the signature of the Istanbul Convention; the adoption of the law on the Constitutional Court largely in line with European standards; the adoption of the Constitutional Law on the Judicial Code and the Law on Prosecution, that laid the ground for enhanced independence and accountability of the Judiciary and the Prosecution Office; an improved legal and institutional framework for alternative dispute resolution mechanisms; the adoption of the law on probation and establishment of the probation service, together with an improved provision of health care in prisons bring the legal and institutional frameworks of the penitentiary system closer to European standards; enhanced capacity to prevent corruption in the higher education system; the adoption of a new Electoral Code and the Law on Political Parties improved the legal and institutional frameworks for the conduct of elections and liberalised the regulations for the establishment and registration of political parties; an enabling legal framework that supports decentralisation and

¹ This document has been classified restricted until examination by the Committee of Ministers.

strengthens governance at local level, including an increased institutional capacity of the Communities of Armenian Associations (CAA) to influence the national policy agenda on local governance and local democracy, and strengthened capacity of the Justice Academy to sustainably build the national capacities to implement the reforms in compliance with human rights standards.

Overall good progress has been made in the implementation of the reforms deriving from the amended Constitution. Further efforts are needed to bring these reforms to a successful completion, including by improving the election process, ensuring an efficient and independent judiciary and an efficient prevention of ill-treatment, building effective local democracy, further advancing the penitentiary reform in line with the European standards and by enhancing the fight against corruption and discrimination.

The new government, in place since 8 May 2018, has expressed its strong commitment to furthering democratic consolidation in the interest of Armenian citizens. In light of the new Government's priorities, underlining, inter alia, the need to combat corruption and improve the electoral process, the current Action Plan remains fully relevant.

The Council of Europe Action Plan for Armenia 2015-2018 received €11 778 728 (72% of the overall budget of €16 447 533). Contributors are (in order of volume): the European Union, Denmark, United Kingdom, Switzerland, Norway, Sweden, the Human Rights Trust Fund, and France.

The level of funding raised for Action Plan for Armenia was significant. The Armenian authorities fully supported the Secretariat in attracting funds for the Action Plan.

The Council of Europe and Armenia have agreed to continue the co-operation to ensure the alignment of national legal and institutional frameworks with European standards as well as practices in order to protect human rights, strengthen the rule of law and promote democratic governance under the third Action Plan.

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LIST OF ACRONYMS AND ABBREVIATIONS

Action Plan	Council of Europe Action Plan for Armenia 2015-2018
CAA	Communities Association of Armenia
CBM	Confidence Building Measures
CEB	Council of Europe Development Bank
CEPEJ	European Commission for the Efficiency of Justice
CETS	Council of Europe Treaties Series
CM	Committee of Ministers of the Council of Europe
Congress	Council of Europe Congress of Local and Regional Authorities
CPT	Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment
EaP	Eastern Partnership
ECHR	European Convention on Human Rights
ECLSG	European Charter for Local Self Government
ECRI	European Commission against Racism and Intolerance
ECtHR	European Court of Human Rights
ESC	European Social Charter (Revised)
EU	European Union
GIZ	German Agency for International Cooperation
GR-DEM	Rapporteur Group on Democracy
GRECO	Group of States against Corruption
GRETA	Group of Experts on Action against Trafficking in Human Beings
HELP	European Programme for Human Rights Education for Legal Professionals
HRC	Council of Europe Commissioner for Human Rights
HRD	Human Rights Defender
HRD Office	Human Rights Defender's Office
Ministry of Defence	MoD
Ministry of Justice	MoJ
MONEYVAL	Committee of Experts on the Evaluation of Anti-Money Laundering Measures and the Financing of Terrorism
NGO	Non-governmental organisation
NPM	National Preventive Mechanism
OB	Ordinary budget
ODIHR	Office for Democratic Institutions and Human Rights
OSCE	Organisation for Security and Co-operation in Europe
PGG ²	Council of Europe-European Union Joint Project Partnership for Good Governance
SDC	Swiss Agency for Development and Cooperation
SIDA	Swedish International Development Cooperation Agency
UN	United Nations
UNDP	United Nations Development Programme
Venice Commission	European Commission for Democracy through Law
VC	Voluntary contribution

² Former Programmatic Cooperation Framework (PCF)

1. INTRODUCTION

1.1 GENERAL OVERVIEW

The Committee of Ministers (CM) adopted the Council of Europe Action Plan for Armenia 2015-2018 at its 1235th meeting on 15-16 September 2015. On 21 May 2016, the former Minister of Foreign Affairs of the Republic of Armenia, Edward Nalbandian, and the Deputy Secretary General of the Council of Europe, Gabriella Battaini-Dragoni, launched the Action Plan in Yerevan.

This report describes the results of the implementation of the Council of Europe Action Plan for Armenia 2015-2018 and covers the period from 1 October 2015 to 30 June 2018³. It describes outcomes at the strategic level and therefore does not provide detailed information regarding the individual projects implemented within the Action Plan.

The Action Plan aims to contribute to overall stability and democracy in Armenia. It, therefore, assists the country in fulfilling its obligations and accession commitments as a Council of Europe member state by bringing legislation, institutions and practice further in line with the Council of Europe standards in the areas of human rights, rule of law and democracy. It is largely built on relevant findings of the Council of Europe monitoring mechanisms and expert advisory bodies. It takes also into consideration the judgments of the European Court of Human Rights (ECtHR) as well as relevant resolutions and recommendations adopted with respect to Armenia by the Committee of Ministers (CM), the Parliamentary Assembly of the Council of Europe (PACE), the Commissioner for Human Rights of the Council of Europe, the European Commission for Democracy through Law (Venice Commission), the European Committee for the Prevention of Torture (CPT) and the Congress of Local and Regional Authorities (Congress). Additionally, the Action Plan builds upon the results and achievements of the previous Action Plan for 2012-2014.

The main beneficiaries of the Council of Europe co-operation with Armenia include state institutions, local authorities and civil society as well as the general public.

The Action Plan aims to bring the legal and institutional frameworks, as well as practice further in line with the Council of Europe standards in the areas of human rights, rule of law and democracy. The Action Plan includes the following sectors for co-operation:

- Protecting and promoting human rights;
- Ensuring justice;
- Combatting threats to the rule of law;
- Promoting democratic governance;

Co-operation between the European Union and Armenia strives to support the country's resilience, security and prosperity built on democracy, human rights and the rule of law. The Action Plan and relevant EU efforts mutually reinforce each other and find a tangible expression in the "Partnership for Good Governance". This Council of Europe-European Union Joint Project is implemented at regional and at country-specific level in the countries of the Eastern Partnership. It assists Armenia in promoting democracy, raising the quality of governance, and ensuring human rights protection and the rule of law.

The Armenia Information Day event, held in Strasbourg on 16th January 2017 at the initiative of the Armenian authorities, provided a good opportunity for national stakeholders to present to the international community the achievements, challenges and needs of the joint cooperation between the Republic of Armenia and the Council of Europe in the framework of the current Action Plan. The event focused on the advancements in the justice and criminal justice sector, the penitentiary, local democracy and the electoral field as well as on the protection of human rights.

Since the adoption of the Action Plan, mid-term and final Steering Committee meetings took place in Yerevan on 23 May 2017 and 12 June 2018 to assess the implementation of the Action Plan. In both meetings, the Council of Europe and the Armenian authorities positively assessed the results of the Action Plan and the Armenian authorities reiterated their commitment to continue the close co-operation with the Organisation within the framework of a third Action Plan. The final Steering Committee meeting in Yerevan included for the first time participants from the civil society.

³ Progress review report 1 October 2015-31 May 2017: [https://search.CouncilofEurope.int/cm/Pages/result_details.aspx?Reference=GR-DEM\(2017\)15](https://search.CouncilofEurope.int/cm/Pages/result_details.aspx?Reference=GR-DEM(2017)15)

The new Government in place since 8 May 2018 has expressed its strong commitment to advancing the democratic consolidation by further bringing legislative and institutional frameworks as well as practices closer to European standards for the benefit of Armenian citizens. In light of the new Government's priorities underlining the need to, inter alia, combat corruption and improve electoral processes, the current Action Plan remains fully relevant.

1.2 OVERALL ASSESSMENT AND MAIN ACHIEVEMENTS

Council of Europe technical assistance programmes form an integral part of the unique strategic triangle of standard-setting, monitoring and co-operation: the development of legally binding standards is linked with their monitoring by independent mechanisms and supplemented by technical co-operation to facilitate their implementation. The Council of Europe actions are developed and implemented in areas where the Council of Europe has strong expertise and added value.

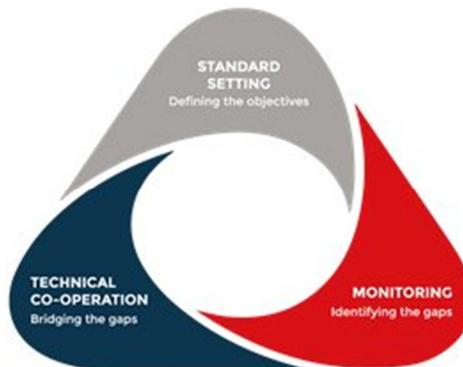


Figure 1: Council of Europe strategic triangle

This report has been prepared using project reports, including from Joint Council of Europe-European Union Partnership for Good Governance (PGG) and evaluation reports, where available.

The amended Constitution, positively assessed by the Venice Commission⁴ as being in line with international standards, was adopted by referendum on 6 December 2015 requiring that a number of constitutional laws be adopted and that changes be made to a significant number of laws. Through the Action Plan, the Council of Europe provided comprehensive technical support and closely co-operated with the Armenian authorities to bring about the necessary reforms. The Armenian authorities have maintained a sustained pace in the adoption of the implementing legislation in compliance with the amended Constitution as well as a constant effort to build the national capacities to implement the reforms under the Council of Europe's guidance. Overall good progress can, therefore, be reported in the implementation of the Action Plan during the period under review.

The overall progress of the Action Plan was good in all four strategic directions which the Council of Europe engaged with: protecting and promoting human rights, ensuring justice, combatting threats to the rule of law and promoting democratic governance. The implementation of the Action Plan brought concrete results, including a significant contribution to the revision and adoption of legislation in line with the amended Constitution and European standards, as well as to the establishment of new institutions and the functioning of existing ones in such fields as elections, the protection of human rights in the armed forces, fight against ill-treatment, probation, health care in prisons, the judiciary, the alternative dispute-resolution mechanisms, prevention of corruption in higher education, decentralisation and local self-governance .

The following are the main results of the implementation of the Action Plan:

Protecting and promoting human rights

- The amended Constitution assessed by the Venice Commission provides a good basis for strengthened protection of human rights and fundamental freedoms, a better balance of powers and a functioning and independent judiciary;

⁴ CDL-AD(2015)037-e and CDL-AD(2015)038-e.

- The Constitutional Law on the Human Rights Defender (HRD) was adopted in December 2016 entrusting the institution with a broadened and robust mandate, including as the National Preventive Mechanism (NPM);
- An improved legal framework and enhanced institutional and professional capacity, including improved capacity of the NPM to monitor places of deprivation of liberty and of the law enforcement bodies to investigate cases of ill-treatment, contribute to preventing and combatting ill-treatment;
- The adoption on, 8th December 2017, of the Law on Prevention of Violence within the Family, Protection of Victims of Violence and Restoration of Peace in the Family together with the signature of the Istanbul Convention mark preliminary steps towards the ratification of the Istanbul Convention;
- The level of protection of human rights in the armed forces was enhanced as a result of an improved legal framework, and of a heightened awareness on the application of human rights standards in the armed forces among military personnel, legal professionals, and the Human Rights Defender's Office (HRD Office). An increased capacity of educational and training institutions to promote human rights standards in the army and that of the Armenian Government to execute the relevant judgments of the ECtHR also contributed to the improved level of protection of human rights within the armed forces;
- The capacity of the Justice Academy to sustainably build national capacities for implementing the reforms in compliance with European human rights standards was strengthened.

Ensuring justice

- The Constitutional Law “Judicial Code” was adopted in February 2018, laying the ground for enhanced independence of the judiciary by introducing improvements in the management and administration of the judiciary, including the establishment of the Supreme Judicial Council;
- A set of legal acts deriving from the Judicial Code were drafted and adopted allowing for the full operation of relevant institutions, including the new law on Mediation, the new Law on the Service at the Judicial Department, amendments and additions to the law on the Justice Academy and the Law on Remuneration of Persons Holding State Positions.
- An improved regulatory framework laid the ground for an enhanced system of judicial accountability as a result of revised Rules of Judicial Conduct and adopted by-laws for the Ethics and Disciplinary Committee of the General Assembly of Judges of Armenia;
- Based on European Commission for the Efficiency of Justice (CEPEJ) methodology a first Court users' satisfaction survey was conducted in 2016 in all Courts providing recommendations that were included in the draft Strategy and Action Plan for Legal and Judicial Reforms for 2018-2023;
- The Civil Procedure Code was adopted in February 2018, introducing several innovative legal regulations, including legal procedures for expedited trials proceedings and small claims procedures enhancing access to justice;
- The adoption of an enabling legal and institutional frameworks together with improved professional capacities allowing for an enhanced application of mediation and arbitration;
- The adoption of the Law on the Constitutional Court marked a positive step towards ensuring the Constitutional Court's role as an effective guardian of the Constitution;
- The Law on the Prosecutor's Office was adopted in November 2017 to meet the provisions of the amended constitution, including by enhancing the recruitment procedures for prosecutors and by strengthening the ethics committee for prosecutors;
- The Law on Probation was adopted in 2016 establishing the State Probation Service in line with European standards and Probation Services were successfully piloted in two regions of Armenia including a trial electronic monitoring system;

- The draft Criminal Procedure Code was improved in line with Council of Europe recommendations;
- The provision of health care in prisons was enhanced as a result of legislative, institutional and professional improvements, including the establishment in March 2018 of the “Penitentiary Medicine Center State” a State-Non Profit Organisation, a major step towards ensuring the professional independence of prison medical personnel.

Combatting threats to the rule of law

- The new draft Law on Higher Education improves the legal framework for preventing and combatting corruption in this sector;
- In compliance with this draft law, prevention and integrity mechanisms to prevent and combat corruption in higher education governance were, totally or partially, developed and implemented by 15 piloted High Education Institutions (HEIs) laying a sound ground for improving the quality of education through improved integrity, transparency and accountability in the governance system of the HEIs;
- The national institutions benefited from the results of the corruption risk assessments undertaken in the health and public procurement sectors;
- The capacity to address cybercrime through a structured public/private co-operation was enhanced following the conclusion of a co-operation agreement with private service providers and capacities for international cooperation on cybercrime electronic evidence through mutual legal assistance and 24/7 points of contact were strengthened.

Democratic governance

- The revised Electoral Code was adopted in October 2016, improving the legal and institutional framework for the conduct of elections;
- Improved capacities of domestic observers to monitor the elections;
- The Constitutional Law on Political Parties was adopted in 2016, liberalising the regulations for the establishment, registration and activities of parties in Armenia;
- The adoption of the Law on Financial Equalisation in October 2016, the Laws on Local Self-Government and on Local Duties and Fees in December 2016 and the law on Inter-Community-Unions facilitated improving governance at local level and furthering the decentralisation process;
- Due to high interest, local Finance Benchmarking (LFB) was introduced in 20 municipalities, instead of the initially planned four-five. This contributed to reinforcing the capacities for local development based on transparent budget management;
- Increased knowledge sharing and networking on local democracy and ethical standards and strengthened regional co-operation through discussion platforms and the implementation of 7 local initiatives on transparency and citizen participation; The Communities Association of Armenia has enhanced its institutional capacity to represent and promote its members’ interest, to facilitate its participation in the local self-government reform in line with Congress recommendation 351(2014)⁵ becoming, thereby, an active stakeholder in the national governance system influencing the national policy agenda on local governance and local democracy.

⁵ The Recommendation 351(2014) on local democracy in Armenia was adopted by the Congress on 26th March 2014 calling for actions to implement the provisions of the European Charter of Local-Self Government and its additional protocol on the right to participate in the affairs of a local Authority.

2. SECTOR REVIEW

2.1. PROTECTING AND PROMOTING HUMAN RIGHTS

2.1.1. EFFECTIVE IMPLEMENTATION OF EUROPEAN HUMAN RIGHTS STANDARDS AT NATIONAL LEVEL

Some progress is noticeable in strengthening the application of European human rights standards in the armed forces, which led to an increased level of protection of human rights in the armed forces.

Regarding the legislative field, a milestone was achieved with the adoption of the first two new basic military laws, partly in force since December 2017 and fully effective since April 2018, that partially or fully addressed several significant recommendations (8 out of 15) stemming from the needs assessment reports conducted by the Council of Europe to assess the compliance of Armenian military legislation with European standards⁶.

Human rights awareness among the members of the military and military prosecutors, legal professionals and the public in general increased as a result of a wide dissemination of the key Council of Europe documents on human rights in the armed forces. A compilation of the relevant Council of Europe's leading texts⁷ was made available electronically for public use on the Council of Europe webpage, and 1000 hard copies were distributed to the Ministry of Defense (MoD), the National Assembly, military investigators, military prosecutors, the Human Rights Defender's (HRD) staff and civil society.

A chapter on human rights in the armed forces for a textbook on initial military preparation for secondary school students of 11th -12th grade was drafted with Council of Europe guidance and is expected to raise awareness among right holders at an early stage.

The capacity of the staff of the MoD and of the Human Rights Defender's Office (HRD Office) to apply European human rights standards in the armed office and to effectively investigate cases of ill-treatment, prevent, and address them were enhanced as a result of a number of capacity building activities. The military prosecution and investigative authorities and members of the HRD Expert Council on Human Rights of Military Servicepersons acquired a better knowledge regarding the standards set in the ECtHR case law with respect to the rights of military servicepersons and the protection of their rights in criminal proceedings.

A study visit to Strasbourg allowed representatives of the MoD, the HRD Office, the military prosecution and investigation to, inter alia, raise their capacity as regards standards of effective investigation of cases of ill-treatment.

Furthermore, the capacity of the Government to execute ECtHR judgments⁸ regarding ill-treatment (in particular military-related cases such as *Zalyan and others v. Armenia* and *Muradyan v. Armenia*) and the right to liberty and security was enhanced following a high-level Council of Europe-Armenia colloquy.

The human rights curriculum for cadets of the Armenian military universities⁹ was revised and updated with the assistance of the Council of Europe bringing the educational programme for professional military personnel closer to the relevant European standards.

With a view to enhancing the capacity of the MoD to monitor, identify and address human rights issues in the army and to improve the overall level of military servicepersons' human rights knowledge, the Council of Europe provided recommendations on improvement of the MoJ hotline and raising awareness of future conscripts on human rights in the military sphere.

⁶ The adopted recommendations refer to the need to increase the democratic control over the call-up process, to provide separate and more precise regulations for the functioning of call-up commissions and to detail the rights and obligations of conscripts as well as to place more proportionate limitations on the military servicepersons' human rights and fundamental freedoms.

⁷ Including Recommendation CM/Rec(2010)4 of the Committee of Ministers to member states on human rights of members of the armed forces, 24 February 2010 and the ECtHR case law on the Article 15 of the ECHR (derogation in time of emergency).

⁸ Within the framework of the project, the Council of Europe provides support to the Armenian authorities in implementing their Action Plan on the execution of the European Court of Human Rights judgment in the case of *Muradyan v. Armenia* (no.11275/07, 24 November 2016) submitted by the Authorities on 24 August 2017, that contains, inter alia, a set of general measures aimed at combating ill-treatment and improving the effectiveness of investigation into non-combat deaths in the armed forces, an important objective of the project.

⁹ The Military University after V. Sargsyan and the Military Aviation University after A. Khanperiyants

The Action Plan included the following priorities for protecting and promoting human rights and freedoms for which no funding was available:

- strengthening the application of the ECHR and the case law of the ECtHR at national level, including translation of key ECtHR judgments into Armenian;
- harmonising the application of human rights standards, including social rights, by the Armenian judiciary; strengthening respect of social rights in Armenia in line with the provisions of the revised European Social Charter;
- strengthening the capacity of lawyers to understand and apply European human rights standards, including social rights.

2.1.2. SUPPORTING CRIMINAL JUSTICE REFORM AND COMBATting ILL-TREATMENT AND IMPUNITY

During the period under review, the Council of Europe provided extensive support with a view to bringing criminal legislation in line with European standards, and to ensure the translation of ECtHR judgments into the Armenian legal system. Work in this priority area resulted in the preparation and adoption of key legislation and in increased capacity of a significant number of actors responsible for implementing new legislation and approaches.

The Council of Europe provided comprehensive expert opinions on the draft Criminal Code and a comprehensive legal opinion on the draft Criminal Procedure Code. The alignment of criminal legislation with European human rights standards is fundamental for the implementation by Armenia of the relevant ECtHR judgements, including on ill-treatment ([Virabyan group of cases](#)).

It also contributed to the harmonisation of the draft constitutional Law on the HRD adopted in December 2016 in line with the recommendations of the Venice Commission. The new law entrusted the HRD Office with a mandate as National Preventive Mechanism (NPM)¹⁰ in line with the Optional Protocol to the United Nations Convention against Torture (UN OPCAT) allowing the visit and monitoring of any place of deprivation of liberty under the authority of the state, including the monitoring of children's care institutions.

The adoption of the Law on the Prosecutor's Office that benefitted from the Council of Europe expertise marked another step forward in bringing the criminal justice system in line with the Council of Europe standards and the amended Constitution.

Council of Europe legal assistance was accompanied by extensive knowledge-transfer and skills- building among the criminal justice stakeholders and the relevant training institution that contributed to improving national capacities to fight ill-treatment, torture and impunity. During the reporting period, 79 investigator candidates and 500 investigators of the Investigative Committee and Special Investigative Service increased their capacity to apply European human rights standards in cases of alleged torture and ill-treatment¹¹. The impact of these capacity building interventions is evidenced by the fact that, according to the evaluation carried out 6 months after the trainings, 85% of the investigators of the Investigative Committee indicate that they apply the knowledge and use training materials in investigating criminal cases. In the same vein, 55% of the respondents from the Special Investigative Service use the knowledge and training materials developed¹² when investigating torture and ill-treatment cases. 59% use the knowledge and training materials in investigating other type of cases in their own assessment.

¹⁰ Guarantees are provided for the Defenders' access, as the NPM, to all private and public institutions where persons are held against their will, included "semi closed institutions". Denial of access is a criminal offence according to the provision of the new law.

¹¹ They increased their knowledge on international and national standards relating to the right to life, prohibition of torture and inhuman or degrading treatment, arbitrary deprivation of liberty as well as on the procedural limb of these fundamental rights.

¹² Including the manual on apprehension, arrest and detention.

The Council of Europe co-operated with the HRD Office to increase the capacity of its staff and that of the representatives of nine relevant non-governmental organisations (NGO) that are working with the NPM to monitor places of detention and places of deprivation of liberty through targeted trainings¹³. The reinforced skills of the NPM members led to more efficient monitoring, as shown in the 2017 Annual Report of the National Preventive Mechanism¹⁴.

The Council of Europe assisted the Justice Academy in establishing itself as a credible partner in providing quality training for legal professionals, including the investigation of ill-treatment. The Justice Academy is now equipped with a quality human rights curriculum for investigators that became an integral part of its training programme in criminal justice¹⁵. Based on the new curriculum, 22 specialised instructors were trained as trainers to teach effective investigation techniques against ill-treatment to peers, ensuring, therefore, sustainability. As from 2016 investigators have been benefiting from a systemic human rights training thanks to the significantly higher capacity of the Academy in providing quality training in criminal justice.

2.1.3. GENDER EQUALITY, COMBATting VIOLENCE AGAINST WOMEN AND DOMESTIC VIOLENCE, FIGHT AGAINST DISCRIMINATION

The Council of Europe assisted the authorities in better complying with the standards of the Convention on Preventing and Combating Violence against Women and Domestic Violence (Istanbul Convention) through legal expertise, capacity building and awareness raising activities.

The adoption of the Law on Prevention of Violence within the Family, Protection of Victims of Violence and Restoration of Peace in the Family on 8 December 2017, together with the signature of the Istanbul Convention in January 2018 marked the first steps towards its ratification, underscoring the commitment of the authorities to address domestic violence. The law provides for criminal and administrative liability for cases defined as domestic violence and obliges the State to create and run shelters for female victims of domestic violence. The Council of Europe contributed to the national Working Group on the draft law with a gap analysis of the Armenian Criminal Code vis à vis the Istanbul Convention requirements, jointly prepared with the HRD Office.

The strengthened capacities of the HRD Office to deal with cases of domestic violence and of violence against women with a gender sensitive and human rights based approach, the institution's enhanced public role as an advocate to combat violence against women and domestic violence, the increased awareness among the general public on violence against women issues as well as the enhanced level of awareness of the Istanbul Convention among relevant stakeholders (public authorities, parliamentarians, media, civil society, the HRD Office) are other concrete preliminary results building a good foundation for the process of ratification of the Istanbul Convention. The Council of Europe contributed to these results through targeted support that included, among other actions, a tailor-made training for the HRD Office staff¹⁶ and Non-Governmental Organisations (NGOs), the distribution of Armenian language copies of the Istanbul Convention and promotional materials at various events and a peer-to-peer exchange between the Public Defender of Georgia and the HRD of Armenia which was held in Tbilisi in November 2016.

With a view to supporting the implementation of the new Armenian law on domestic violence, the Council of Europe launched, in April 2018, a new action focused on strengthening the capacity of key stakeholders, including legal and law enforcement professionals¹⁷ involved in preventing and combatting violence against women and domestic violence. By 30 June no tangible results can be reported owing to the short period of implementation¹⁸.

¹³ Focused on issues related to health care in closed institutions, the special needs of female and juvenile inmates, on interviewing and reporting methodology and on international standards on "Isolation of persons deprived of liberty".

¹⁴ http://www.ombuds.am/images/NPM-zekuyc-2017-final_1.pdf

¹⁵ The curriculum is composed of five comprehensive modules with manuals developed, respectively on: (1) general criminal investigative methodology, (2) investigations of alleged torture and ill-treatment, (3) investigations involving vulnerable victims/witnesses and suspects, (4) investigation of cases pertaining to pre-trial detention and (5) admissibility of evidence in criminal proceedings.

¹⁶ 20 participants were trained in the first session and 18 in the second. These trainings resulted in strengthened working relations between the HRD office and the NGOs.

¹⁷ Legal professionals are expected to increase their knowledge on how to place the victim and her needs at the center of their actions while law enforcement professionals will enhance their knowledge on violence against women and domestic violence through targeted trainings, the development of a practical handbook for police officers and the dissemination of the relevant standards.

¹⁸ The project was at the inception phase by 30th of June.

Together with other countries of the region, Armenia worked on promoting women's access to justice and the application of standards established by the ECHR, the revised European Social Charter, the Convention on Action against Trafficking in Human Beings and the Istanbul Convention.

The following tangible results within the corresponding PGG project were achieved:

- Country-specific recommendations were formulated on specific legal, procedural, socio-economic and cultural obstacles to women's access to justice, including in the field of data collection and training of legal professionals. The recommendations as regards Armenia proved to be key incentives for developing action plans for judicial training on women's equal access to justice.
- The ability of judges, prosecutors and other legal professionals to include a gender-sensitive approach in their work has improved as a result of the implementation of two national training seminars using the *Training Manual for Judges and Prosecutors on Ensuring Women's Access to Justice* developed in partnership with the Justice Academy¹⁹. These trainings have contributed to strengthening the legal professionals' roles in supporting equal access to legal protection and remedies for women. During the trainings a strong emphasis was placed on the case law of the ECtHR dealing with cases of violence against women, trafficking in human beings and gender stereotyping and on the relevant standards of Istanbul Convention;
- Curriculum programmes based on the *Training Manual for Judges and Prosecutors on Ensuring Women's Access to Justice* were integrated in the initial and continuous training for judges and prosecutors of the Justice Academy.

2.1.4. STRENGTHENING FREEDOM OF EXPRESSION/MEDIA

The PACE provided a platform for an exchange of views between members of parliaments from the countries of the Eastern Partnership (EaP) in order to encourage peer-to-peer parliamentary dialogue focused on evaluating strategies for ensuring media freedom, transparency and access of political parties and candidates to the media.

Through the corresponding regional PGG project, the council of Europe promoted professional and responsible journalism by assisting the national media self-regulatory body (the Media Ethics Observatory) in strengthening its professional skills and institutional capacities to promote journalists' ethical standards, including through tailor-made trainings. The capacity to protect and promote media professional standards of the Armenian self-regulatory body, was strengthened through its participation in the meetings and work of the EaP network of self-regulatory bodies²⁰ and in the first cross border journalistic ethics complaints commission. As a prominent outcome of the regional PGG project, a Cross-Border Complaint Advisory Commission was established by the members of the self-regulatory bodies of EaP countries to combat political propaganda in the media. The Commission enables interested parties to file a complaint against alleged poor media reporting and unethical behaviour of journalists and media outlets. To date, the Commission has received five complaints concerning publication allegedly disseminating hate speech, racism and xenophobia and has started their examination in order to issue specific recommendations to the media to address unprofessional behaviour. The Council of Europe supported Commission members in raising their capacities to adjudicate on allegations of poor media reporting in line with European standards and principles on freedom of expression and ethical journalism.

In order to promote professional and independent media coverage of elections, support was provided to the local media NGO Yerevan Press Club²¹ in carrying out the monitoring of media coverage of the April 2017 Parliamentary elections and the constitutional referendum of December 2015.

¹⁹ 40 judges and prosecutors enhanced their capacities to ensure equal access of women to justice through their daily practice.

²⁰ Established by the Council of Europe in October 2011, the network includes the self-regulatory bodies from six EaP countries and from the Russian Federation

²¹ It also acts as a Secretariat of the Armenian self-regulatory body.

2.1.5. DATA PROTECTION

The Council of Europe assisted²² the Armenian authorities in bringing the national legal framework on data protection closer to the Convention for the Protection of Individuals with regard to Automatic Processing of Personal Data and its Additional Protocol and in strengthening the capacity of the Data Protection Authority. Nonetheless, the lack of full independence of the Data Protection Authority, which was identified as a major shortcoming of Armenia's 2015 law on personal data protection, remains a challenge, its independence and operational functioning continues to require enhancement. To address these concerns, Armenia drew up, with Council of Europe support, the Data Protection Strategy 2017 – 2021 to provide a roadmap for the effective implementation of the data protection law and the strengthening of the data protection authority's capacity.

In the framework of the Programme for Good Governance, the Armenian Data Protection Authority also benefitted from regional activities aimed at facilitating exchanges of best-practices and enhancing cooperation between several data protection authorities.

2.2 ENSURING JUSTICE

2.2.1. CONSTITUTIONAL REFORM

The process of amending the Constitution benefitted from six Opinions from the Venice Commission. The amended Constitution adopted by Referendum on 6 December 2015 changed the political semi-presidential regime to a parliamentary one. The Venice Commission positively assessed the amended Constitution²³ as providing a good basis for a strengthened protection of human rights and fundamental freedoms, for an improved balance of powers and for a better functioning and independent judiciary. The implementation of the amended Constitution required that a number of constitutional laws be, thereafter, adopted and that changes be made in hundreds of laws related, inter alia, to the appointment and tenure of judges, the composition and functions of the Supreme Judicial Council, former Council of Justice, the appointment of the presidents of courts and the limitation of their mandate.

The Law on the Constitutional Court was adopted largely in line with Venice Commission's recommendations²⁴. In its Opinion²⁵ the Venice Commission welcomed the law as a positive step towards ensuring the Constitutional Court's role as an effective guardian of the fundamental law. It, nonetheless, recommended that certain provisions be further clarified, especially those related to the appointment of Constitutional Court judges, the power of the Chairperson, judges criminal liability and the publication of the constitutional Court's Decisions.

The capacity of the Constitutional Court of Armenia to issue judgments in compliance with the European constitutional heritage was enhanced through a regional project in the framework of the PGG. It encouraged peer networking among constitutional courts and the upgrading of the CODICES database²⁶ which was equipped with a new search parameter facilitating the search for relevant case-law of Eastern Partnership countries. The database contributes to ensuring the transfer of knowledge and the easy consultation of constitutional judgments, in particular among Council of Europe member states.

2.2.2. JUDICIAL REFORM

Another objective of the Action Plan is to support the reform of the judiciary in order to enhance the independence, professionalism and accountability of the justice system and the effectiveness of judicial proceedings and access to justice.

The Council of Europe co-operated with the Armenian authorities in drafting the Concept paper and the new Judicial Code deriving from the 2015 amended Constitution through extensive expert and technical support. The adoption of the Judicial Code, welcomed by the Venice Commission as generally compatible with European standards and best practices²⁷ marked a major step towards enhancing the independence of the judiciary. It is expected to contribute to increasing public trust in the judiciary as a result of, inter alia, the establishment of the Judicial Supreme Council (JSC) as an independent self-governing body that lies at the

²² Two assessments of the compatibility of the provisions of the Armenian Data Protection Law with the relevant Council of Europe standards – mainly the Convention for the Protection of Individuals with regard to Automatic Processing of Personal Data and its Additional Protocol were provided-as well as a Data Protection Strategy 2017-2021.

²³ CDL-AD(2014)037-e and CDL-AD(2015)038-e

²⁴ CDL(2017)021-e

²⁵ CDL-AD(2017)011-e

²⁶ The CODICES data base was migrated to a new server and a new special search parameter was added to it.

²⁷ CDL-AD(2017)019-e

core of the reform²⁸. Some concerns expressed by the Venice Commission should be further addressed, including the need to define how the results of the written qualification exam are accounted in the recruitment process, to more precisely define “the conduct and duties of judges”²⁹ and to provide for an effective appeal in a court law against disciplinary decisions of the JSC.

In addition to the Judicial Code itself, the Council of Europe directly contributed to the improvement of several other legal frameworks in the field of judiciary, in particular by drafting a new Civil Procedure Code, which, among other revisions, introduced legal procedures for expedited trial proceedings, small claims procedures and other innovative provisions that may reduce the backlog of cases; by drafting a new Code of Administrative Offences, which will replace the current Code, effective since Soviet times; by drafting a new Law on Mediation, a new law on the Service at the Judicial Department and amendments to the Laws on the Justice Academy and the Law on Remuneration of Persons Holding State Positions. All these legal acts were adopted by the National Assembly of Armenia in 2018 except for the Code of Administrative offences which was called back from the Parliament in June 2018 for making additional revisions. Furthermore, the revisions made to the Civil Code with the Council of Europe’s support ensured its improved compliance with the Council of Europe standards and best practices of its member states. The judges examining civil cases were trained on the new Civil Procedure Code

Council of Europe intervention contributed to an improved system of accountability of the judiciary. This has been achieved through the development of a revised version of the Rules of Judicial Conduct and the by-laws of the newly established Ethics and Disciplinary Committee of the General Assembly of Judges of Armenia (adopted by the General Meeting of Judges of Armenia on 19 February 2016) as well as of the by-laws of the Judicial Evaluation Committee of the General Meeting of Judges of Armenia (adopted by the General Meeting of Judges of Armenia on 5 March 2015).

In addition to legal support in this area, the Council of Europe raised the knowledge concerning judicial accountability and disciplinary liability of the members of the Ethics and Disciplinary Committee of the General Assembly of Judges and familiarised them with the recommendations of the Group of States against Corruption (GRECO) on ethical standards. Capacities of the committee members were built to apply the minimum standards necessary for ensuring its effective and transparent work in their day-to day work.

Through the classification and publication of all decisions of the Constitutional Court of Armenia passed from 1996 to 2016 and of the decisions of the Civil and Administrative Chamber of the Court of Cassation passed in 2016, the Council of Europe contributed to an enhanced consistency of domestic case law which is a prerequisite of legal certainty..

A Court Users’ Satisfaction Survey was conducted in Armenia for the first time in all courts of all instances by using the methodology of the European Commission for the Efficiency of Justice (CEPEJ). Recommendations on the reduction of the workload of judges, the case management procedure and the system of judicial accountability resulting from the survey were included in the draft Strategy and Action Plan for Legal and Judicial Reforms for 2018-2023 by the Ministry of Justice (MoJ). The adoption of these recommendations in the new draft Strategy and related Action Plan laid a good foundation for improving access to justice.

With gender mainstreaming in the judiciary in mind, the Council of Europe supported the Women’s Judges Section at the Association of Judges. This group intends to raise the profile of women judges in the administration of justice, as well as to enhance the judicial responses to cases involving the rights of women and access to justice by women and vulnerable groups.

²⁸ The SJC is comprised of five judges elected by their peers and five prominent lawyers elected by the Parliament by the 3/5 of the votes. The SJC will be responsible for nominating candidates for judicial appointments and promotions. It will also give consent to the criminal prosecution of a judge and will be entitled to impose disciplinary liability on a judge; it will also have a competence to terminate their powers.

²⁹ As this can be the basis for disciplinary proceedings.

In the context of its support to the judicial reform, the Council of Europe sought to develop the capacity of the Chamber of Advocates to protect their members from possible instances of persecution, improper restrictions and alleged infringements. Some preliminary results were achieved in that field as the Board Members of the Chamber of Advocates of Armenia, as well as selected lawyers and the leadership of the Courts Marshal' Service improved their knowledge on Council of Europe standards on search and seizure of lawyers through the exchange of best practices of member states and are expected to apply the gained knowledge during their day to day work.³⁰

With a view to promoting alternative dispute resolution mechanisms, the Council of Europe assisted in the establishment of an enabling legal and institutional framework³¹ that resulted in the adoption of a new law on Mediation, the introduction of the court-annexed Mediation Institute in Armenia in 2016 and the establishment in December 2016 of the Self-Governing Organisation of Mediators of Armenia. This enabling framework led also to the amendment of the law on arbitration allowing for a broadened scope for the application of arbitration³² and to the establishment of the Association of Arbitrators of Armenia in 2017.

The Council of Europe supported the Armenian authorities in raising the capacities of mediators, judiciary representatives and practicing lawyers in applying mediation and in implementing a pilot initiative as a result of which a total of eight cases were solved through mediation in 2016, while in March 2018 as a results of 8 day long pilot project on mediation four cases were settled and 18 cases were pending settlement.

In addition, the Council of Europe assisted the mediators' self-governing body³³ in becoming fully operational by developing its main internal documents. They include Ethics Rules, the Procedure for conducting Mediation, as well as the Strategic and Communication Plan together with their respective Action Plans.

In October 2016 the first Arbitration Days in Armenia were conducted. Representatives of local institutions exchanged information and experience with international experts and arbitrators working in other Council of Europe member states. The establishment of the Association of Arbitrators of Armenia under Council of Europe guidance was a significant milestone. It allows the arbitration community to participate in policy shaping at an institutional level. Enhanced professional capacities and practical skills of 14 arbitrators, including five women, through the relevant training will further raise the quality of the arbitration process and thus the confidence of businesses in arbitration in Armenia.

2.2.3. PENITENTIARY REFORM

The Council of Europe and the Ministry of Justice (MoJ) co-operated in improving the detention conditions in prisons by strengthening the health care services and enhancing the protection of human rights in Armenian prisons. Significant legal, policy and institutional milestones were set in this respect:

- On 19 January 2017, the Government adopted a concept paper on "Upgrading the medical services in the prison system" prepared with the Council of Europe's expertise. It addresses, among other issues, the need to strengthen the institutional independence of prison health care services and to raise the qualification requirements for medical prison staff;
- The adoption of two legislative amendments based on the recommendations of the concept paper contributed to the improvement of the legal framework for prison health care;

³⁰ A major international conference was organised for that purpose in March 2018 for and with the Armenian advocates and lawyers from six other Council of Europe member states in the area of search and seizure of advocates, ethics of advocates, data protection, with the participation of the Deputy President of the Consultative Council of the Bars of Europe (CCBE).

³¹ The Council of Europe supported the drafting of amendments on a number of associated codes and laws for the introduction of the court-annexed mediation institute, the drafting of amendments to the Law on Commercial Arbitration that entered into force in 2015, supported the final revision of the Judicial Code as well as the drafting of the new law on Mediation and the new Civil Procedure Code.

³² New areas include employment and the right of consumers.

³³ The Self-Governing Organisation of Mediators of Armenia (SGOMA).

- A major step towards the professional independence³⁴ of prison medical staff in line with international standards was the establishment of the “Penitentiary Medicine Centre”, a State Non-Profit Organisation, on 1 March 2018;
- The special needs of vulnerable groups such as women, juvenile and life-sentenced prisoners in terms of health care provision were addressed with the drafting of guidelines on healthcare rights of detainees and convicts;
- The dissemination of 1.500 copies of these guidelines in Armenian prisons has also raised awareness of prisoners’ health care rights, which in turn contributes to decreasing human rights violations in this area;
- Tangible improvements were achieved in the material conditions of primary health care units in 11 prisons as the result of the provision of a significant amount of missing medical equipment and furniture. In-house knowledge was built on how to use and maintain the equipment;
- The capacity of the prison system to enhance the protection of the right to health care of prison inmates in line with European standards was strengthened through extensive training of medical and non-medical staff (800) that resulted in increased knowledge and improved ability and skills to apply Medical Ethics and Health Prevention/Promotion in prisons. The inclusion of these two training modules in the syllabus and official training programme of the Legal Education and Rehabilitation Programs’ Implementation Center of the MoJ, together with the creation of a pool of 33 local trainers, will secure the sustainability of the results;
- Mental health of inmates was addressed by enhancing the capacity of prison psychologists to apply modern psychological approaches and methods at penitentiary institutions.

2.2.4. PROBATION

The Council of Europe’s technical support resulted in the adoption in May 2016 of the Law on Probation and in the establishment of the State Probation Service in line with European standards. Its adoption and its gradual entry into force in 2017-2018 marked the creation of a separate de-militarised institution³⁵, replacing the Alternative Sanctions Department (ASD) of the Ministry of Justice (MoJ).

Probation services were successfully piloted in two regions of Armenia³⁶ (including a trial electronic monitoring system)³⁷. The Organisation assisted in increasing the basic skills of the future probation service staff and in raising awareness of legal professionals on the application of non-custodial sanctions and measures, and on the functioning of probation through their participation in the relevant trainings and the development of training curricula.

In addition, the operation of the Probation Service was further enhanced with the provision of material support (electronic monitoring and office equipment) and of technical expertise (risk assessment tool, pre- and post-reintegration programmes).

³⁴ The new Penitentiary Medicine Center has been established as a separate autonomous institution under the MoJ with its own budget, administration and staff which ensures the professional independence of prison medical personnel that will no longer report to the prison Administration.

³⁵ While probation staff was considered as military personnel under the old system, they have become civil public servants following the establishment of the Probation Service.

³⁶ In the Shengavit district of Yerevan and in Vanadzor

³⁷ The Council of Europe supported the renting of electronic monitoring equipment for 25 prisoners which was further piloted on 7 convicts.

2.3 COMBATting THREATS TO THE RULE OF LAW

2.3.1. FIGHTING CORRUPTION AND MONEY LAUNDERING

The Council of Europe and the Armenian authorities co-operated to combat corruption in higher education – as set out in the National Anti-corruption Strategy and Action Plan of 2015 – by leading a participatory change process that included the Ministry of Education and Science, 20 Armenian universities, more than 400 academic staff and students and civil society including media organisations. The Council of Europe's assistance to bring the legal and institutional integrity framework for High Education Institutions (HEI) closer to European standards led to the following milestones laying a sound ground for improving the quality of education for Armenian citizens by addressing corruption and poor governance:

- The new draft Law on Higher Education improved the legal framework in line with the Council of Europe recommendations, including public disclosures on the governance of the HEIs through the submission of regular reports as well as the adoption and implementation of codes of ethics and related policies by the HEIs;
- Integrity mechanisms in line with the new draft Law on Higher Education were developed. They include model codes of ethics for students, academic staff and managers of HEIs, an online reporting platform enhancing transparency and accountability in the governance of HEIs, as well as three toolkits aimed at ensuring transparency and accountability in higher education governance, human resource management, student assessment and curriculum development;
- Six out of 15 pilot HEIs finalised the development of their code of ethics and other related key policy documents; three universities officially approved their integrity policies and other universities are following the same path. As a step towards increasing transparency and accountability in HEIs' governance, 15 pilot universities published their annual institutional reports for the first time via the ETAG online reporting platform³⁸ focusing on the transparency of procedures in the six key areas of university governance which facilitates the institutional inspection process;
- Heightened awareness of the different forms, as well as the costs and risks associated with corruption in higher education has been achieved. In medium term, this has the potential to bring about positive changes in the perception and attitudes regarding corruption. The level of tolerance of violations of public integrity standards in HEI will thus be reduced.

In the framework of the Programme for Good Governance (PGGII), – Good Governance against Economic Crime, and more precisely the regional intervention, the national institutions benefited from the analysis of two corruption risk assessments: 1) health and 2) public procurement sector. They allowed the competent authorities to identify vulnerabilities and the lack of control mechanisms which entailed potential corruption risks. Both risks assessments provide recommendations on how to strengthen the policy and institutional frameworks to address corruption risks in both sectors, laying the ground for enhanced institutional capacities to shape an evidence-based policy for preventing and combatting corruption in both public sectors.

Furthermore, the development of an anti-corruption training programme for civil servants, law enforcement and justice sector officials contributed to enhancing the national capacities to prevent corruption in the public sector.

³⁸ Enhancing Transparency and Accountability in Governance (<https://etag.emis.am>)

2.3.2. FIGHTING CYBERCRIME

Armenia is a Contracting Party to the Council of Europe Convention on Cybercrime (Budapest Convention). The Council of Europe assisted the Armenian authorities through legal expertise, technical assistance and capacity building activities in strengthening the national capacities to efficiently address cybercrime and access to electronic evidence by enhancing international and private/public co-operation.

No significant development is to be reported on the harmonisation of the domestic legal framework with the Budapest Convention. Upon its request, the Council of Europe assisted the MoJ in reviewing the draft Law on International Cooperation in Criminal Matters, and submitted a legal expertise and recommendations on provisions concerning procedural powers related to cybercrime and on electronic evidence for the draft Code on Criminal Procedure.

The Council of Europe supported both the mutual legal assistance authorities and the 24/7 point of contact unit in Armenia to efficiently address cybercrime via an increased international co-operation through the participation of the Armenian country team in regional fora³⁹ that provided a good opportunity for peer networking and for enhancing the knowledge on the development of standards related to international co-operation and cybercrime/electronic evidence. Armenian criminal justice officials increased their knowledge on international co-operation, including co-operation with multinational service providers, through specialised training developed as a part of the regional Training Programme on International Cooperation. As a concrete follow-up to the training, entries from Armenia to online tools created under the guidance of the PGG on international and public-private co-operation on cybercrime and electronic evidence were updated.

In addition, regional meetings under the project allowed Armenian country team members to contribute to the development of standard templates for data-related requests in cross-border criminal investigations. The authorities of Armenia were provided with a set of 13 recommendations aimed at improving the work and capacities of the 24/7 point of contact in the country. The recommendations have yet to be implemented.

In the framework of the PGG, Armenia benefitted from both regional and in-country activities aimed at establishing and strengthening public-private partnerships with a view to more effective access to evidence held by Internet service providers. The conclusion of a co-operation agreement with private service providers, that is being effectively implemented, has contributed to enhancing the capacity of the relevant authorities to address cybercrime through structured public/private co-operation. The regional and international exchanges (led by a variety of players such as Cybercrime Convention Committee, EuroDIG, civil society organisations and others) helped to establish dialogue while encouraging common practices and methods in accessing required data expeditiously.

2.4 PROMOTING DEMOCRATIC GOVERNANCE

2.4.1. FREE AND FAIR ELECTIONS

The Council of Europe and the Armenian authorities co-operated to bring the electoral legislation and process closer to the European Electoral Heritage defined in the “Code of Good Practice in Electoral Matters” adopted by the Venice Commission in 2002.

The new Electoral Code, adopted in June 2016 and subsequently amended at the end of June 2016 and in September 2016, was welcomed by the Venice Commission as forming a good basis for democratic elections⁴⁰. The new Electoral Code as revised by September 2016, provided for an increased minimum gender quota on candidate lists (from 25% to 30%) ensuring effective representation of both genders in Parliament, for the representation of minorities for efficient safeguards against multiple voting (Voter Authentication Devices, access to the stamped voter lists), as well as for the strengthening of the independence of the election authorities by adding an exhaustive list of grounds for the early termination of their mandate. It, importantly, liberalised the activity of citizen’s observers through the removal of the mandatory test applicable to them and doubled the time-period for forming a coalition after the first round of elections. The Code also clarified important regulations, in particular, addressing recommendations related

³⁹ Few examples include plenary sessions of the Council of Europe Cybercrime Convention Committee, the 2017 Octopus Conference on Cybercrime Cooperation and the INTERPOL/Europol Annual Cybercrime Conferences.

⁴⁰ The Venice Commission and ODIHR/OSCE issued two joint opinions: CDL-AD(2017)019-e; CDL-AD(2016)031.

to campaign and campaign finance, candidate de-registration processes, and complaints and appeals procedures. As a result of this improved legal framework, women representation increased from 10% to 18%, and four representatives of minorities were, for the first time, sitting in the Parliament following the Parliamentary elections of 2 April 2017.

Further efforts are needed to enhance the legal framework for elections, taking into account Venice Commission recommendations that remained unaddressed or partially unaddressed, such as those related to restrictions placed on the activity of citizens' observation organisations⁴¹; the rules on legal standing for submitting complaints; on the different thresholds applied to political parties and alliances; including for returning electoral deposits; the nomination of candidate lists by groups of citizens; the exclusion of organisational expenditure from campaign financing reporting and the lack of a general prohibition of misuse of administrative resources. In addition, the allegations of widespread vote-buying and misuse of administration resources that, according to the findings of PACE⁴² and OSCE/ODIHR Election Observation Mission (EOM)⁴³ for the parliamentary elections in 2017 undermined public confidence in the electoral process, remain a serious cause of concerns that jeopardize the integrity of elections.

In 2016, following the adoption of the new Constitution the Venice Commission and the OSCE/ODIHR provided a joint opinion on the new draft Constitutional Law on Political Parties. The opinion⁴⁴ considered that the draft law, which reduced the threshold for party registration and territorial representation, would facilitate the registration of political parties in Armenia. At the same time, additional proposals for improvements were made, including with regard to the financing of political parties, regulations on the intra-party organisation, rules on suspension of political parties and intra-party gender equality. The law as adopted in December 2016 addressed partially these recommendations⁴⁵.

Following a request by the MoJ of Armenia, an opinion⁴⁶ on the draft Constitutional Law on Referendums was prepared in 2017. It welcomes the steps taken by the authorities to adopt a law in conformity with the Constitution and international standards, in particular with regard to collecting signatures for referendums, and voting and counting votes. Nevertheless, the Venice Commission pointed out a number of issues on which improvement was needed, concerning in particular the unity of content, the establishment of an effective system of appeal, the requirement for the authorities to provide objective information and the neutrality of administrative authorities. Moreover, the Venice Commission criticised the process of drafting the laws for being non-inclusive and lacking meaningful engagement with all stakeholders, which is considered to be key for successful reform.

The electoral process improved as a result of a more professional and transparent election administration and an empowered civil society which was better equipped to monitor the elections more efficiently. The Council of Europe's assistance to the Central Election Commission (CEC) to support the implementation of its new training⁴⁷ and communication⁴⁸ strategies, developed in 2016, as well as the technical assistance provided by the Venice Commission to the CEC in the framework of the 2017 parliamentary elections⁴⁹, contributed to enhancing the institutional capacity of the CEC and proved instrumental to increasing the efficient and transparent performance of the election administration as a whole. This was recognised by the OSCE/ODIHR Election Observation Mission (EOM)⁵⁰ in the context of the parliamentary elections held on 2 April 2017⁵¹. Nevertheless, the CEC failed to pursue complaints as rigorously as required.

⁴¹ The code provides that Armenian citizen observer organisations may carry out observation only if their charter includes as one of its aims issues related to democracy and protection of human rights and requires the charter to have been in effect for at least 1 year preceding the call of election.

⁴² [Final Report](#)

⁴³ [Final Report](#)

⁴⁴ CDL-AD(2016)038

⁴⁵ CDL-PL- V(2017)001

⁴⁶ CDL-AD(2017)029

⁴⁷ The implementation by the CEC of a modernized training methodology, the harmonization of training materials, an improved trainers' recruitment system as well as a robust evaluation and certification system were instrumental to raising the quality of trainings.

⁴⁸ The modern communication strategies implemented by the CEC established a framework for improved and more direct communication with voters, media and civil society.

⁴⁹ In addition to this expert assistance provided to the CEC prior to the 2017 Parliamentary elections, the Venice Commission enhanced the capacities on election dispute resolution of electoral commissions, judges, proxies of political parties and representatives of civil society.

⁵⁰ "The Central Election Commission, CEC, met all the deadlines and conducted its work in an efficient and transparent manner"

⁵¹ 294 staff members of the Territorial Commissions (TEC) were trained on the new electoral Code, a pool of 40 local trainers was created to ensure the sustainability of the CEC capacities to deliver a high quality work.

The Council of Europe's support led to an improved domestic election observation. A network of 300 trained and certified long and short-term domestic election observers with enhanced capacity for election monitoring and reporting in line with the international standards was established. Three domestic election observation missions were conducted during the local, parliamentary and Yerevan Municipal elections, including the public presentation of their findings. In addition to the domestic observers, approximately 50 journalists were trained and supported to provide independent election coverage through ten studio debates prior to the local and parliamentary elections and through mobile reporting teams during both election days. During the parliamentary elections, 150 incidents were documented throughout the country via a hotline created for that purpose. These monitoring resources are expected to be mobilised in future elections.

With a view to promoting informed youth participation in the electoral processes, the Council of Europe and its partner Yerevan School of Political Studies trained 220 teachers and headmasters of ten regions in election education and conducted a nation-wide civic and voters education campaign that reached out to 33,000 first-time voters from 109 schools of Armenia through mock elections.

In order to enhance women participation as candidates in the 2016 local elections, the Council of Europe trained a total of 310 women in developing their skills of political leadership and by teaching them election campaign techniques. Of 85 women candidates from five regions, more than 50 won seats in the local elections, mainly as village councillors. The participation of women in the political process at local level was further promoted by empowering 150 women elected in the 2016 local elections as mayors and councillors through their participation in leadership schools and seminars.

2.4.2. LOCAL DEMOCRACY

The constitutional amendments of 2015 paved the way for further decentralisation which required the revision and adoption of enabling legislation. In 2016 the authorities started a major territorial administrative reform with a view to addressing the lack of sufficient financing and capacities of many small Armenian municipalities to effectively discharge their duties and provide basic public services in line with the provision of the European Charter for Local Self-Government (ECLSG) and Congress Recommendation 351(2014) on Local democracy in Armenia. The sustained pace of implementation of the territorial administrative reform has enabled a reduction in the number of communities from 915 to 502, of which 52 are "Consolidated Communities".

In support of the local government reform in Armenia, including the decentralisation process, the Council of Europe provided legal expertise contributing to the revision and adoption in 2016 of the Law on Local Self-Government, the Law on Financial Equalisation, the Law on Local Duties and Fees and the Law on Inter-Community-Unions in March 2018. The adoption of this package of laws has laid the ground for improving governance at local level. Further revision of the legal framework may be necessary for advancing the decentralisation process. Expertise is provided on improving the Government's decentralisation policy.

In addition to this legal support, the Council of Europe assisted the relevant Armenian authorities in improving the efficiency and quality of governance at local level by raising the capacities of locally elected officials and municipal staff, including in the newly amalgamated municipalities. To that end, the Council of Europe supported the introduction of the Local Finance Benchmarking (LFB) in 20 piloted municipalities, instead of the initially planned five to seven pilot municipalities due to the high interest expressed by the municipalities themselves. This reinforces capacities for local development based on transparent local budget management. Two pilot Inter-municipal cooperation initiatives were supported. The Ministry of Territorial Administration and Development (MTAD) sees this as an important contribution to the amalgamation process. Elected officials and staff members of 52 newly amalgamated municipalities were trained on the provisions of the ECLSG and became familiar with practical toolkits of the Centre for Expertise for Local Government Reform, including on civil participation in local decision making processes, strategic planning and local financial management.

More than 300 mayors, councillors and local young leaders were trained to improve their leadership skills and understanding of the principles of democratic governance under the leadership programme carried out by the Congress, and four pilot local initiatives were supported to strengthen the involvement of young people and create mechanisms of citizen participation in local decision-making, resulting in the development of a *Toolkit on citizen participation in community decision making*, available in Armenian, English and French.

As a result of these national and regional activities, progress was made in raising awareness about standards for efficient, transparent and ethical governance at local level. The Council of Europe supported the implementation of local initiatives on ethical governance and transparency in three municipalities in Armenia through the corresponding regional PGG programme. A set of practical tools⁵² was developed to assist the locally elected representatives and staff in advancing ethical governance, in implementing policies in an open, efficient and transparent way and in fostering citizen participation in the decision-making process in line with the requirements following the ratification in 2013 of the Additional Protocol to the ECLSG on the right to participate in the affairs of a local authority.

The Council of Europe, through its Congress of Local and Regional Authorities (Congress), co-operated with the MTAD, in assisting the Communities Association of Armenia (CAA) in becoming an active stakeholder within the national governance system. As a result of the Council of Europe's support, the CAA increased its institutional capacity to represent and promote its members' interests, and, therefore, to influence the national policy agenda on local governance and local democracy.

Concretely through the support of the Council of Europe:

- The CAA increased its advocacy capacity and that of its members leading to the development of the CAA's advocacy strategy and to the regular formulation of policy briefs, opinions and calls to the Government on policies and legal acts on local governance and local democracy⁵³.
- The CAA enhanced its decision-making process through the revision of its Charter; the holding of its General Assembly – the first in many years – and the election of its President and statutory bodies; the development of the Strategic Action Plan, the Communication Strategy and internal rules of procedure; as well as the organisation of regular meetings of its Statutory bodies. Since 2018 the CAA's six standing committees have become operational to support the CAA's thematic advocacy efforts;
- The CAA improved its financial and human resource management as a result of the development of its Financial Management and Human Resource Management Manual, Financial Sustainability Strategy and expansion of its Secretariat;
- The CAA improved its institutional visibility and outreach through a new web-site, regularly updated, social media accounts and the development of a new visual identity, as well as the organisation of a Forum on Local Democracy in Armenia, jointly with MTAD, which is intended to become an annual event.

In 2016, the Community-led Urban Strategies in Historic Towns (COMUS) conducted activities in two pilot towns in Armenia – Gyumri and Goris. Reference Plans developed with the participation of the Local Stakeholders Group were developed and presented to communities and accepted by local authorities. Based on this process, heritage-led projects for local development have been selected for further consideration with the participation of international and local experts. This process was carried out through several capacity-building activities for local decision makers and community activists, in particular regional workshops on reference plans (held in Moldova), on urban planning (held in Ukraine) and on heritage management in Armenia. The beneficiaries also took part in a study visit to Germany.

3. IMPLEMENTATION AND CO-ORDINATION

The Council of Europe Committee of Ministers assesses the overall Action Plan implementation through its Group of Rapporteurs on Democracy (GR-DEM).

⁵² These include the manual on *Human Resource Management at Local Level*, Code of Public Ethics for Armenian municipalities, the *Municipal Best Practices Brochure* published and widely disseminated; a toolkit on citizens' participation disseminated to the local authorities in Armenia, *the Tool Guide for local authorities on change management* (English, Armenian) and a *Handbook on transparency and citizen participation in Armenia*, available in English and Armenian

⁵³ A number of CAA's recommendations related to amendments to the Law on Local Self-Government were taken into account by the Government. As a result of the CAA's stated position, the Government withdrew its proposed amendments to the Law on Local Self-Government on expanding the provisions for the dismissal of mayors. The CAA, also, proposed a specific recommendation to include a provision on mandatory consultation with the Association on the Law on Local Self-Government in line with the provisions of the ECLSG. In September 2017 the CAA adopted a call to the Government on developing jointly a road-map on decentralisation, which was taken on board by the Government.

The Action Plan Steering Committee, comprising representatives of the Ministry of Foreign Affairs, other national stakeholders and Council of Europe representatives, also assesses the progress of Action Plan implementation. This committee considers implementation of approved projects, discusses challenges and relevant proposals for future co-operation, and recommends measures to improve effectiveness. The Steering Committee met twice in Yerevan on 23 May 2017 and 12 June 2018 respectively.

The overall co-ordination of technical co-operation implemented by the Council of Europe falls within the remit of the Office of the Directorate General of Programmes (ODGP), which steers the programming of and fund-raising for co-operation actions, and ensures the efficiency of Council of Europe Offices in the field. The Council of Europe Yerevan Office plays a key role in co-ordinating and supporting project implementation in accordance with the co-operation decentralisation policy with a total staff amounting to 21, including 6 core staff and 15 project staff.

Expertise, which constitutes the basis of co-operation projects' added value, draws on expertise throughout the Organisation. Projects under the Action Plan for Armenia 2015-2018 are implemented by the Directorate General of Human Rights and Rule of Law, the Directorate General of Democracy, the Congress and PACE. Project implementation can involve needs assessments, legislative and policy expertise, capacity-building, awareness-raising and peer-to-peer reviews. Implementation methodology aims to reinforce the ownership of national stakeholders and to ensure the sustainability of the outcomes.

The Council of Europe implements projects in close co-operation with authorities in Armenia, targeting governmental stakeholders, the National Assembly, civil society and independent governance institutions, such as the Human Rights Defender (HRD) and local and regional authorities. This creates a unique leverage for comprehensive, inclusive, effective and sustainable reforms.

Co-ordination to ensure an efficient use of resources and relevance of Council of Europe actions is performed at different levels and in different bodies, including at the level of the CM.

The Council of Europe closely co-ordinates with relevant international partners, notably the European Union (EU), and particularly the EU Delegation to Armenia. Co-ordination is also ensured with the United Nations (UN) and the Organisation for Security and Co-operation in Europe (OSCE). The Council of Europe worked closely with the Swiss Agency of Development and Cooperation (SDC), the German Agency for International Cooperation (GIZ), the Swedish International Development Cooperation Agency (SIDA), the Armenian Territorial Development fund (ATDF), the United Nations Development Programme (UNDP), the United States Agency for International Development (USAID) and the World Bank (WB) in the framework of the local government donor co-ordination platform. This co-ordination platform is set up in the framework of the Swiss-funded "Improvement of the local self-governance system in Armenia" programme, and has been instrumental in achieving coherence and complementarity of action across project activities, and in preparing further projects for implementation under the new Action Plan, as from January 2019.

The Council of Europe and UNDP, as Co-Chairs of the Donor Coordination Group on Democratic Governance, held meetings in December 2016 and September 2017 respectively with the donor community in Armenia to discuss the on-going activities and priorities within the area of justice and the rule of law.

The Armenia Information Day event held in Strasbourg on 16th January 2017 at the initiative of the Armenian authorities provided a good opportunity for national stakeholders to present to the donor community the achievements, challenges and needs of the joint co-operation between the Republic of Armenia and the Council of Europe in the framework of the current Action Plan.

3.1 TRANSVERSAL ISSUES

The Council of Europe prioritises a human rights approach in its activities at all levels and stages of programme development and implementation. Its *acquis*, including Council of Europe legal instruments, information and institutions, combined with the principles of equality, non-discrimination, balanced participation (both gender-based and from civil society) brings further added value to Council of Europe activities.

As a component of this human rights approach, the Council of Europe emphasises gender mainstreaming throughout its project activities. For more information, see the Council of Europe [web page](#) on gender mainstreaming. The Council of Europe also promotes civil society participation, as outlined in the [Guidelines on civil society organisations' participation in Council of Europe's co-operation activities](#).

The Action Plan implementation has contributed to the Sustainable Development Goals (SDGs) of the United Nations. Particular emphasis was put on SDG 5, "Achieve gender equality and empower all women and girls" (including target 5.1, "End all forms of discrimination against all women and girls everywhere", and target 5.2, "Eliminate all forms of violence against all women and girls in the public and private spheres, including trafficking and sexual and other types of exploitation", and SDG 16, "Promote just, peaceful and inclusive societies" (including target 16.A, "Strengthen relevant national institutions, including through international co-operation, for building capacity at all levels, in particular in developing countries, to prevent violence and combat terrorism and crime", and target 16.B, "Promote and enforce non-discriminatory laws and policies for sustainable development"). The project aimed at preventing and combating violence against women and domestic violence in Armenia contributes to SDG5, target 5.2.

Through this Action Plan, the Council of Europe promoted women's participation in elections as voters and candidates. Thus, following the adoption with the Council of Europe's support of a new Electoral Code that provides for an increase in minimum quotas for each gender on candidate lists from 25% to 30%, women representation in the National Assembly increased from 10% to 18% as the result of the 2017 April Parliamentary elections. Besides, 300 women candidates in local elections were empowered through the intelligent use of social media. In addition, the increased representation of women mayors in the CAA's statutory bodies⁵⁴ as a result of the introduction of a gender quota as well as the participation of 150 women elected mayors and councillors in leadership schools and seminars contributed to promote further acceptance of women at political decision-making level in local governance. All these co-operation actions and results have a clear link with SDG 5, target 5.5, "Ensure women's full and effective participation and equal opportunities for leadership at all levels of decision making in political, economic and public life".

In the context of this Action Plan, the Council of Europe targeted women's improved access to justice. The Women's Judges Section at the Association of Judges, which intends to raise the profile of women judges as well as to enhance the judicial responses to cases involving the rights of women and access to justice by women and vulnerable groups was supported. In addition, two training seminars based on the *Training Manual for Judges and Prosecutors on Ensuring Women's Access to Justice* contributed to strengthening the roles of Judges, prosecutors and legal professionals in supporting access to legal protection and remedies for women. Both actions are linked to SDG 16, target 16.c, "Promote the rule of law at the national and international levels and ensure equal access to justice for all."

Non-governmental organisations (NGO) take part regularly in Council of Europe activities in Armenia (public hearings and training sessions) and are involved in the implementation of co-operation projects and activities. By way of example, civil society participated in the final Steering Committee meeting in Yerevan on the implementation of the current Action Plan, where priorities for a potential third Action Plan were discussed. Four civil society organisations received micro grants for projects promoting awareness raising and advocacy campaigns for the general public and key stakeholders on main corruption risks and best practice for ethical conduct in Higher Education Institutions. Representatives of nine NGOs working with the National Preventive Mechanism (NPM) increased their capacity to monitor places of detention as the result of trainings on the methodology for interviewing detainees. Representatives of civil society included in the Human Rights Defender's Expert Council on Human Rights of Military Service Persons attended a seminar on relevant standards set in the ECtHR's case law on the rights of military servicepersons and the protection of their rights in criminal proceedings. In the field of local government, national and local NGOs contributed to the national and regional events dedicated to local democracy. The local initiatives on transparency and citizen participation supported within the PGG provided an additional opportunity for local authorities to include citizens and civil society in decision-making.

⁵⁴ Four women mayors are sitting in the CAA's current Republican Council as opposed to two women mayors in the past following the introduction of a minimum quota of three women. Two women mayors are represented in the CAA's Board as opposed to 1 in the past as the result of the introduction of a quota for two women mayors or councilors.

The national Co-ordinator of the PGG from the Ministry of Foreign Affairs of Armenia mentioned the project on electoral assistance as one of the best examples of civil society engagement. As a result of the CEC information campaign at least 50% of Armenian civil society was reached and 28,021 observers from 49 local organisations were deployed in the Parliamentary elections. Under the project on elections, the most notable NGOs in Armenia were the main partners of the Council of Europe. The Council of Europe's co-operation policy to promote the involvement of civil society organisations at all the stages of the co-operation cycle, including their participation in the Working Groups, public hearings, have contributed to build an empowered civil society that has played a significant role in the peaceful democratic change.

3.2 RISK MANAGEMENT AND SUSTAINABILITY

Due to the nature of its mandate, the Council of Europe sometimes operates in complex and unstable environments that expose it to risks. The risk analysis of the Action Plan and possible mitigation strategies are made on the basis of the Council of Europe risk management guidelines and the Risk Management Policy of the Organisation adopted in June 2016. All the projects implemented within the Action Plan have their own risk assessment and mitigation modalities.

The Parliamentary elections in April 2017 did not lead to a volatile political environment and did not pose the expected risks for the implementation of the Action Plan. This was due to the fact that the ruling party secured a comfortable majority, that no significant government reshuffle took place leaving major partners of the Council of Europe's technical assistance in place, and most importantly that the elected Government reconfirmed its commitment to advancing the democratic reform agenda. Nonetheless, as expected, the elections produced some delay in the process of drafting and the adoption of important legislation, including both the criminal and civil codes. The Council of Europe sustained its efforts in assisting the authorities and the respective national working groups in the drafting process of both codes, pending adoption.

The peaceful political transition that took place one year later has not significantly increased the level of risk for the implementation of the Action Plan, as the new Government made a clear commitment to democratic consolidation and appointed an inclusive cabinet, while the National Assembly adopted the Government's programme. The reforms process is, therefore, expected to continue and possibly even intensify with a positive impact on the level of co-operation with the Council of Europe.

Insufficient budgetary contributions to the Action Plan also created a serious risk for the effective implementation of the Action Plan and sustainability of Council of Europe support to Armenia in specific sectors, such as the justice sector reform, police, probation and penitentiary reform, and media freedom. The decision, by EU DG Near, to focus PGG in 2018 on the "2020 deliverables" for the Eastern Partnership" countries had an impact on priority areas. The Council of Europe made efforts to mitigate this challenge through constant dialogue with the donor community and proactive resource mobilisation in close co-ordination with the national authorities.

Insufficient capacity of national stakeholders in implementing a significant volume of legislative and institutional measures following the constitutional amendments was another risk. To mitigate this risk the Council of Europe assisted in strengthening the capacities of national stakeholders, including skills, competencies, and managerial capabilities through training and expert assistance within relevant Action Plan projects.

3.3 LESSONS LEARNED

What follows are some of the lessons learned from the implementation of this Action Plan during the period of reference.

- Involving civil society at all stages of technical co-operation contributes to strengthening the role of civil society in the implementation of reforms. This enhances the inclusiveness and democratic legitimacy and, therefore, sustainability of the reforms. For instance, the involvement of four civil society organisations in the implementation of projects promoting awareness-raising and advocacy campaign on the forms and risks of corruption in higher education reinforced the understanding by the general public and stakeholders of the costs of corruption in education.

- The involvement of civil society organisations at all the stages of the co-operation cycle, including their participation in the Working Groups, public hearings, also contributed to building an empowered civil society which may have contributed to the largely peaceful democratic change. Throughout the implementation of the Action Plan, the Council of Europe has encouraged the authorities to maintain an open and continued dialogue with all the political actors and civil society to ensure the implementation of reforms;
- The Organisation's focus on strengthening the capacity of the Justice Academy to build the national capacities for implementing reform has proved instrumental for the sustainability of results, while the Justice Academy's involvement in the implementation of the co-operation actions has contributed to a strong ownership by national partners;
- Armenia's willingness to cooperate with the Venice Commission as attested by the significant number of opinions provided was key for the adoption of fundamental legal frameworks in line with European standards;
- Co-operation with the national association of local authorities, the Communities Association of Armenia, is key to achieving the sustainability of the approach in particular at local level, as through its strengthened role, it can, support local authorities in implementing the principles of local democracy, transparency and ethical governance;
- The procurement procedure for the purchase of office and electronic monitoring equipment within the project supporting the establishment of the Probation Service that was undertaken by the Armenian authorities (grant agreement) proved to be a lengthy process that led to the extension of the project for an additional 16 months period. Drawing from this experience, the Council of Europe should in similar situations ensure that the procurement procedures can be implemented by beneficiaries within the agreed timeframe or undertake the procurement within the Council of Europe regulations.
- The close coordination with national partners at all stages of the programmes' implementation created a shared ownership. The commitment and high collaboration that the Armenian authorities have shown in the implementation of the Action Plan together with their constant request for further assistance in new areas of co-operation account for the country's strong ownership over the Council of Europe co-operation processes and results;
- The flexibility afforded by Action Plan level voluntary contributions, even if limited, allowed funding to be allocated in a timely manner to accompany the authorities in the implementation of their priorities when PGG could no longer fund some sectors following the EU decision to focus on rule of law issues. Action Plan level voluntary contributions were for instance allocated to Armenia's major territorial-administrative reform, building on the results of past projects in the local democracy sector;
- The new project management methodology (PMM) whose application became mandatory as of 2017 contributed to increasing the quality of project implementation in terms of planning and administration, cost efficiency and effectiveness; risk assessment and attention to the gender dimension are improving;
- Technical assistance for comprehensive reforms requires long-term funding and effective co-ordination among national and international partners. A proactive approach with regard to cooperation with all stakeholders and to resource mobilisation by the Yerevan Office was key in this context.
- A human rights approach to co-operation – using Council of Europe standards as both means and goals of technical assistance – can significantly contribute to the enjoyment of those rights.

4. FUNDING AND PARTNERS

Continued financial support of this Action Plan allows the Council of Europe to build on and create activities that support European standards and the principles of the European Convention on Human Rights and other legal instruments. The Council of Europe increasingly seeks to deliver on agreed priorities rather than on individual projects and activities.

The Council of Europe Action Plan for Armenia 2015-2018 Information Day, jointly organised by the Armenian authorities and the Council of Europe, took place on 16 January 2017 in Strasbourg. It provided first-hand information on the reforms in Armenian for Council of Europe member States and international partners and highlighted Council of Europe support to those reforms, at the same time mobilising additional resources required to effectively implement the Action Plan.

The Council of Europe Action Plan for Armenia 2015 - 2018 has a budget of € 16 447 533 and a total funding of € 11 778 728 (72%). As for extra-budgetary resources, Action Plan-level funding totalled € 614 246 (6%) and project-level funding totalled € 10 304 981 (94%). The European Union was the leading donor, providing 54% of extra-budgetary funding. Voluntary contributions from member states provided 39% of the funding, where the rest of the funding came from the Council of Europe's own budget (7%). 28% of the Action Plan budget remained unfunded. The level of funding raised for Action Plan for Armenia was significant. The Armenian authorities fully supported the Secretariat in attracting funds for the Action Plan.

Donors to the Action Plan are the European Union, the Human Rights Trust Fund*, Denmark, France, Norway, Sweden, Switzerland and the United Kingdom.

*Human Rights Trust Fund (HRTF) brings together 6 contributors – Finland, Germany, the Netherlands, Norway, Switzerland and the United Kingdom.

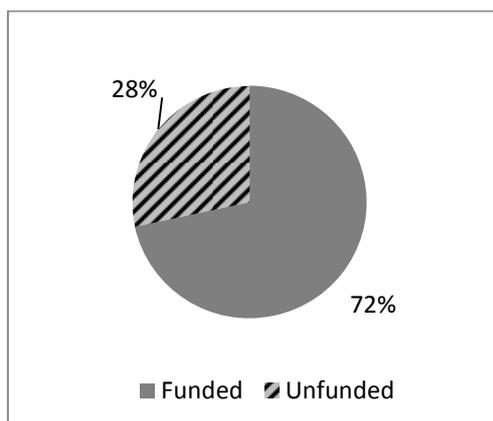


Figure 2: Funding situation of the Council of Europe Action Plan for Armenia 2015 – 2018, % funded as of 15 June 2018

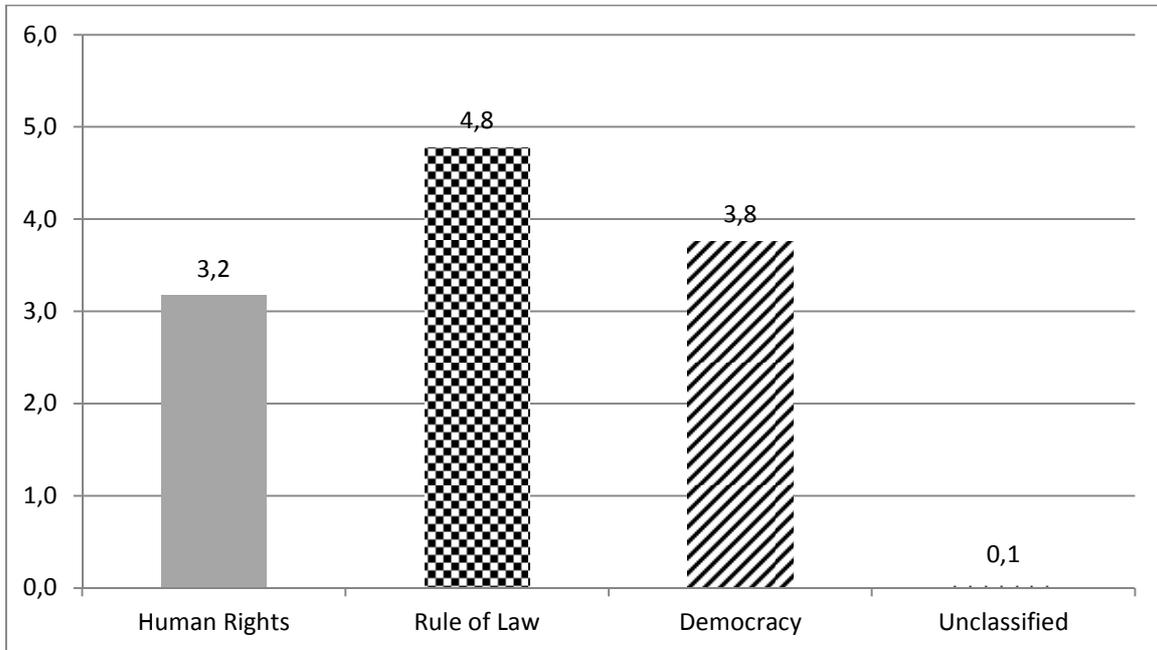


Figure 3: Funding situation per pillar of the Council of Europe Action Plan for Armenia 2015 – 2018 in millions of euros as of 15 June 2018

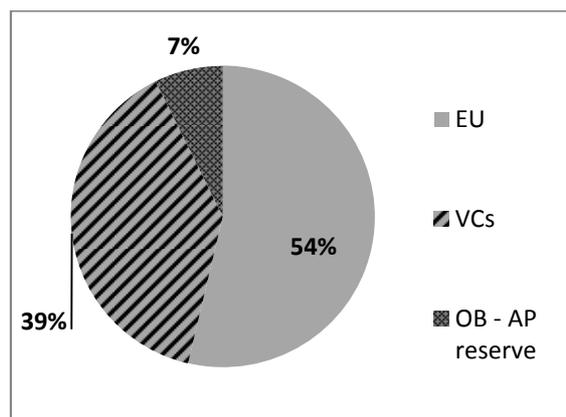


Figure 4: Funding sources for the Council of Europe Action Plan for Armenia 2015 – 2018, % shares as of 15 June 2018

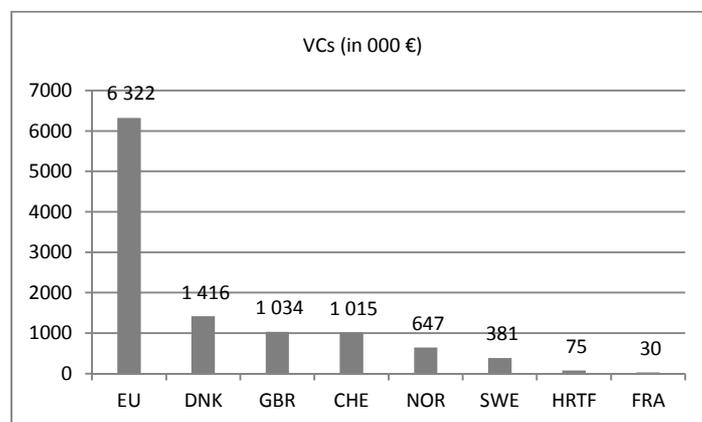


Figure 5: Donors to the Council of Europe Action Plan for Armenia 2015 – 2018 in thousand euros as of 15 June 2018

APPENDIX I: FUNDING

Funding situation at 20 June 2018 (amounts in €)

	Sectors	Action Plan budget	Funded OB	Funded EU	Funded VC	Total funds secured	Unfunded
1.	Protecting and promoting human rights	6 650 000	217 395	782 954	1 622 445	2 622 794	4 027 206
2.	Ensuring justice	4 623 911	274 014	2 466 125	577 776	3 317 915	1 305 996
3.	Combating threats to the rule of law	400 000	56 719	510 474	0	567 193*	-167 193
4.	Promoting democratic governance	4 773 622	80 861	487 746	2 322 850	2 891 457	1 882 165
	Unallocated funding/audit costs	0	0	0	74 246	74 246	-74 246
	TOTAL	16 447 533	628 989	4 247 299	4 597 317	9 473 605**	6 973 928

* Project "Strengthening Integrity and Combatting Corruption in Higher Education" budget increased from € 400 000 to € 567 193. Consequently, total funds secured exceeded the initial budget for Sector 3 – Combating threats to the rule of law.

** Total funds secured for Council of Europe actions benefiting Armenia amounts to € 11 778 728, if regional projects are included.

APPENDIX II: LIST OF COUNTRY SPECIFIC PROJECTS

Title	Duration
Supporting the criminal justice reform and combating ill-treatment and impunity – Armenia	1/07/2015 – 30/06/2017 (24 months)
Strengthening the application of European human rights standards in the armed forces in Armenia	1/10/2016 – 31/01/2019 (28 months)
Penitentiary reform - Strengthening the health care and human rights protection in prisons in Armenia	01/04/2015 - 31/07/2017 (28 months)
Supporting the establishment of probation service in Armenia	1/05/2014 – 31/08/2017 (32 months)
Strengthening the independence, professionalism and accountability of the justice system in Armenia	20/05/2014 – 19/12/2016 (31 months)
Strengthening integrity and combatting corruption in higher education in Armenia	01/01/2015 - 31/12/2017 (36 months)
Support to consolidating local democracy in Armenia	1/10/2013 – 30/12/2016 (39 months)
Institutional support to the Communities Association of Armenia (CAA)	1/11/2014 – 31/11/2018 (30 months)
Preventing and combating violence against women and domestic violence in Armenia	19/03/2018 – 31/12/2018 (10 months)
Fight against discrimination on SOGI groups in Armenia	01/01/2018 – 31/12/2018 (12 months)
Support to the implementation of the justice field reform in Armenia following the constitutional amendments	15/06/2017 – 14/06/2018 (12 months)
Consolidating local democracy in Armenia	01/07/2017 – 30/06/2018 (12 months)
Long term electoral assistance to the election related stakeholders of Armenia – Venice Commission	01/01/2015 – 31/12/2017 (36 months)
Long term electoral assistance to the election related stakeholders of Armenia	01/01/2016 – 30/06/2017 (18 months)

APPENDIX III: LIST OF REGIONAL PROJECTS

Improving women's access to justice in five EaP countries	1/02/2015 – 31/10/2017 (33 months)
Promote professional and responsible journalism by supporting regional network of self-regulatory bodies	1/01/2015 – 31/12/2017 (36 months)
To develop and strengthen national data protection system	01/01/2015 - 31/12/2017 (36 months)
Awareness raising on the role of national parliaments in matters related to public broadcasting, access to public media and safety of journalists	01/01/2015 - 31/12/2017 (36 months)
Enhancing respect for the protection of human rights online through capacity building, regional co-operation and participation to global Internet governance policies shaping	01/01/2015 - 31/12/2017 (36 months)
Education for democratic citizenship and human rights in the 6 countries of the region	01/01/2015 - 31/12/2017 (36 months)
Support the full execution of the European Court of Human Rights judgments and build the capacity of EaP national parliaments towards greater conformity of national legislation with the ESC	01/01/2015 - 31/12/2017 (36 months)
Promoting penitentiary reforms (from a punitive to a rehabilitative approach)	01/08/2015 - 30/06/2016 (11 months)
Reform of judicial systems - regional dimension for 6 EaP countries	01/03/2015 - 28/02/2017(24 months)
Strengthening constitutional justice	01/01/2015 - 31/12/2017(36 months)
Strengthen capacities to prevent corruption in parliaments	01/01/2015 - 31/12/2017 (36 months)
Fight against corruption and fostering good governance; fight against money-laundering	01/01/2015 - 31/12/2017 (36 months)
Criminal justice action on cybercrime	01/03/2015 - 31/08/2017 (30 months)
Project cybercrime@EAP III - promoting public/private cooperation	01/01/2016 - 31/12/2017 (24 months)
Electoral assistance: reforming electoral legislation and practice	01/01/2015 - 31/12/2017 (36 months)
Electoral assistance: reforming electoral legislation and practice - Venice Commission	01/01/2015 - 31/12/2017 (36 months)
Develop regional co-operation in electoral matters, including its parliamentary dimension	01/01/2015 - 31/12/2017 (36 months)
Community-led urban strategies in historic towns (COMUS)	01/01/2015 - 30/06/2017 (30 months)
Enhancing local democracy -regional (strengthening institutional frameworks for local governance)	01/01/2015 - 31/12/2017 (36 months)
PGG-Congress - Enhancing local democracy	01/01/2015 - 31/12/2017 (36 months)
Civil participation in decision-making in the Eastern Partnership countries	01/09/2015 - 31/06/2017 (16 months)
Criminal justice responses to drug dependent prisoners	01/01/2015 - 31/12/2017 (36 months)