

Council of Europe Action Plan for Armenia 2023-2026

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Action Plan for Armenia 2023-2026

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¹ Kindly note that ODGP's name changed to DPC (Directorate of Programme Co-ordination) on 1 November 2022.

EXECUTIVE SUMMARY

The Council of Europe Action Plan for Armenia 2023 - 2026 is a strategic programming instrument that aims to bring Armenia's legislation, institutions and practice further into line with European standards in the areas of human rights, the rule of law and democracy. The Action Plan is intended to support the country's efforts to honour its obligations as a Council of Europe member State.

The Action Plan priorities take into account decisions, resolutions, recommendations, conclusions of reports and opinions, notably of the Committee of Ministers of the Council of Europe (CM), the Parliamentary Assembly of the Council of Europe (PACE), the Congress of Local and Regional Authorities of the Council of Europe (the Congress), the Commissioner for Human Rights of the Council of Europe (the Commissioner), the European Commission for Democracy through Law (the Venice Commission) as well as the judgments of the European Court of Human Rights (ECtHR) regarding Armenia. It also takes into account the national reform agenda of Armenia, including the National Strategy on Human Rights Protection, the 2022-2026 Strategy for Judicial and Legal Reforms of the Republic of Armenia, the Anti-Corruption Strategy for 2019-2022, Chapter 6 "Securing democracy, human rights and the rule of law" of the Armenian National Security Strategy adopted in 2020, the 2019-2023 Strategy for Penitentiary and Probation Sectors of the Republic of Armenia, etc.

Under this Action Plan, the Council of Europe and the Armenian authorities have agreed to carry forward jointly, through co-operation programmes, reforms aiming to enhance the effectiveness of the European Convention on Human Rights (ECHR) system and the protection of human rights in the biomedical field as well as the freedom of the media; to combat violence against women and improve children's rights; to combat discrimination and promote the rights of minorities; to ensure respect for social rights; to enhance the independence and efficiency of justice; to fight corruption and cybercrime; to improve the healthcare conditions in prisons and enhance the role of probation in the judicial system; to promote good governance and local government reforms.

The Action Plan also builds on the outcomes of the previous Action Plans (Action Plan for Armenia 2019 – 2022, Action Plan for Armenia 2015 – 2018, Action Plan for Armenia 2012 – 2014). The Action Plan for Armenia 2019 – 2022 resulted in, notably, the adoption of a new Criminal Code (CC) and Criminal Procedure Code (CPC), the establishment of an interagency committee aimed at improving the execution of judgments of the European Court of Human Rights (ECtHR), a change in mindsets and practices of social workers, police officers, education experts and journalists when dealing with domestic violence and violence against women, the adoption of the Rules of professional ethics of healthcare professionals, the adoption of a revised judicial code and introduction of new methodology and procedures for the performance evaluation of judges, the enhancement of the Armenian Corruption Prevention Commission's capacities and the establishment of the Anti-Corruption Committee. The Action Plan 2023 - 2026 is largely based on the lessons learned in the framework on previous action plans and their evaluations. It will sustain the results already achieved and is in the continuity of the Action Plan 2019 - 2022.

The Action Plan aims to support Armenia in its efforts to implement the [United Nations Sustainable Development Goals](#) (SDGs) of the [UN 2030 Agenda for Sustainable Development](#), notably Goal 3 – Good health and well-being, Goal 4 – Quality education, Goal 5 – Gender equality, Goal 8 – Decent work and economic growth, Goal 10 - Reduced inequalities, Goal 11 – Sustainable cities and communities, Goal 13 – Climate action, and Goal 16 – Peace, justice and strong institutions.

The overall budget of this Action Plan is estimated at €19 million. While funding in the amount of €0.9 million has been secured, additional funding is essential to fully implement the priority actions identified for 2023 - 2026.

The Council of Europe and Armenia will continue co-operation to improve existing legislative frameworks, to ensure their effective implementation and to enhance the capacities of national institutions in bringing the country's legislation and practice closer to European standards in order to promote human rights, strengthen the rule of law and ensure democratic principles of governance.

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LIST OF ACRONYMS AND ABBREVIATIONS

ACFC	Advisory Committee on the Framework Convention for the Protection of National Minorities
Action Plan	Council of Europe Action Plan for Armenia
ADA	Austrian Development Agency
ADR	Alternative Dispute Resolution
AML	Anti-money laundering
Bern Convention	Convention on the Conservation of European Wildlife and Natural Habitats
Budapest Convention	Convention on Cybercrime
CAA	Communities Association of Armenia
CC	Criminal Code
CCJE	Consultative Council of European Judges
CEPA	Comprehensive and Enhanced Partnership Agreement
CEPEJ	European Commission for the Efficiency of Justice
CFT	Countering of financing of terrorism
CM	Committee of Ministers of the Council of Europe
CPC	Criminal Procedure Code
CSO	Civil Society Organisations
ECHR	European Convention on Human Rights
ECLSG	European Charter of Local Self-Government
ECRI	European Commission against Racism and Intolerance
ECRML	European Charter for Regional or Minority Languages
EDR	Election Dispute Resolution
CPT	European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment
DGI	Directorate General of Human Rights and the Rule of Law
ECSR	European Committee of Social Rights
ECtHR	European Court of Human Rights
EU	European Union
EU4Environment	European Union for Environment Action
FATF	Financial Action Task Force
FCNM	Framework Convention for the Protection of National Minorities
GIZ	German Agency for International Co-operation
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
HRD	Human Rights Defender
HRD Office	The Office of the Human Rights Defender
Istanbul Convention	Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence
Lanzarote Convention	Council of Europe Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse
LGBTI	Lesbian, gay, bisexual, transgender, intersex
Lugano Convention	Convention on Civil Liability for Damage Resulting from Activities Dangerous to the Environment
MoD	Ministry of Defence
MoJ	Ministry of Justice
MONEYVAL	Committee of Experts on the Evaluation of Anti-Money Laundering Measures and the Financing of Terrorism
MPs	Members of Parliament
NGO	non-governmental organisation
OB	ordinary budget
OCSEA	Online Child Sexual Exploitation and Abuse
ODGP	Office of the Directorate General of Programmes
ODIHR	Office for Democratic Institutions and Human Rights
OGP	Open Government Partnership
OECD	Organisation for Economic Co-operation and Development
OSCE	Organisation for Security and Co-operation in Europe

Oviedo Convention	Convention for the Protection of Human Rights and Dignity of the Human Being with regard to the Application of Biology and Medicine: Convention on Human Rights and Biomedicine
PACE	Parliamentary Assembly of the Council of Europe
PAR	Public Administration Reform
PGG	Council of Europe and European Union Joint Project Partnership for Good Governance. Former Programmatic Co-operation Framework (PCF)
PMC	Penitentiary Medical Centre
PM Office	The Prime Minister's Office
PMM	Project Management Methodology
SDC	Swiss Agency for Development and Co-operation
SIDA	Swedish International Development Co-operation Agency
SJC	Supreme Judicial Council
SOGI	sexual orientation and gender identity
TARA	Territorial Administrative Reform
the Commissioner	Council of Europe Commissioner for Human Rights
the Congress	Council of Europe Congress of Local and Regional Authorities
Tromsø Convention	Convention on access to official documents
UN	United Nations
UNCRC	UN Convention on the rights of the child
UNHCR	UN High Commissioner for Refugees
UNICEF	UN International Children's Fund
UN SDG	United Nations sustainable development goal
Venice Commission	European Commission for Democracy through Law

PART I – INTRODUCTION

1.1. GENERAL OVERVIEW

1.1.1. ARMENIA AND THE COUNCIL OF EUROPE

Armenia became the 42nd member State of the Council of Europe on 25 January 2001. Accordingly, it has entered into, and has agreed to honour, a number of specific commitments which are listed in Parliamentary Assembly Opinion 221 (2000).

Armenia accepted the obligations incumbent on all member States under Article 3 of the Statute:² compliance with the principles of pluralist democracy and the rule of law as well as respect for human rights and fundamental freedoms of all persons placed under its jurisdiction.

To date the country has signed 83 treaties of the Council of Europe, of which 69 have been ratified,³ and is subject to a number of Council of Europe mechanisms, including those of the European Court of Human Rights (ECtHR), the Committee of Ministers (CM), the Parliamentary Assembly (PACE), the Congress of Local and Regional Authorities (the Congress), the Commissioner for Human Rights of the Council of Europe (the Commissioner), the European Commission for Democracy through Law (Venice Commission), the European Commission against Racism and Intolerance (ECRI), the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT), the Group of States against Corruption (GRECO), the Committee of Experts on the Evaluation of Anti-Money Laundering Measures and the Financing of Terrorism (MONEYVAL), the European Committee of Social Rights (ECSR), the Framework Convention for the Protection of National Minorities (FCNM), the Committee of the Parties to the Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse (Lanzarote Committee), the Council of Europe's Group of Experts on Action against Trafficking in Human Beings (GRETA), the European Charter for Regional or Minority Languages (ECRML). Armenia signed the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (Istanbul Convention) on 18 January 2018; its ratification is pending.

Armenia has also benefited from co-operation programmes of the Council of Europe since 2002. Several Action Plan documents set forth to support democratic reforms in Armenia for the periods of 2012 – 2014, 2015-2018 and 2019-2022 have, ever since, provided a more strategic framework for co-operation with the Council of Europe. Past programmes backed by the European Union were implemented to assist the country in complying with Council of Europe standards, most notably to support criminal justice and the penitentiary reforms, to strengthen the independence, professionalism and accountability of the justice system, to enhance women's access to justice, to strengthen integrity and combat corruption and economic crime, to reform electoral legislation and practice. Similarly, voluntary contributions by Council of Europe member States made it possible to implement projects in the areas of enhancing the application human rights standards in the armed forces, supporting judicial reform and the establishment of a probation service, supporting constitutional reform, consolidating local democracy, decentralisation and good governance, combating domestic violence and violence against women.

1.1.2. ADDED VALUE OF THE TECHNICAL ASSISTANCE PROGRAMMES OF THE COUNCIL OF EUROPE

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 to their monitoring by independent mechanisms and supplemented by technical co-operation to facilitate their implementation. The Organisation's actions are developed and implemented in areas where the Council of Europe has strong expertise and added value.

² *Council of Europe constitutional document.*

³ *Office of the Council of Europe's treaties, Armenia.*

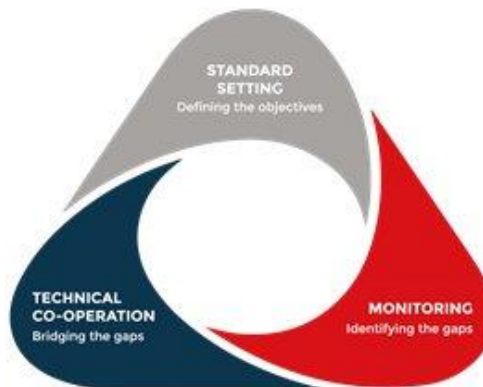


Figure 1: Council of Europe strategic triangle

This Action Plan builds, to a large extent, on the most recent decisions, resolutions, recommendations, findings, conclusions of reports and opinions of the Council of Europe’s monitoring and expert advisory bodies in respect of the country, as well as the judgments of the European Court of Human Rights (ECtHR) regarding Armenia. It also takes into account the challenges identified in the latest Secretary General’s annual reports.⁴ In addition, it is developed on the basis of the results of the previous Action Plan with the Council of Europe and reflects the priorities of the country’s reforms, particularly those identified in the National Strategy for Human Rights Protection, the 2022-2026 Strategy for Judicial and Legal Reforms of the Republic of Armenia, the Anti-Corruption Strategy 2019-2022, Chapter 6 “Securing democracy, human rights and the rule of law” of the Armenian National Security Strategy adopted in 2020, the 2019-2023 Strategy for the Penitentiary and Probation Sectors of the Republic of Armenia.

In developing the present Action Plan and in particular designing the technical co-operation support given to reforms, the gaps identified by the following Council of Europe institutions, monitoring mechanisms and expert advisory bodies have been taken into account, with the relevant source documents being included in Appendix IV.

Relevant Council of Europe conventions and other instruments of the Organisation have also been used as reference material for co-operation actions included in this Action Plan.

1.1.3. MAIN RESULTS OF THE PREVIOUS ACTION PLAN

In the context of the Covid-19 pandemic, the Council of Europe has sought to ensure business continuity in the framework of the implementation of the previous Action Plan, while respecting national public health measures. Mitigation measures were continuously adapted and implemented by the Council of Europe throughout its co-operation activities, in close co-ordination with the donors and the beneficiaries. They included programming adaptations and looking for technical solutions. The same approach will be applied to implementing this Action Plan if circumstances so require.

The present Action Plan takes into account the outcomes of the Action Plan for Armenia 2019 – 2022 such as:

Human rights:

- the adoption of a new Criminal Code (CC) providing for a shift from a punitive to a resocialisation approach, more effective mechanisms for combating corruption, the institution of criminal liability for legal entities;
- the adoption of a new Criminal Procedure Code (CPC) providing for a balanced protection of public and private interests in criminal proceedings and better guarantees of the protection of the rights and legitimate interests of those involved in criminal proceedings, and agreement and co-operation proceedings;
- the establishment of an interagency committee aimed at improving the execution of judgments of the European Court of Human Rights (ECtHR).
- the institutionalisation of a training course on women’s rights within the educational programme of the key military university in Armenia and a better capacity of dealing with human rights violations among the military police staff;

⁴ Secretary General’s 2022 annual report *Moving forward 2022* and Secretary General’s 2021 *Annual report on the state of democracy, human rights and the rule of law in Europe*.

- a change in mindsets and practices of social workers, police officers, education experts and journalists when dealing with domestic violence and violence against women;
- the ratification of the Council of Europe Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse (Lanzarote Convention), therefore increasing the compliance of the legal framework and policy for the protection of children against different forms of violence;
- the adoption of the Rules of professional ethics of healthcare professionals, establishing a framework for healthcare professionals aiming at regulating the relations between healthcare professionals and patients as well as the ethical requirements for healthcare professionals in the field of public health protection.

Rule of law:

- the adoption of a revised judicial code and introduction of new methodology and procedures within the Commission for Performance Evaluation of Judges providing reliable and unbiased information about judicial performance;
- a more co-ordinated approach to the Probation Service, facilitating reintegration into society of offenders;
- the enhancement of the capacities in suicide and self-harm prevention and mental health assessment in prisons, contributing to the reduction of suicidal behaviour and mental health problems in prison facilities;
- the enhancement of the Armenian Corruption Prevention Commission's capacities in the field of verification and analysis of income, asset interest and expenditure declarations of public officials;
- The establishment of the department dealing with cases of civil forfeiture of illegal assets established within the General Prosecutor's Office of the Republic of Armenia⁵
- the establishment of the Anti-Corruption Committee, a specialised investigative body aimed to increase the effectiveness of the investigation of corruption-related offences;
- The establishment of the specialised department in Prosecutor's General Office, conducting prosecutorial control over investigation of corruption crimes investigated by the Anti-Corruption Committee;
- The establishment of the Anti-Corruption Courts, which should be operational by the end of the year 2022.

Democracy:

- the consolidation of the Communities Association of Armenia in its role as a formal, credible and sustainable body in facilitating interactions between local and national authorities and in providing support to its members;
- effective consultation mechanisms in selected communities, strengthening participatory processes and promoting openness, transparency and accountability of local administration and decision making.

Consultation process

This Action Plan has been prepared following consultations with the authorities of Armenia.

On 2 March 2022, representatives of the Council of Europe Secretariat and the Armenian authorities held a Steering Committee meeting in Yerevan in order to assess the implementation of the previous Action Plan. On 18 March 2022, thematic consultations on the priorities of the possible concrete areas of co-operation took place at the technical level, with representatives of national authorities, civil society organisations and Council of Europe staff.

1.2. ACTION PLAN GOALS

The present Action Plan is a strategic programming instrument for the period 2023 - 2026. Its goal is to further support reforms in Armenia which will be bringing Armenian legislation, institutions and practice further into line with European standards in the areas of human rights, the rule of law and democracy and therefore to support the country's efforts to honour its obligations as a Council of Europe member State.

⁵ Investigations on more than 340 cases are currently ongoing (July 2022).

The Action Plan areas of co-operation are the following.

- The Council of Europe will continue to support the authorities of Armenia in progressing with (and completing where possible) the reforms undertaken in strategic areas, notably:
 - enhancing the effectiveness of the European Convention on Human Rights (ECHR) system at national and European level;
 - supporting criminal justice reform;
 - enhancing the application of human rights in the armed forces and strengthening the rights and role of women in the military service in Armenia;
 - promoting gender equality, combating violence against women and domestic violence, and improving women's access to justice;
 - anti-discrimination;
 - children's rights;
 - protecting human rights in the field of biomedicine;
 - enhancing the independence and efficiency of justice;
 - enhancing the provision of healthcare in prisons;
 - supporting the development of a fully-fledged probation service;
 - the fight against corruption;
 - fighting cybercrime;
 - strengthening local democracy and citizen participation in decision making.

- In addition, areas of co-operation proposed under this Action Plan include some identified under the Action Plan 2019- 2023 that could not be funded and that are still relevant, or new areas of co-operation jointly identified with the authorities of Armenia, on the basis of the more recent work carried out by Council of Europe institutions, monitoring mechanisms and expert advisory bodies. They include, notably:
 - strengthening the human rights protection of displaced people in Armenia;
 - strengthening legal professionals' capacities to protect the environment;
 - ensuring freedom of expression and freedom of the media;
 - Combating hate speech and hate crime;
 - protecting minorities and minority languages;
 - data protection;
 - ensuring social rights, including labour rights and employment;
 - Strengthening capacities of social workers;
 - supporting police reform, in line with European human rights standards;
 - elections.

The Council of Europe applies a human rights approach at all levels and stages of its activities. This approach incorporates human rights norms and processes into project management. At the same time, the human rights approach attempts to avoid any unintentional human rights harm, imbalance or negative impact in its work. This approach is a cross-cutting priority for the Action Plan. As part of the human rights approach, promoting gender equality and therefore gender mainstreaming remains a key component of the present Action Plan. Gender mainstreaming will help to address more effectively the needs of individuals living in Armenia without discrimination and to enhance the quality and effectiveness of the implementation of the Action Plan. The new Action plan will assist in implementing some priority areas of the Armenia Public Administration Reform (PAR) Strategy, according to the needs identified within its three-year roadmap.

In meeting its objectives, this Action Plan will also support Armenia in its efforts to implement the [United Nations 2030 Agenda for Sustainable Development](#).

PART II - PROPOSED ACTIONS FOR 2023 TO 2026

The actions proposed per pillar, as defined by the Programme and Budget 2022-2025, are set out below.

2.1 HUMAN RIGHTS

The amended constitution adopted in December 2015 resulted in significant revisions of constitutional provisions related to human rights and enhanced the legal and institutional framework for the protection and promotion of human rights and fundamental freedoms in Armenia. The new constitution introduced a distinction and separated the regulation of the basic rights and freedoms from legislative guarantees in economic, social, and cultural domains and, more generally, broadened the scope and definition of human rights, in line with European standards.

The National Strategy for Human Rights Protection and deriving Action Plans, adopted by governmental decree in December 2019, refers to the “serious deficiencies faced by governments in developing and implementing their rights-based policies frequently leading to flagrant violations of political, civil, economic and social human rights” as being one of the main challenges faced by Armenia. Within the framework of the preparation of the National Strategy for Human Rights Protection, the analysis of the problems identified by the main human rights international organisations lead the Armenian authorities to single out the following issues.

1. Fatalities and ill-treatment (torture, inhuman or degrading treatment) in the armed forces and in correctional facilities; inefficient investigations of such incidents;
2. Inadequate conditions for exercising the right to a fair trial, serious suspicions related to the independence and impartiality of the judicial system, the public distrust of courts;
3. Inadequate steps to ensure atmosphere of equal rights and corresponding practices, and to fight discrimination on all grounds;
4. Disproportionate restrictions on exercising the freedom of assembly and extremely harsh response by the authorities;
5. Inappropriate response by the State to violence and other human rights violations against individual vulnerable groups such as children, women, persons with disabilities, the elderly and minorities.⁶

The Council of Europe will continue to support Armenia in strengthening its national capacities to undertake and implement reforms in the areas identified under the Human Rights pillar which include: ensuring relevant human rights safeguards in the criminal and criminal procedure legislation, including through proper implementation of the European Court of Human Rights (ECtHR) judgments; further enhancing the protection of human rights and gender equality in the armed forces; protecting the human rights of displaced people; preventing and combating discrimination, gender-based violence and child sexual abuse and exploitation; promoting freedom of expression and information, media and data protection; protecting human rights in the field of biomedicine; and strengthening legal professional capacities to protect the environment.

These actions will contribute to the implementation by Armenia of *United Nations Sustainable Development Goals* (SDGs) 3 on healthy lives and well-being (target D), 5 on gender equality (more specifically targets 1, 2, and C), 8 on inclusive and sustainable economic growth (target 8), 11 on inclusive, safe, resilient and sustainable cities and human settlements (targets 3, 6), 13 on climate change and its impact (targets 1, 2, 3, A, B), 15 on sustainable use of terrestrial ecosystems (targets 1, 2, 3, 4, 5) and 16 on peace, justice and strong institutions (targets 3, 7, 10 and B).

2.1.1 EFFECTIVE ECHR IMPLEMENTATION

Despite the relatively small number of ECtHR cases currently pending (as of April 2022, 50 cases⁷), the issues undergoing enhanced and standard supervision by the Committee of Ministers require sustained efforts. The cases under enhanced supervision⁸ include cases related to ill-treatment and/or torture in police custody; absence of effective investigations into the death of military conscripts; denial of adequate medical care to prisoners, violation of the freedom of assembly and other violations relating to the policing of

⁶ National Strategy for Human Rights Protection.

⁷ Department for the Execution of Judgments of the European Court of Human Rights (HUDOC EXEC).

⁸ Virabyan group, Muradyan case, Mushegh Saghatelyan case, Ashot Harutyunyan group.

demonstration. The cases under standard supervision include, in particular, cases related to shortcomings in domestic law and judicial practice involving unlawful pre-trial detention and extensions of such detentions; late or non-execution of national courts' decisions; excessive length of proceedings.⁹ Significant measures have been taken by the authorities to address these issues, in some cases with the Council of Europe's assistance. However, further support is needed to assist the authorities in implementing the reforms necessary to improve application of the European Convention on Human Rights (ECHR) at national level.

➤ **Enhancing the effectiveness of the ECHR system at national level**

ECHR implementation at national level

Ensuring the effective implementation of the ECHR and ECtHR case law at national level is a primary responsibility incumbent on all member States. This requires further improving access to and understanding of the leading Convention principles and standards by justice chain stakeholders, relevant State institutions, including the training institutions for legal professionals, and civil society players, so as to be able to invoke, monitor and apply in practice the ECHR and other human rights standards at national level.

Under the Council of Europe Action Plan for Armenia 2019 – 2022, institutional development support has been provided to the Office of the Representative of the Republic of Armenia on International Legal Matters (Government Agent Office). Specific focus has been given to providing support to Armenia in the execution of ECtHR judgments with reference to the improvement of access to justice, the prevention of the non-execution or delayed execution of judgments of national courts, the development of remedies concerning excessive length of judicial proceedings, the re-opening of judicial proceedings following a judgment of the ECtHR. The implementation of the interaction strategy and the effective functioning of the newly created Interagency Committee will contribute to the better understanding of the needs and to an enhanced knowledge by the relevant stakeholders about the standards of the Council of Europe and the experience of other member States in this domain.

ECHR implementation at national level is an important priority of the Action Plan and is, as such, mainstreamed throughout all its sections. Building on the constructive co-operation established with the Government Agent Office, the Ministry of Justice, the Court of Cassation, the Constitutional Court, the Justice Academy and other stakeholders, the Council of Europe will continue to strengthen their capacities through technical assistance support, workshops, seminars and training on leading ECtHR case law, and relevant study visits so that they can effectively play their role in the process of execution of ECtHR judgments by Armenia and that the ECtHR case law is applied in a more harmonised way at national level.

The development of diagnostic tools, methodological manuals and guides will allow to identify issues and propose solutions to develop stakeholders' capacities. Specific attention will be given to the co-operation between the national authorities and the Council of Europe for the correct identification of general and individual measures deriving from ECtHR judgments and their subsequent implementation as well as to enhancing the capacities of the Office of the Human Rights Defender (HRD Office) to effectively monitor the execution of ECtHR judgements, as well as to ensure effective third-party interventions. Support will also be provided for the digitalisation of justice and enforcement of judicial acts by the Compulsory Enforcement Service of the Ministry of Justice (MoJ). The role of the parliament in the execution of ECtHR judgments and in general, in the implementation of European standards at national level, shall be enhanced through interaction and reporting, as well as improvement of capacity of the members and staff of the parliament.

In this context, the European Programme for Human Rights Education for Legal Professionals (HELP) will continue to play a significant role in supporting Armenia's capacity to implement the ECHR and other Council of Europe standards as well as the recommendations of Council of Europe entities and monitoring mechanisms, in partnership with local institutions and relying on the expertise developed in different sectors of the Organisation. The relevant topical HELP online courses will be transversally integrated in capacity-building actions under this pillar and topic as well as under the other pillars and all relevant sections below.

⁹ Department for the Execution of Judgments of the European Court of Human Rights, – [Armenia Country Factsheet](#)

Following the entry into force of Protocol No. 15 to the ECHR and the addition of a reference to the principle of subsidiarity to the Preamble of the Convention, the Organisation is working with some member States to implement co-operation initiatives offering a wide variety of support including training, methodological and expert advice, the introduction of digital instruments into judicial processes, in order to allow for a stronger implementation of this principle at national level. Subject to funding, a new multi-country initiative will support the creation of a platform linking national judiciaries and aiming at developing their capacities to better understand and apply Convention standards in day-to-day practice, which could benefit Armenia. The platform will allow for having access to well-structured and up-to-date ECHR knowledge, in several languages and to harmonise national-level application of the Convention, increase the number of Convention-related cases being resolved at national level and result in more efficient use of judicial time.

Supporting criminal justice reform

Criminal justice is the central element of any national system of human rights protection. Throughout Europe, over recent years, national criminal justice systems have faced new types of challenges: greater complexity of cases due to societal changes, the development of new technologies and the internationalisation of crime, budgetary constraints, increased workload and at the same time growing expectations from the public.

After a process of several years of close co-operation with the Council of Europe, in 2021, Armenia adopted a new Criminal Code (CC) and Code of Criminal Procedure (CPC). The new texts provide for a shift from a punitive to a resocialisation approach and for a more balanced protection of public and private interests in criminal proceedings and better guarantees of the protection of the rights and legitimate interests of those involved in criminal proceedings (duty-bearer principle). The reforms in the criminal justice system are in line with certain recommendations of the latest periodic visit reports on Armenia of the [European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment](#) (CPT) related to the prevention of torture and ill-treatment in police establishments or prisons, the role of the Human Rights Defender (HRD), the treatment of persons with special needs and disabilities as well as the national Strategy on Legal and Judicial Reform of Armenia for 2019-2023 and the National Strategy for Human Rights Protection. The reforms which have been initiated also derive from the shortcomings identified in the judgments of the ECtHR in connection with the effectiveness of investigations of ill-treatment and/or torture, as well as the lawfulness of detention and related issues. The implementation of the new CPC and CC shall therefore also result in progress in the execution of [ECtHR judgments](#) against Armenia related to torture and ill-treatment that are under enhanced supervision of the Committee of Ministers.

The new codes entered into force on 1 July 2022 and the changes that they introduce are profound and will need to be accompanied by concrete support to the national authorities in putting in place appropriate policy and regulatory frameworks as well as facilitating the setting-up of new practices among criminal justice actors by strengthening their professional skills and having their mindsets evolve, in line with the new CC and CPC.

The Council of Europe will provide support to harmonise policies, judicial and internal regulatory mechanisms in line with Council of Europe standards to ensure effective application of the newly adopted criminal justice legislation and to develop the capacities of policy and law makers, criminal justice legal practitioners, the HRD Office as well as the Government Agent Office. Attention will also be given to the monitoring of the implementation of the new codes and their contribution to the implementation of the judicial reform. Following the discontinuation of the Special Investigative Service, which was responsible for the investigations of torture cases,¹⁰ support will be provided to develop the capacities of the new institutional set-up for investigating ill-treatment cases.

The Judicial Code of Armenia envisages separate specialised judges on supervision over pre-trial proceedings. Deriving from the findings of the ECtHR in the judgments in respect of Armenia, as well as the ECtHR case law in general, the Council of Europe will support the relevant national stakeholders in improving the quality of justice in this sphere.

¹⁰ This need was particularly highlighted by the Committee of Ministers in its recent decision and notes regarding the examination of the Virabyan group of cases (see [CM/Del/Dec\(2022\)1428/H46-3](#), section 7; as well as the [CM/Notes/1428/H46-3](#), Analysis by the Secretariat, Effectiveness of investigations).

Enhancing the application of human rights in the armed forces and strengthening the rights and role of women in the Military Service in Armenia

Strengthening the protection of human rights and promoting the engagement of women in the armed forces is part of the strategic human rights agenda of the Government of Armenia. In the National Strategy for Human Rights Protection, “fatalities and ill treatment (torture, inhuman or degrading treatment) in the armed forces” as well as “inefficient investigations of such incidents” were already identified as “serious problems with human rights in the Republic of Armenia”. The action plan deriving from the strategy took into account these needs and foresaw activities aiming at: promoting the engagement of women in the armed forces and the protection of their rights; training of commanding officers of the armed forces, military police as well as other stakeholders; contributing to the empowerment of women in the military to ensure their wider representation in the military command chain. In addition, the Action Plan of the Government of the Republic of Armenia for 2021-2026,¹¹ includes “strengthening the protection of human rights and integrity within the armed forces” as one of its objectives; it also entails a gradual increase of women involvement in the armed forces, including in high-ranking positions.

The support to the Armenian authorities in ensuring better protection of human rights in the armed forces in Armenia will build on the achievements of the previous Council of Europe Action Plans for Armenia, notably the results of specific projects implemented between 2016 and 2022.¹² These actions could rely on the ample body of human rights standards deriving from the ECHR, those specifically targeting armed forces (*Recommendation CM/Rec(2010)4* of the Committee of Ministers to member States on human rights of members of the armed forces and its explanatory memorandum, the Parliamentary Assembly (PACE) *Recommendation 1742 (2006)* “Human rights of members of the armed forces”, etc.) as well as ECtHR judgments (for example, *Nana Muradyan v. Armenia*, Application No. 69517/11 and *Muradyan v. Armenia*, Application No. 11275/07). The previous projects in this area have laid an important foundation for better embedding the European human rights standards in the armed forces in Armenia and contributed to important changes at policy, institutional and operational levels, including a specific focus on rights of women servicepersons.

Under the present Action Plan, and in order to ensure sustainability and complement the progress achieved so far, the Council of Europe intends to continue its co-operation with the Ministry of Defence (MoD) as well as other relevant national authorities through the provision of:

- legal advice and capacity development assistance to ensure that the State institutions aim at preventing human rights violations in the army, in line with the European human rights standards for which the support will take into consideration the process of execution of pending ECtHR cases;
- advocacy and expert support both at the policy and institutional level, to ensure that gender mainstreaming policies in the armed forces are sustained within the national and institutional priorities and that the relevant bodies within the Ministry of Defence (MoD) as well as the Women Councils effectively play their role and provide quality advice and services with a view to ensure the development of gender-sensitive standards;
- legal advice and capacity development assistance to ensure that the relevant departments of the MoD aim at providing social support as well as healthcare to the military personnel and veterans-in line with the European human rights standards and in a gender-sensitive way;
- further support to incorporate the human rights approach into the military education both at the level of the MoD’s policies, as well as within the curricula of the military educational establishments, thereby fostering human rights awareness among future conscripts and to foster a gender-sensitive culture among the new generation of officers;
- support to put in place awareness-raising programmes in the armed forces as well as amongst the future conscripts and the public at large, based on the human rights approach.

¹¹ Adopted by the Decision of the Government of the Republic of Armenia 1363-N of 18 August 2021.

¹² The “Strengthening the application of European human rights standards in the armed forces in Armenia” projects implemented under the Council of Europe Action Plan for Armenia 2015-18, and two phases of the “Human rights and women in the armed forces of Armenia” project implemented under the Council of Europe Action Plan for Armenia 2019-2022.

Protecting human rights in the context of forced displacement in Armenia

The 2020 outbreak of hostilities led to thousands of civilians fleeing the conflict zones, places of residence and properties.

In its [Recommendation 2209 \(2021\)](#) on the “Humanitarian consequences of the conflict between Armenia and Azerbaijan / Nagorno-Karabakh conflict”, the Parliamentary Assembly invited “the Committee of Ministers to take into account the humanitarian consequences of the conflict when preparing new action plans for Armenia (2023-2026)”. The Parliamentary Assembly also invited the Committee of Ministers “to pay particular attention to the needs and rights of displaced persons and issues surrounding their return...”.

Measures to be put in place span a variety of human rights issues and include housing and property issues, healthcare and social protection, education and childcare, employment and compensations related to the loss of household breadwinners and right to security and safety. They require adequate, gender-sensitive legislative and policy solutions, as well as mechanisms to ensure their practical implementation, monitoring and follow-up.

The Organisation’s role and experience in addressing long-term human rights issues in the context of forced displacement could provide for unique added value.

In line with the ECHR, the revised European Social Charter and other Council of Europe instruments, the Council of Europe’s initial support will focus on enhancing the legislative and regulatory framework in the field and strengthening the capacity of varied stakeholders in upholding social rights (housing, health, education, etc.) and ensuring effective access to justice. Issues relating to access of these persons to justice and property rights could also be covered, in accordance with the ECHR provisions.

Strengthening legal professionals’ capacities to protect the environment through a human rights perspective

Environmental degradation strongly affects the quality of human life and negatively interferes with the enjoyment of fundamental rights. The Council of Europe has developed several conventions¹³ recognising the right to a healthy environment and, although it is not explicitly enshrined in the ECHR and the European Social Charter, the ECtHR case law and the conclusions of the Committee of the European Social Charter affirm the undeniable interconnection between the environment and human rights. The ECtHR has delivered “nearly 300 cases concerning various forms of environmental risk and harm” caused, among others, by industrial noise, air pollution, pollution of soils, groundwater and surface waters, emissions from waste disposal sites, dust pollution, oil pollution in coastal areas, deforestation, urban development, biodiversity conservation, natural disasters and hunting as well as passive smoking. Environmental issues have been dealt with by the ECtHR in connection with the right to life (Article 2), the right not to be subjected to inhuman or degrading treatment (Article 3), the right to a fair trial and have access to a court (Article 6), the right to respect for private and family life (Article 8), the right to freedom of expression (Article 10), the right to an effective remedy (Article 13) and the right to the peaceful enjoyment of one’s possessions (Article 1 of Protocol No. 1). The ECtHR’s jurisprudence has greatly strengthened participatory rights in environmental matters such as the right to access to information (that is, impact studies and risk assessment), the right to public participation in decision-making processes and the right to access to justice in environmental matters.

The report “Environmental compliance assurance system in Armenia: current situation and recommendations”¹⁴ published in 2022, states that Armenia’s state of pollution and certain characteristics of its geography and economy make environmental compliance assurance a priority for the country.

¹³ *Inter alia*, the Convention on the Conservation of European Wildlife and Natural Habitats (Bern Convention), the Convention on Civil Liability for Damage Resulting from Activities Dangerous to the Environment (Lugano Convention) and the Convention on the Protection of the Environment through Criminal Law.

¹⁴ The report has been developed within the framework of the “European Union for Environment Action” (EU4Environment) project funded by the European Union and implemented by the Organisation for Economic Co-operation and Development (OECD), United Nations Economic Commission for Europe, United Nations Environment Programme, United Nations Industrial Development Organization and the World Bank.

The Council of Europe will provide support in:

- improving the legislative and regulatory framework on environmental issues in line with European and international standards;
- promoting measures to enable effective access to judicial and other procedures for effective remedies in environmental cases and removing existing barriers in that regard;
- promoting the development of education and public awareness on environmental issues.

The activities will foster effective stakeholder engagement with a view to promoting sustainable changes in the field of human rights and the environment in the region.

➤ **Human rights in the field of biomedicine**

Council of Europe work in this area is guided by the precepts of the Convention on Human Rights and Biomedicine (Oviedo Convention), which is the only international legally binding instrument on the protection of human rights in the biomedical field. It draws on the principles established by the ECHR in the field of biology and medicine and aims at protecting the dignity and identity of all human beings and at guaranteeing respect for their integrity and other rights and fundamental freedoms with regard to the application of biology and medicine by setting out fundamental principles applicable to daily medical practice as well as biomedical research, genetics and transplantation of organ and tissues.

In her latest country visit [report](#) on Armenia, the Commissioner for Human Rights (the Commissioner) highlighted a number of issues in the biomedical field and related to the informed consent of vulnerable patients to health intervention, stigmatisation of persons with disabilities, end-of-life treatment (access to palliative care and pain relief for persons suffering from chronic and terminal diseases). In the same vein, the HRD Office of the Republic of Armenia, highlighted issues such as compulsory medical examination and/or treatment, exposure of confidential medical information, sex-selective abortion, absence of comprehensive ethics rules for doctors, discriminatory treatment of patients and other issues related to informed consent for medical treatment, organ donation and transplantation.

Given the impressive impact on health-related aspects, for individuals and the society as a whole, of the Covid-19 pandemic, the co-operation in this field between the Council of Europe and the Republic of Armenia has become even more relevant. The large number of severe cases raises major ethical and human rights challenges that professionals and competent authorities have to address in controlling the pandemic and in taking care of their patients' health.

Within the framework of the Action Plan for Armenia 2019-2022, the Council of Europe has accompanied the national authorities in their efforts to bring the legal framework and the law enforcement practices in the biomedical field in line with European human rights and ethical standards enshrined in the Oviedo Convention. An analysis of the Armenian legislation in the field of biomedicine was carried out in 2021 and submitted to Armenian authorities in order to inform decisions and orient future work. In February 2022, the Government of the Republic of Armenia approved the Rules of professional ethics of healthcare professionals, establishing a framework for healthcare professionals and aiming at regulating the relations between healthcare professionals and patients as well as the ethical requirements for healthcare professionals in the field of public health protection, thereby improving the quality of medical care and services provided. These activities were accompanied by an important effort to enhance the knowledge about the human rights issues and the key ethical principles in the field of biomedicine and about the Oviedo Convention and its additional protocols among selected stakeholders, including judges, representatives from the Ministry of Health and the National Health Institute, the National Assembly, the HRD Office, academics, journalists, and healthcare and legal professionals. Interest was expressed by the Ministry of Health in preparing the ground for possible ratification of the Oviedo Convention.

Building on the constructive co-operation established with the Ministry of Health, the Council of Europe will continue to provide support to Armenia to:

- align the legislative framework with European standards (including but not limited to the new law on public health, legal norms related to individual licensing of medical practitioners, as well as legal methodology on potential deceased donors in relation to organs and tissues, etc.);
- further establish the Ethical Committee, as well as strengthen the capacities of healthcare professionals on adopted ethical rules;
- Develop the capacities of the relevant professional groups on human rights principles in the field of organ donation and transplantation;
- Develop rules of professional ethics in areas such as reproductive health and genetic information provision;
- prepare the ground for the ratification of the Oviedo Convention by increasing the knowledge of the Parliamentarians and/or of the judges of the Constitutional Court on the Convention, ahead of discussions on its possible ratification;
- raise public awareness on human rights principles in the field of biomedicine;
- increase the protection of human rights, in practice, also in relation with gender sensitivity and human rights issues in emergency situations;
- train journalists in the field of human rights and biomedicine and develop a guide to help them in their practice;
- identify needs specific to the field of mental health;
- implement the national mental health care programme in order to protect the rights of people with mental health problems.

➤ **Freedom of expression and information, media and data protection**

Freedom of expression and information and media

“Enhancing freedom of expression, media pluralism and the safety of journalists, and promoting internet governance in compliance with European human rights standards” had been identified as an important area of work within the Action Plan for Armenia 2019-2022. However, due to lack of funding, no specifically designed project was put forward for implementation in the country.

The 2020, 2021 and 2022 Annual Reports of the Secretary General of the Council of Europe highlighted the strain put on pluralism, quality and integrity of journalism in many member States, especially during the Covid-19 pandemic.

The Parliamentary Assembly [report 15432](#) on “The functioning of democratic institutions in Armenia” published in January 2022 provides an assessment of the achievements made and the challenges remaining with regard to the media environment and freedom of expression. While acknowledging the improvement of Armenia in the ranking¹⁵ of the Reporters Without Borders, it also highlighted the severe restrictions put in place by Armenia in response to specific events or situations affecting the independence of journalists and the freedom of expressions. The Parliamentary Assembly report acknowledges that the level of disinformation and hate speech in Armenia is unprecedentedly high and calls on the Armenian authorities to develop a comprehensive strategy addressing the issues of transparency of media ownership, media concentration, the status of journalists and self-regulation mechanisms.

The Armenian Strategy for Human Rights Protection states that everyone has a right to freely express his/her opinion, including to seek, receive and disseminate ideas without any interference of public bodies and local governments, irrespective of the national borders, and that the right to freedom of expression may be restricted only by law, for the purpose of State security, preventing or disclosing crimes, protecting public order, health, and morals or the basic rights and freedoms of others. The strategy identifies three main priorities: 1) to improve the legislative framework in order to limit as much as possible the discretionary powers of the public authorities in providing information and to curtail abuses of formal requirements; 2) to promote media pluralism, their transparent operation, and the safety of the information they provide to the public and 3) to counter offensive and degrading hate speech in social media.

¹⁵ In 2019, Armenia jumped 19 places in the World Press Freedom Index 2021 of Reporters Without Borders ranking from 80th to 61st.

An assessment of the needs for co-operation in the fields of freedom of expression and freedom of the media carried out between January and March 2022 by Council of Europe experts concluded that the current Armenian legal framework regulating the media sector is outdated, not in line with European practices and not appropriate to enhance freedom of expression. The experts identified specific priority areas of work including creating the conditions for a functioning media market, increasing the transparency about media ownership and financing, enhancing the regulatory capacity of the Commission on Television and Radio, strengthening the public service media and recommended that national authorities set up a working group with representatives of the main stakeholders, including civil society organisations, with a view to carry out a comprehensive reform in the field of media.¹⁶ Another recommendation of the experts concerns the area of access to information, which needs further development in Armenia; it is recommended to consider the establishment of the institution of Access to Information (Freedom of Information) Commissioner in order to ensure systematic and independent review, monitoring and the promotion of a unified implementation practice.

Taking into account the findings and conclusions of the media needs assessment, the Council of Europe will provide support in the following interconnected areas:

- enhancing the legislative and regulatory framework governing freedom of expression and the media, in line with ECHR principles;
- decreasing information disorder (mis/disinformation) and enhancing sensitive and conflict reporting;
- supporting Armenian media professionals, independent outlets and other stakeholders in promoting ethical, unbiased reporting and content diversification;
- supporting the Armenian public broadcaster to fulfil its mandate while taking into consideration the context of changed media consumption patterns;
- enhancing the freedom of access to information legal and institutional framework in line with Council of Europe standards, including the Council of Europe Convention on Access to Official Documents (Tromsø Convention);
- enhancing the capacities of legal professionals (judges, lawyers, prosecutors) and of civil society and journalists' organisations on Article 10 of the ECHR.

Enhancing the protection of personal data in Armenia in line with emerging international standards

The rapid development of information technology has exacerbated the need for robust personal data protection. Safeguarding this important right entails new and significant challenges as technological advances expand the frontiers of areas such as surveillance, communication interception and data sharing and storage. The Council of Europe assisted 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, notably by providing support to the preparation of the Armenian Data Protection Strategy 2017 – 2021 and its implementation. Nonetheless, the lack of full independence of the Data Protection Agency, which was identified as a major shortcoming in the field of personal data protection in Armenia, remains a challenge to date.

On 25 January 2022, Armenia ratified the Protocol amending the Convention for the Protection of Individuals with regard to Automatic Processing of Personal Data (CETS No. 223), which provides for even stricter requirements than the above-mentioned protocols. The Council of Europe stands ready to provide legal expertise to enhance Armenia's legislative framework in the field of data protection, as well as technical support so that the legislation can be applied in practice.

¹⁶ As a follow-up to this recommendation a working group has been created and is operational. In particular, the Ministry of Justice, the Standing Committee on Science, Education, Culture, Diaspora, Youth and Sport of the National Assembly and NGOs from the media sector signed a MoU that identifies the main lines of co-operation. At the same time the Ministry of Justice is working on developing a concept for Media Environment Development, especially in relation with the self-regulation of media actors, in co-operation with the representatives of the media sector.

Expected outcomes

Enhancing the effectiveness of the ECHR system at national level

- ✓ Criminal policy and regulatory framework in line with the new Armenian CC and CPC as well as European standards.
- ✓ Criminal justice legal practitioners implement in a harmonised way the new criminal legislative, regulatory framework and policy.
- ✓ Institutional set-up for investigating ill-treatment cases is operational and relevant staff's capacities in this area are developed.
- ✓ The Parliament of Armenia effectively contributes to the implementation of the case law of the ECtHR at national level.
- ✓ Enhanced Capacity of the HRD Office on the procedure of third-party intervention before the ECtHR.
- ✓ Armenian legal professionals have a better understanding about the ECHR and Council of Europe standards and apply them in their daily practice.
- ✓ The general measures in the relevant judgments of the ECtHR are effectively implemented.
- ✓ The Armenian armed forces take concrete steps to better protect and promote human rights among military servicepersons.
- ✓ The relevant educational and training institutions institutionalise the protection and promotion of human rights and gender equality in the armed forces as part of their standard training modules and other educational activities.
- ✓ The profile of women servicepersons is raised within the armed forces.
- ✓ Military service personnel and veterans have better access to the social and healthcare services and the protection mechanisms of these rights.
- ✓ Co-ordinated, gender-sensitive response (policies, human and financial resources) provided by the Armenian authorities to deal with specific concerns of displaced people in Armenia (housing, health, education, etc.).
- ✓ Enhanced access to justice and property rights by displaced people.
- ✓ Measures to ensure the effective protection of the environment and human rights identified by Armenian authorities.
- ✓ Awareness raised among legal professionals, human rights institutions and civil society about the interplay of human rights and environment.
- ✓ Enhanced regional co-operation on protection of environment and human rights instruments.

Main national partners: Ministry of Justice, Ministry of Defence, Ministry of Education, Science, Culture and Sports, Ministry of Health, Ministry of Labour and Social Affairs, Ministry of Environment, National Assembly, Office of the Representative on International Legal Matters, Office of Public Defender, Bar Association, Court of Cassation, Justice Academy, Chamber of Advocates, Association of Judges, Military University named after Vazgen Sargsyan, Office of the Human Rights Defender, Investigative Committee, National Environmental Organisations, Civil Society Organisations.

Protection of human rights in the field of biomedicine

- ✓ Armenian legal framework and related practices are more in line with the principles enshrined in the Oviedo Convention.
- ✓ Public awareness on the challenges related to human rights applied to the biomedical field is enhanced.
- ✓ The overall level of human rights protection in the biomedical field is increased.
- ✓ Armenia takes further steps towards accession to the Oviedo Convention.

Main national partners: Office of the Human Rights Defender, Ministry of Health, Ministry of Justice, Ministry of Education, Science, Culture and Sports, Prosecutor General's Office, Supreme Court, National Centre on Bioethics, Justice Academy, Yerevan State Medical University, Yerevan State University, Bar Association, NGOs.

Freedom of expression and information, media and data protection

- ✓ The national legislative and regulatory framework governing freedom of expression, freedom of the media and access to information is in line with the ECHR and effectively implemented.

- ✓ Armenian media professionals and media actors, including public service broadcaster, actively promote media integrity, ethical standards and media self-regulation and contribute to reduce information disorder, including disinformation and hate speech.
- ✓ Accreditation system of media actors is in line with European standards.
- ✓ Armenian legal professionals are aware and comply with Article 10 of the ECHR and the case law of the ECtHR.
- ✓ National Data Protection Strategy is adopted.
- ✓ Armenian Data Protection Agency's status and independence are enhanced, and the agency is empowered to implement the relevant international standards.
- ✓ Legal professionals have a better understanding about international data protection standards and apply them in their professional practice.
- ✓ Armenian citizens are more aware about their right to privacy.

Main national partners: Ministry of Justice, Ministry of High-Tech Industry, Ministry of Territorial Administration and Infrastructure, Ministry of Education, Science, Culture and Sports, National Assembly, Data Protection Agency, Bar Association, Court of Cassation, Justice Academy, Chamber of Advocates, Association of Judges, National Commission on Television and Radio, National Public Television Company, Office of the Human Rights Defender, Office of the Representative on International Legal Matters, media professional organisations, journalists' self-regulatory bodies, journalism faculties at national level and civil society.

2.1.2 EQUALITY AND HUMAN DIGNITY

The Council of Europe [Secretary General's Annual Report 2021](#) on the state of democracy, human rights and the rule of law makes the general assessment that “violence against women and domestic violence persists and has increased during recent lockdown” and that “children have been exposed to an increased risk of violence, sexual abuse and exploitation in recent months, both in the home and online, against a backdrop of under-reporting and high levels of impunity”; her Annual Report 2022 – [Moving Forward 2022](#) – states that “violence against women [...] has been exacerbated by the Covid-19 pandemic” and that “strong emphasis should be put on combating all forms of violence against women and domestic violence, in particular through the implementation of the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (the Istanbul Convention as well as through its further ratification by member States”.

The latest country visit [report](#) on Armenia of the Commissioner for Human Rights (the Commissioner), while acknowledging the efforts Armenia has made in creating and improving the legislative framework to combat domestic violence and the perceptible shift of attitude on this issue, underlines that this remains a widespread and, to some extent, underestimated phenomenon. She encouraged Armenian authorities to ensure that the existing legislation is effectively applied and recommended that the authorities pursue the work while making use of the expertise of the Council of Europe and civil society. Concerning the situation of children, the Commissioner referred to the European Committee of Social Rights' (ECSR) conclusions of 2015 that found that the Armenian domestic legislation did not adequately protect children from all forms of sexual exploitation and was not in conformity with the European Social Charter.

➤ **Gender equality, combating violence against women and domestic violence, and improving women's access to justice**

Armenia has recently taken a number of steps to advance gender equality, combat domestic violence and provide for legal protection of women victims of violence by adopting relevant legislation and policies. The adoption of the law against domestic violence¹⁷ in December 2017, the signature of Istanbul Convention in January 2018¹⁸ as well as the 2019-2023 Strategy and Action Plan for Implementation of the Gender Policy in the Republic of Armenia which includes, under its “Priority 5 – prevention of gender-based discrimination” procedures aimed at securing a comprehensive protection for women survivors of domestic violence, underscore the government's commitment to work in the area of domestic violence.

¹⁷ Law on Prevention of Violence within the Family, Protection of Victims of Violence within the Family and Restoration of Peace in the Family.

¹⁸ The ratification of the Istanbul Convention is pending.

The Council of Europe's support within the implementation of the Action Plan for Armenia 2019-2022 focused on raising awareness, transferring critical knowledge and building capacity of Armenian professionals, authorities and NGOs to implement European standards, in particular the Istanbul Convention. Upon request of the Ministry of Justice, the European Commission for Democracy through Law (Venice Commission) has prepared an opinion on the constitutional implications of the ratification of the Istanbul Convention¹⁹ which helped raise awareness of this instrument at institutional level. While progress has been made towards improving women's equal access to both legal protection and effective remedies for violations of their rights, many challenges remain, including persistent legal, institutional, socio-economic and cultural barriers to gender equality and women's access to justice, and limited access to legal aid and support services for women.

With a view to addressing these challenges and building on the results achieved through past co-operation, the Council of Europe will continue to assist the relevant stakeholders in promoting gender equality, combating both violence against women and domestic violence in line with international and European standards and best practices as well as the United Nation Sustainable Development Goals (SDGs), in particular Goal 5 on achieving gender equality. This will be attained, *inter alia*, through further awareness raising, the creation of a common platform for discussions on the legislation with interagency participation, expert support for the alignment of national legislation with the Istanbul Convention and capacity building of the judiciary, legal professionals and law enforcement as well as social workers and other relevant professionals on European standards, the European Court of Human Rights (ECtHR) case law and practices as well as exchange of experience with the countries where the fight against domestic violence is most successful. Continued support will be provided to mainstream gender in education, promote gender equality and women empowerment and participation in public and political life, as well as to develop related policies. The Action Plan will also focus on improving access to justice for women, especially women who are the victims of violence and in vulnerable situations,²⁰ including by ensuring that the justice chain is gender responsive and that access to information and legal aid is enhanced. Providing support to Armenia's efforts towards the ratification of the Istanbul Convention, improving national legislation and policies and assisting in the implementation of the new law on domestic violence will continue to be Action Plan priorities.

➤ **Children's rights**

Protecting the rights of the child is at the core of the Council of Europe's mission to safeguard human rights, uphold democracy and preserve the rule of law. Children are entitled to enjoy the full range of human rights safeguarded by the European Convention on Human Rights (ECHR), the United Nations Convention on the Rights of the Child (UNCRC) and other international and European human rights instruments. Their rights include civil, political, economic, social and cultural rights. The Council of Europe Strategy for the Rights of the Child (2022-2027)²¹ identifies six priority areas: freedom from violence; equal opportunities and social inclusion; access to and safe use of technologies; child-friendly justice; giving a voice to every child; children's rights in crisis and emergency situations.

In her latest country visit report on Armenia, the Commissioner recommended that Armenia strengthens its efforts to combat child poverty and to guarantee the right of all children to an adequate standard of living. She also recommended that Armenia improves its legal framework for the protection of all children against sexual exploitation and sexual abuse. In its report related to the second evaluation round concerning the implementation of the [Council of Europe Convention on Action against Trafficking in Human Beings](#) by Armenia published in 2017, the Group of experts on action against trafficking in human beings (GRETA)²² called on the Armenian authorities to strengthen the prevention of trafficking in children through improved support for children in vulnerable situations. The Committee of the Parties of the Council of Europe Convention on Action against Trafficking in Human Beings, in its [recommendation](#) on Armenia,

¹⁹ [CDL-AD\(2019\)018](#), October 2019.

²⁰ Living in rural areas and minority groups.

²¹ "Children's Rights in Action: from continuous implementation to joint innovation".

²² In its report, the GRETA referred to a pilot study completed by the Organisation for Security and Co-operation in Europe (OSCE) in 2015 which concluded that exploitation of children through child labour and forced labour was a serious problem in Armenia, in particular, in rural areas. The GRETA also referred to the Report of the UN Special Rapporteur on the sale of children, child prostitution and child pornography on her visit to Armenia in May 2015, which concluded that the current child protection system in Armenia was not effective in preventing different forms of exploitation of children.

recommended, *inter alia*, that the Armenian authorities strengthen their efforts to prevent trafficking for the purpose of labour exploitation; strengthen the prevention of trafficking in children; take legislative and practical measures to ensure that legal entities in Armenia may be held liable for human trafficking offences. Armenia ratified the Council of Europe's Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse (Lanzarote Convention) in 2020.

Under the Action Plan the Council of Europe will seek to increase the awareness of key stakeholders,²³ professionals and civil society at large about the provisions of the Lanzarote Convention, the Convention on Action against Trafficking in Human Beings, as well as the Convention on Cybercrime (Budapest Convention) and provide support to national authorities for their implementation. Specific attention will be dedicated to Online Child Sexual Exploitation and Abuse (OCSEA) which is reported as a growing risk for children and requiring urgent action. The Council of Europe stands ready to support the authorities in their action to further strengthen the child welfare and protection system with a view to protecting children from violence in all settings, as well as from sexual exploitation and abuse, while carrying out efficient criminal investigations in a child-friendly manner and enhancing the protection of vulnerable children. Support will build on the work carried out within the Action Plan 2019 – 2022 and include awareness raising through the development of practical guidance notes and factsheets for frontline professionals on the protection of children from OCSEA through the Budapest Convention and the Lanzarote Convention, as well as child participation and awareness raising among children. The provision of technical support to member States to strengthen legislation and policies in line with the Lanzarote Convention and the Budapest Convention, the further development of national law enforcement capacities and regional co-operation, in particular within the framework of reporting and investigation procedures will also be provided.

Expected outcomes

Gender equality, combating violence against women and domestic violence, and improving access to justice

- ✓ Armenia is better prepared for ratification of the Istanbul Convention.
- ✓ The Armenian legal and policy framework on preventing and combating violence against women and domestic violence is in line with Council of Europe standards.
- ✓ Law enforcement officers, social workers, and other relevant professionals have a better understanding of European standards and gender-sensitive approaches related to the work with victims of domestic violence and gender-based violence.
- ✓ The capacities of the HRD Office to raise the awareness and monitor the situation on combatting violence against women and domestic violence are enhanced.
- ✓ Gender equality and women's empowerment are better promoted and the Armenian legal and policy framework on gender mainstreaming in education are in line with Council of Europe standards.
- ✓ Women victims of gender-based violence and domestic violence, including the most disadvantaged, have better access to justice and support services.

Main national partners: Ministry of Justice, Ministry of Labour and Social Affairs, Justice Academy, Police, Office of the Human Rights Defender, Bar Association, Ministry of Education, Science, Culture and Sports, NGOs.

Children's rights

- ✓ The legislative, policy and institutional frameworks for the protection of children are in line with European standards, in particular the Lanzarote Convention, and there is an improvement in the identification of and assistance to child victims of trafficking.
- ✓ The relevant authorities adopt and implement comprehensive strategies to improve the prevention and protection of children from all forms of violence, including trafficking in children.
- ✓ The authorities, professionals and the HRD Office mobilise their capacities to prevent and protect children from all forms of violence and to provide support for child victims and witnesses.

²³ The Constitutional Law on the HRD (2016) entrusted this institution with a broad mandate in the field of monitoring children's rights as well as the State's obligations vis-à-vis conventions as well as childcare, child protection and educational institutions.

- ✓ The capacities of the HRD Office to monitor children’s care institutions are improved and the services for children in alternative care are strengthened.
- ✓ Children are better represented in decision making process that directly affects them.

Main national partners: Ministry of Justice, Ministry of Labour and Social Affairs, Ministry of Education, Science, Culture and Sports, Police, Office of the Human Rights Defender, NGOs.

2.1.3 ANTI-DISCRIMINATION, DIVERSITY AND INCLUSION

➤ Anti-discrimination – National minorities, regional or minority languages

Discrimination is originally underpinned by a negative attitude caused by deeply rooted and legally unjustified societal stereotypes against various groups. Ensuring equality before the law, equal opportunities and their closely related prohibition of discrimination are essential tasks of the State which is called for active legal and organisational measures to create equal opportunities in society for persons belonging to the most vulnerable groups. The issues of equality of rights and prohibition of discrimination, including the need to adopt a national legislation on Anti-discrimination, are consistently addressed by the Human Rights Defender (HRD) of the Republic of Armenia, international organisations and representatives of civil society. The full implementation of the above guarantees continues to be the focus of the government as part of its National Strategy for Human Rights Protection.

The Council of Europe has developed several standards aimed at “inclusion”. These include the European Commission against Racism and Intolerance (ECRI’s General Policy Recommendations, the *Framework Convention for the Protection of National Minorities (FCNM)*, the *European Charter for Regional or Minority Languages*, Committee of Ministers Recommendations on measures to combat discrimination on grounds of sexual orientation or gender identity (CM/Rec(2010)5) and on intercultural integration (CM/Rec(2015)1), and several recommendations on the inclusion of Roma and Travellers.²⁴ In her latest country visit report on Armenia, the Commissioner for Human Rights (the Commissioner) recalled that the Armenian authorities are under the obligation to ensure that no-one is discriminated against in any domain of public and private life in Armenia and recommended that the authorities should adopt a comprehensive anti-discrimination law.

Anti-discrimination

The new Criminal Code (CC), adopted in 2021, envisages criminal liability for discrimination based on sex, race, skin colour, ethnic or social origin, genetic features, language, religion, world view, political or other views, belonging to a national minority, property status, birth, disability, age, or other personal or social circumstances. As to hate speech, criminal liability was established for a public speech aimed at provoking or promoting hatred, discrimination, intolerance, or hostility towards a person or group of people based on race, nationality, ethnic or social origin, religion, political or other views or other circumstances of a personal or social nature, as well as for dissemination of materials and objects for the same purpose. As to hate crime, the commission of an offence motivated by hatred, intolerance or hostility due to the victim’s racial, national, ethnic or social origin, religion, political or other views or other personal or social circumstances, is considered an aggravating circumstance. Sexual orientation and gender identity (SOGI) is not explicitly protected under the constitution, the CC or the draft anti-discrimination law. The Commissioner, in her latest country visit report on Armenia, pointed out the lack of a comprehensive anti-discrimination law which would explicitly refer to the prohibition of discrimination on the basis of SOGI. She also called on the authorities to take action to counter discrimination targeting lesbian, gay, bisexual, transgender, intersex (LGBTI) persons

²⁴ The term “Roma and Travellers” is used at the Council of Europe to encompass the wide diversity of the groups covered by the work of the Council of Europe in this field: on the one hand a) Roma, Sinti/Manush, Calé, Kaale, Romanichals, Boyash/Rudari; b) Balkan Egyptians (Egyptians and Ashkali); c) Eastern groups (Dom, Lom and Abdal); and, on the other hand, groups such as Travellers, Yenish, and the populations designated under the administrative term “Gens du voyage”, as well as persons who identify themselves as Gypsies. The present is an explanatory footnote, not a definition of Roma and/or Travellers.

in Armenia. The Parliamentary Assembly [Resolution 2418 \(2022\)](#) on “Alleged violations of the rights of LGBTI people in the Southern Caucasus” reiterated the recommendation made by the Commissioner.

The Action Plan will accordingly support the efforts of the authorities to take efficient action against discrimination on all grounds by aligning the relevant legal frameworks with European and international anti-discrimination standards. The Council of Europe stands ready to support the national authorities in enhancing the system of protection of LGBTI rights in line with the recommendations made by the ECRI in its 2016 country report. The Action Plan will also provide support to the authorities in improving access to justice for victims of discrimination by strengthening the redress mechanisms and anti-discrimination policies.

Minorities and minority languages

In its [opinion](#) on Armenia, the Advisory Committee on the Framework Convention (ACFC), while acknowledging Armenia’s efforts to protect and promote the rights of minorities, recommends, *inter alia*, the development of a proactive approach to promote minority rights protection and to ensure that policies affecting the enjoyment of rights under the Framework Convention are elaborated in consultation with minority representatives. The Council of Europe stands ready to support Armenia’s efforts to enhance the protection of minorities in line with the FCNM.

Likewise, as acknowledged by the fifth evaluation report on the application of the European Charter for Regional or Minority Languages (ECRML) the use of minority languages in pre-school education would need to be promoted and extended at the primary and secondary levels. Further efforts would be needed to enhance the protection and promotion of these languages in the media (i.e. television programmes) and in public life and before the administrative and judicial authorities as well as through cultural activities and extracurricular education, via national minority associations. This was reiterated by the [Recommendation of the Committee of Ministers](#) on the application of the ECRML by Armenia adopted on 8 December 2020. The Council of Europe stands ready to assist Armenia in fulfilling its commitments under the ECRML.

Expected outcomes

Anti-discrimination – National minorities, regional or minority languages

- ✓ The legal and regulatory framework to prevent discrimination is in line with European standards.
- ✓ The relevant institutions further support the prevention of racist, homo/transphobic hate speech and violence, combat these phenomena and prosecute perpetrators and actively contribute to building a more inclusive society.
- ✓ The HRD Office’s capacity to effectively handle the cases of discrimination and hate speech is enhanced.
- ✓ Minority languages are further used and promoted in school, media and public life.

Main national partners: Ministry of Education, Science, Culture and Sports, Co-ordinating Council for National and Cultural Organisations of National Minorities, Ministry of Justice, Police, Office of the Human Rights Defender, Office of the Representative on International Legal Matters, NGOs.

2.1.4 SOCIAL RIGHTS

➤ Social rights

The delivery of social rights is not only an international human rights obligation but also a condition for social and economic sustainability, contributing to good governance and enhancing respect for social and democratic sustainability. Armenia ratified the revised European Social Charter in 2004, accepting 67 of its 98 paragraphs.

The conclusions of non-conformity adopted by the European Committee of Social Rights (ECSR) since 2019²⁵ identify a number of needs in terms of social rights improvement from a social human rights law perspective and call for an acceleration of the reform of the Armenian legislation and practice in the related fields as well as a more consistent engagement by Armenia with the European Social Charter and its mechanisms. The Council of Europe will therefore assist the national authorities in aligning the national legislative and regulatory frameworks and practice with European standards in the field of social rights including labour rights, whose protection and promotion have been underscored as a priority for action by the government. Particular attention will be paid to “gateway rights” for the exercise or enjoyment of other social as well as civil political rights. In doing so, care will be taken to enhance the dialogue with and between the social partners. In addition, co-operation with Armenia in enhancing respect for social rights will support the relevant authorities in collecting and providing the necessary data to the ECSR as regards the implementation of accepted provisions of the revised European Social Charter. The ECSR’s monitoring process will thus be improved. A further focus will be to promote acceptance of the collective complaint mechanism and additional provisions.

Expected outcomes

Ensuring respect for social rights in Armenia in line with the revised European Social Charter

- ✓ Armenian legislative framework brought closer into line with the European standards in the field of social rights.
- ✓ Progress towards the acceptance by Armenia of the collective complaints procedure and additional provisions of the European Social Charter.
- ✓ Improved ECSR monitoring process, thanks to a better quality of the national reports made available by the national authorities.
- ✓ The Human Rights Defender (HRD) Office actively contributes to the adequate protection of social human rights in Armenia.

Main national partners: PM’s Office (Health and Labour Inspection, OGP Secretariat), Ministry of Labour and Social Affairs and other relevant ministries, National Assembly, Health and Labour Inspection Body, Office of the Human Rights Defender, local and regional authorities, social partners and civil society.

2.2 RULE OF LAW

The Council of Europe will continue supporting Armenia’s efforts to increase confidence in the justice system, to improve the relevant legislative and institutional frameworks in accordance with European standards, to facilitate the implementation of existing legislative and normative acts relating to the functional independence and accountability of the justice system, and to improve enforcement of the national courts’ decisions as well as the execution of European Court of Human Rights (ECtHR) judgments. It will also assist the authorities in continuing the reform of the probation system, as well as the penitentiary system aimed at achieving safer and more humane detention conditions and increased public safety through reducing reoffending. The Armenian authorities have reiterated on several occasions their commitment to pursue reforms in these areas for which the country would need the continued support of the Council of Europe.

These actions will contribute to the implementation by Armenia of United Nations Sustainable Development Goals (SDGs), 3 on good health and well-being (targets 4, 5), 5 on gender equality (more specifically, targets 1, 2, and C), 10 on reduced inequalities (targets 2, 3, 4 and 7), and 16 on peace, justice and strong institutions (targets 3, 7, 10 and B).

2.2.1 RULE OF LAW-BASED INSTITUTIONS

Rule of law-based institutions are essential for the integrity and proper functioning of public institutions, for ensuring the effective enjoyment of human rights within a society and for the safety and protection of citizens in everyday life. Independent, impartial and efficient judiciaries are key to inspiring public trust and securing human rights. They guarantee that all individuals are treated equally before the law and rights and freedoms are enjoyed, in practice. Moreover, an independent and trustworthy judiciary has a positive impact on the economic growth of a country.

²⁵ Thematic Group 1, “Employment, training and equal opportunities”, Conclusions 2020; Thematic Group 2, “Health, social security and social protection”, Conclusions 2021.

As mentioned in the Parliamentary Assembly (PACE) [report 15432](#) and [resolution 2427 \(2022\)](#) on “The functioning of democratic institutions in Armenia” adopted in January 2022, public trust in the judiciary in Armenia is low due to its lack of independence. In their joint opinion of October 2019, prepared at the request of the Armenian authorities, the European Commission for Democracy through Law (Venice Commission) and the Directorate General of Human Rights and Rule of Law of the Council of Europe broadly welcomed the reform process announced by the Armenian Government and stated that “the large majority of proposals contained in the reform package are in line with European standards and contribute to combating corruption without, at the same time, encroaching on the independence of the judiciary”. The PACE assessed that the reforms already carried out or initiated “will take some time to yield results of some magnitude, but the foundations for a more independent judiciary are being laid”.

➤ Independence and efficiency of justice

Improvement of legislation and judicial practice

The Council of Europe is one of the main partners accompanying Armenia in the reform of the judiciary. Since 2018, Armenia has made noticeable progress in implementing judicial reform, in particular, by adopting a new Judicial Code and a number of other legal acts deriving from the Judicial Code,²⁶ by putting in place an effective methodology and procedure for the performance evaluation of judges, without jeopardising the respect for judicial independence, and by adopting a new Civil Procedure Code in 2018. In addition, the professional capacity of the judiciary was further strengthened to ensure a more uniform application of European standards through access to resources and training.

Within the framework of the Action Plan for Armenia 2023-2026, the Council of Europe will continue assisting the authorities in implementing their key judicial reforms, as per the Strategy for Judicial and Legal Reform 2022-2026 adopted on 21 July 2022, and provide support to ensure the effective enforcement of the Judicial Code and the Civil Procedure Code with the overall objective to raise the Armenian citizens' trust in the judiciary. The post-adoption review of the Judicial Code as well as the relevant Venice Commission opinions²⁷ will provide for the references for the future work of the Council of Europe in this domain. The Organisation will, likewise, continue supporting the drafting of legal acts. Such support provided will aim at strengthening the independence, impartiality, efficiency and accountability of the judiciary. It will include the improvement of legal frameworks and practice where relevant, and assistance to the judicial self-governing bodies, in particular the Supreme Judicial Council (SJC), so as to ensure greater compliance of its acts and work with Council of Europe standards and best practices in terms of transparency and efficiency.²⁸

Support will be provided with a view to enhance the application of alternative dispute resolution (ADR) mechanisms, in order to further contribute to reducing the workload of the courts in Armenia through the enhanced application of mediation and arbitration. It will, therefore, seek to, *inter alia*, improve the knowledge and skills of judges, lawyers, students, mediators and arbitrators regarding the new legal frameworks, developments and tendencies, and to enhance the awareness of the potential users of ADRs.

Increasing the confidence and trust of Armenian citizens depends on the actual quality of justice delivered but also on the degree of transparency and public accountability of the judiciary. The Council of Europe therefore stands ready to assist the authorities in improving the quality of judicial acts, thereby fulfilling the principle of legal certainty. It will also provide assistance in developing the judiciary's capacities to put in place a relevant and effective communication strategy towards the Armenian citizens, with a priority on the Supreme Judicial Council, as well as support regarding the improvements of data collection and distribution of judiciary. Regional co-operation will continue to be improved with regard to the institutional development

²⁶ The newly adopted laws introduced several changes in the judicial system, including the structure and scope of the work of judicial self-governing bodies, court management and the enhancement of mediation and arbitration.

²⁷ The latest “Joint opinion of the Venice Commission and the Directorate General of Human Rights and the Rule of Law (DGI) of the Council of Europe on the draft laws on making amendments to the Constitutional law on the Judicial Code and on the Constitutional Law on the constitutional court” (March 2022) raised a general concern with regard to the positioning of the new incompatibility requirement within the Judicial Code and related to the need to define more precisely some terms and their consistent use in the various legal texts.

²⁸ This assistance, among other activities, includes enhancing the capacities of the SJC as well as providing expert support in developing or revising relevant documents and regulations on the judicial appraisal, indicative timeframes for the examination of court cases, relevant IT and technical tools and other documents deriving from the amended Judicial Code.

of bar associations, standards of interaction of lawyers and judges,²⁹ access to the profession of advocate and the systems of training for lawyers.

Digital access to justice is becoming an integral part of access to justice in the contemporary world, and its expansion is a priority for the Armenian authorities too. Support will be provided so that Council of Europe best practices in respect to e-justice are adopted and implemented by the Armenian judiciary.

Support will continue to be provided with a view to achieve effective, systematic and data-based monitoring and evaluation on the quality, efficiency, independence and accountability of the Armenian justice system, in accordance with European Commission for the Efficiency of Justice (CEPEJ) standards and tools. This, in turn, will allow Armenia to assess the impact of its judicial reform efforts and to steer the reform process.

The need to enhance equal access to justice for all, including women and vulnerable groups such as minorities, children and youth, persons with disabilities, especially by removing technical and legislative barriers, will continue to be addressed. The Council of Europe will provide support in promoting the participation and leadership of women judges, enhancing the number of women judges in the judiciary, and ensuring equal access to justice for women.

Constitutional justice

The Constitutional Court of the Republic of Armenia is entrusted with administering the constitutional justice and with ensuring the supremacy of the constitution. It is vested with a pivotal role in the overall institutional structure of the Armenian Statehood and it plays an indispensable function of “guardian” in ensuring democracy, rule of law, and human rights and fundamental freedoms.

The Council of Europe will provide support in the following areas:

- reform of the functioning of the Constitutional Court within the Armenian judiciary (external regulative framework);;
- reform of the rules of the Constitutional Court on the procedure and evidence (internal regulative framework) through sub-legislative acts regulating administrative, organisational, financial and structural matters;
- capacity development for the members of the staff of the court focusing on the court case law, research capacities and drafting skills;
- provision of appropriate technical equipment, enhancement of library and research resources of the Constitutional Court.

Expected outcomes

Independence and efficiency of justice

- ✓ National legal acts on the judiciary are adopted and implemented in line with Council of Europe standards.
- ✓ The judicial self-governing bodies, including the SJC, are more transparent, effective and efficient, leading to enhanced public trust.
- ✓ The Constitutional Court operates according to reformed external and internal legislative frameworks, in line with European standards.
- ✓ Equal access to justice is improved in line with the best practices of Council of Europe member States, including those of gender equality.
- ✓ Effective application on a wider scale of arbitration and mediation help to reduce the backlog of the courts and to enhance access to justice.
- ✓ Lawyers fulfil their functions in an independent and professional manner.

Main national partners: Ministry of Justice, Constitutional Court, Supreme Judicial Council, General Assembly of Judges, Association of Judges, Court of Cassation, Self-regulating Organisation of Mediators, Association of Arbitrators, Justice Academy, School of Advocates, Bar Association, representatives of civil society, Office of the Human Rights Defender.

²⁹ The main standards are identified in the [CCJE Opinion \(2013\)16](#).

2.2.2 ACTION AGAINST CRIME, SECURITY AND PROTECTION OF CITIZENS

Corruption threatens the rule of law, democracy and human rights, undermines good governance, fairness and social justice, distorts competition, hinders economic development and endangers the stability of democratic institutions and the moral foundations of society. Findings of international monitoring mechanisms such as the Group of States against Corruption (GRECO) and the Organisation for Economic Co-operation and Development (OECD) indicate that corruption³⁰ in Armenia continues to be perceived as a significant problem, despite the efforts and the reform processes initiated by the government following the velvet revolution.

➤ Fight against corruption, money laundering and cybercrime

Fight against corruption and money laundering

Armenia is party to the key Council of Europe instruments in the anti-corruption³¹ and anti-money laundering³² area, and as such is subject to monitoring and evaluation by the GRECO in the anti-corruption field and MONEYVAL and the Conference of parties to CETS 198 in the anti-money laundering (AML) and countering of financing of terrorism (CFT) area.

The latest evaluation for Armenia³³ by the GRECO contained 18 recommendations requiring improvement of corruption prevention measures with respect to members of parliament (MPs), judges and prosecutors. The related GRECO interim compliance report adopted in September 2021 concluded that the level of compliance with the recommendations remained globally unsatisfactory.³⁴ In the area of preventing money laundering and financing terrorism, as noted by MONEYVAL's fifth round of mutual evaluation report on Armenia, the country does not present a major risk of money laundering. In the latest follow-up report related to MONEYVAL's fifth round of mutual evaluation, Armenia has been found to be either largely compliant or compliant with the majority of Financial Action Task Force³⁵ (FATF) recommendations except for three recommendations.³⁶

Since 2019, technical co-operation with the Council of Europe has been supporting Armenia to address its priorities in the domain of anti-corruption and money laundering and to align the legislative, policy and institutional frameworks with Council of Europe and other international standards as well as to implement the outstanding recommendations of the Council of Europe monitoring bodies. Enhancements to the national legislative framework achieved with Council of Europe support include, for example, the amendments to the Law on the Corruption Prevention Commission aimed at expanding its mandate, the Law on Civil Forfeiture of Illegal Assets, the development of the legal framework on asset and interest declarations, or the amendments to the Public Service Law aimed at including information on incurred expenditures in the asset declarations of public officials. Furthermore, the authorities were supported in relation to the ongoing reforms of the national framework regulating conflict of interests, incompatibilities, and gifts.

³⁰ *Corruption prevention in respect of members of parliament, judges and prosecutors – Evaluation Report for Armenia* – Fourth evaluation round, GRECO, published on 25 February 2016; *Corruption prevention in respect of members of parliament, judges and prosecutors – Interim Compliance Report for Armenia* – Fourth evaluation round, GRECO, published on 22 September 2021; *Anti-corruption reforms in Armenia – OECD 2019 update*.

³¹ Council of Europe's Criminal Law Convention on Corruption (*ETS 173*) and the Civil Law Convention on Corruption (*ETS 174*).

³² Council of Europe Convention on Laundering, Search, Seizure and Confiscation of the Proceeds from Crime and on the Financing of Terrorism (*CETS No. 198*).

³³ *Corruption prevention in respect of members of parliament, judges and prosecutors – Evaluation report for Armenia* – Fourth evaluation round, GRECO, 25 February 2016.

³⁴ *Fourth evaluation round, GRECO*, published on 22 September 2021.

³⁵ The FATF is an intergovernmental organisation whose objectives are to set standards and promote effective implementation of legal, regulatory and operational measures for combating money laundering, terrorist financing and other related threats to the integrity of the international financial system. MONEYVAL is an associate member of the FAFT.

³⁶ In the latest follow-up report related to MONEYVAL's fifth round of mutual evaluation, Armenia has been found to be either largely compliant or compliant with the majority of FATF recommendations except for three recommendations (Recommendation 12 – Politically exposed persons, 28 – Regulation and supervision of designated non-financial businesses and professions, and 31 – Powers of law enforcement and investigative authorities), where it has been found to be partially compliant. In the area of financing of terrorism, there have been no concrete indications that Armenian's private sector or non-profit organisations have been misused for these purposes.

At the policy level, the technical and strategic support provided contributed to the adoption of the Anti-Corruption Strategy 2019 - 2022 and related Action Plan. The institutional system was further developed through support provided for the creation of the Corruption Prevention Commission and the development of its methodological tools and capacities in the areas of integrity checking of judicial nominees, verification and analysis of asset, income, interest and expenditure declarations.

The Law on the Anti-Corruption Committee of the Republic of Armenia, which came into force on 24 March 2021, established the Committee as an investigative body that organises and carries out pre-trial criminal proceedings on alleged corruption crimes and carries out operational intelligence activities.

Regional activities in the field of preventing and combating economic crime further contributed to sharing knowledge and experience related to the asset declaration systems among the countries in the region, as well as expanding knowledge and networks for facilitating the recovery of proceeds from crime at the regional and international level. Armenian parliamentarians, with the support of Council of Europe experts, progressed towards the adoption of enhanced internal corruption prevention mechanisms, including a Code of Conduct for Members of Parliament and legal amendments on the establishment and work procedures of the Corruption Prevention Commission.

It is expected that Armenia will be subject to the GRECO's fifth round evaluation in 2023. The categories of officials covered in this round are top executive functions and law enforcement. Future support may be targeted towards the implementation of the recommendations that will come of this new evaluation by the GRECO.

In the area of anti-money laundering, while Armenia has a fairly sound legal and institutional framework in place, challenges remain in particular regarding dynamically developing sectors and emerging risks related to the use of new technologies, high-risk non-financial sectors and ensuring relevant risk-based controls, and the full use of financial intelligence.

The Council of Europe support will be continued, aiming to further contribute to the reforms in the field of preventing and fighting corruption, money laundering and terrorism financing, as well as their practical implementation. This will be achieved through the provision of legal and policy advice and follow-up capacity-building activities, increasing the co-operation, co-ordination and alignment among the many different partners in the field, thus consolidating and increasing the effectiveness and sustainability of the progress achieved so far.

Fight against cybercrime

Armenia is a contracting party to the [Council of Europe Convention on Cybercrime \(Budapest Convention\)](#), including its [Additional Protocol concerning the criminalisation of acts of racist and xenophobic nature committed through computer systems](#). Although the national legislation of Armenia on cybercrime and electronic evidence is largely compliant with the requirements of the Budapest Convention, a more detailed and specific implementation of procedural powers in criminal procedure law is necessary. The Council of Europe has worked with national authorities and advised on necessary improvement to the new Code of Criminal Procedure (CPC) of Armenia (2022) to ensure its compliance with the procedural law requirements of the Budapest Convention; full review and assessment of the new CPC is pending. Moreover, the Second Additional Protocol to the Budapest Convention (opened for signature in May 2022) will warrant further legal and regulatory changes for laws of Armenia to improve international co-operation in criminal matters, should authorities choose to accede to the protocol.

In the area of cybercrime capacity building, the past Council of Europe support focused, within the framework of regional co-operation action, on developing the capacities of the judiciary, prosecutors and investigators in the field of investigations, financial intelligence, digital forensics and co-operation practices. Special focus was also put on developing operating procedures for co-operation between the cybersecurity community (Computer Security Incident Response Teams) and cybercrime professionals (in law enforcement) and co-operation among States and private providers on the effective use of tools and procedures within the framework of current standards and the Budapest Convention and its additional protocols. In addition, research has been conducted in the area of cybercrime reporting and online security

to provide reliable and relevant data for shaping future policies, strategies and capacity-building response to cybercrime and electronic evidence in the short and mid-term.

Drawing on the results of past regional co-operation, under the Action Plan the Council of Europe will continue assisting the Armenian national authorities in promoting further compliance with the Budapest Convention. Special emphasis will be placed on assisting the authorities in developing a national strategy and Action Plan for fighting cybercrime. Attention will also be paid to making specialised cybercrime units more operational in both domestic investigations and international co-operation, to co-operate more efficiently with national and multinational internet service providers, and to generally increase the capacity of criminal justice institutions to deal with cybercrime and electronic evidence. Further development of skills and knowledge of both mutual legal assistance authorities and specialised cybercrime units are necessary to follow the new rules and procedures established by the Second Additional Protocol to the Budapest Convention. Given the recurring need for continuous training on cybercrime and electronic evidence due to rapidly changing realities, further training efforts will continue to target the law enforcement, prosecution, judiciary and other State and private actors in Armenia relevant to the fight against cybercrime.

➤ Prisons and police

Enhancing healthcare and human rights in prisons

The latest report for Armenia of the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) identifies healthcare and prisoner violence³⁷ as main issues related to the penitentiary system. A European Court of Human Rights (ECtHR) judgment (*Ashot Harutyunyan v. Armenia* group of cases) concerning the denial of adequate care to prisoners suffering from various diseases is under enhanced supervision by the department for the execution of the ECtHR judgments.³⁸

The 2019-2023 Strategy for the Penitentiary and Probation Sectors of the Republic of Armenia includes among its reform areas: improving the quality of provision of medical care and services and the conditions of penitentiary institutions' facilities as well as overcoming corruption and criminal subcultures in prisons.

Since 2015, the prison reform in Armenia has received support from the Council of Europe for improving the provision of healthcare services in prisons through a three-fold approach: amending the legal/institutional framework, modernising the material conditions of prisons' healthcare units, and strengthening the capacity of prison staff. As a result of the proposed legal reforms in 2018, the government has adopted a decree for the establishment of the Penitentiary Medicine Centre (PMC) aimed at ensuring professional independence of prison medical personnel and at enhancing their professional competences. The PMC was established as a public non-commercial organisation for healthcare provision in prisons, placed under the responsibility of the Ministry of Justice (MoJ) but independent from the Penitentiary Service and with its own budget, structure and staff. These measures were supported by an extensive training of medical and non-medical staff to increase knowledge and improve ability and skills to prevent illness and promote health in prisons in line with medical ethics, as well as by the provision of basic medical equipment. In its last decision examining the *Ashot Harutyunyan v. Armenia* group of cases, the Committee of Ministers strongly encouraged the authorities to continue their efforts to ensure the PMC's effective functioning, including by fully ensuring appropriate working conditions, provision of equipment, as well as the implementation of proper human resources and professional development policies.³⁹

³⁷ *CPT/Inf (2021)10*, Report to the Armenian Government CPT from 2 to 12 December 2019. Other issues identified by the CPT in relation with prisons were the persistent influence of the informal prisoner hierarchy and the lack of constructive out of cell activities which can be considered to be directly related to the capacity to provide healthcare services in prison or to maintain a good state of health among inmates.

³⁸ *Ashot Harutyunyan v. Armenia*, Application No. 34334/04, 15 September 2010.

³⁹ 1406th meeting, 7-9 June 2021 (DH), *Ashot Harutyunyan v. Armenia*, Application No. 34334/04, 15 September 2010.

The establishment of the PMC has shown promising results in improving the effectiveness of the prison healthcare system and in ensuring professional independence of the medical personnel. The Council of Europe will continue to support the PMC in building its institutional capacity, in improving the conditions for treatment and medical services provided to inmates through training of medical and non-medical staff and in enhancing the PMC transparency, accountability and gender sensitivity, in compliance with the Council of Europe standards. A specific focus will be put on preventive, secondary and mental healthcare, in line with the strategy on suicide prevention adopted by the MoJ, the management of drug users in prisons as well as institutional capacity development in the field of telemedicine in penitentiary units, development of forms and samples of electronic medical files and their integration to the new IT case file system, and improvement of secondary healthcare.

The strategic goal of the penitentiary reform is to create and develop preconditions in the penitentiary system enabling the implementation of a restorative justice and purpose-based sentencing. The Council of Europe will support the national authorities to improve the reintegration of inmates, including through the development and piloting of a risks and needs assessment tool, individual sentence plans, pre-release plans and daily regimes, piloting of programmes on rehabilitation and preparation of prisoners' reintegration into society. Juveniles, women and other vulnerable groups' specific needs will be taken into account in line with the CPT recommendations.

Strengthening the probation service

Since 2013 the Council of Europe has been providing continuous technical support to Armenia, with a view to reducing the use of custodial sentences and establishing a probation service in line with European standards. Significant results were achieved with the Council of Europe's assistance and include the adoption of the law on probation in May 2016, leading to the establishment and operation of the new State Probation Service, an enhanced understanding of the role of probation as well as its acceptance by key legal professionals, including the judiciary and the legal advocates, and a significant contribution to the problem of prisons overcrowding. The new Criminal Code (CC) and CPC introduce new types of sentences and measures of restraints, such as restriction of liberty, home arrest and administrative supervision, falling in the domain of the State Probation Service, which, among other measures, envisage the introduction of electronic monitoring into the practice. They will enter into force from 2023 and will call for further legislative and operational changes related to the State Probation Service. The MoJ has reiterated Armenia's commitment to furthering the probation reform and to strengthen the role of probation.

Under its Action Plan for Armenia 2019-2022, the Council of Europe assisted the Armenian authorities in scaling up the probation service through, *inter alia*, the drafting of amendments to the probation legislation, the training of probation officers, the development of the IT case management system (e-probation) and the hardware refurbishment of the State Probation Service. Technical assistance was also provided for the development and piloting of a general rehabilitation programme for offenders, as well as the development of tools for assessing the risks and needs of probation beneficiaries, including juveniles. These actions were in line with the Penitentiary and Probation Strategy 2019-2023 and its Action Plan.⁴⁰

The Council of Europe will continue to assist Armenian authorities to further enhance the concept of probation and to facilitate its use, thus enhancing community safety and the fair administration of justice, especially when it comes to persons pertaining to vulnerable groups or women offenders. It will focus in particular on developing the relevant legislation, promoting an increased application of new types of sentences and measures of restraint by the courts and their effective execution by the State Probation Service through a series of actions such as: piloting tools, sharing good practices in probation central and regional offices, supporting training centres in their efforts to ensure sustainable training programme for probation staff, mediators, psychologists and social workers, developing and evaluating resocialisation programmes, enhancing co-operation between the probation services, the courts, State agencies and civil society organisations and strengthening mediation. Support for the implementation of integrated e-justice, e-penitentiary and e-probation solutions will also be provided.

⁴⁰ The Penitentiary and Probation Strategy 2019-23 and its Action Plan were adopted by the Government of Armenia in 2019.

Police and human rights

The increasing expectations placed upon police officers are directly prompted by heightened expectations on the part of members of the community that policing should reflect the fundamental values and respect the key principles of the ECHR⁴¹. The latest country visit [report](#) on Armenia of the CPT noted that the legal safeguards against ill-treatment were operating on the whole satisfactorily, from the moment the police custody was formalised, although the phenomenon of ill-treatment by the police had not been entirely eradicated, notably in relation with the practice of “informal talks” (persons being “invited” to come to the police before drawing up a protocol of detention). The CPT called on Armenian authorities to step up their efforts in this area to ensure that the treatment of persons while in police custody are in line with European standards.

The Armenian National Strategy for Human Rights Protection identifies the use of disproportionate force by the police against participants of peaceful assemblies as well as the absence of efficient legal remedies for such cases as an issue requiring urgent solutions.

As a part of the general measures in the execution of the case [Virabyan v. Armenia \(Application No. 40094/05\)](#) and in the context of the large-scale reforms in the police sector launched in December 2019, the authorities have undertaken the establishment of a new Patrol Service, responsible, *inter alia*, for taking into custody those suspected of having committed criminal acts and for transferring them to the investigative body. The Patrol Service launched its activities on 7 July 2021 in Yerevan and will be fully operational throughout Armenia by the end of 2023. A five-month training course is provided to the new employees, including modules on Human Rights and the Police, Constitutional Law, Criminal Law, Criminal Procedure Law, and Operative and Intelligence Measures. Alongside theoretical lessons, the modules also include the development of key tactical skills including those regarding planning and control of police operations.

The Council of Europe stands ready to support the police reform and to assist the authorities in enhancing the accountability and integrity of the police and ensuring the responsive and efficient functioning of this institution, as well as mainstreaming human rights and gender equality into its work.

Expected outcomes

Fight against corruption, money laundering and cybercrime

- ✓ Legislative and policy frameworks for combating corruption through independent and efficient anti-corruption bodies are in place and related institutions are operational.
- ✓ The national legislation on cybercrime is in line with the Budapest Convention and capacities of relevant institutions are in line with their mandates.
- ✓ Interagency co-operation and exchange of data relevant for cybercrime investigations is improved.
- ✓ A culture of co-operation with internet service providers improved through legal basis for co-operation (with a focus on procedural powers and safeguards) and revised/expanded co-operation agreements).

Main national partners: Prime Minister office (Open Government Partnership Secretariat), Ministry of Finance, Ministry of Justice, Corruption Prevention Commission, Civil Service Bureau, Anti-Corruption Committee, Prosecutor General’s Office, Anti-Corruption Courts, National Security Service, Police, Financial Monitoring Centre within the Central Bank, Investigative Committee, civil society organisations, Ministry of Education, Science, Culture and Sports, higher education institutions, educational organisations, national communications regulatory authorities, personal data protection authorities, internet service providers (including international providers), industry associations, Human Rights Defender of the Republic of Armenia.

Prisons and police

- ✓ Regulatory and operational frameworks for the provision of healthcare in prisons are in line with European standards and enforced by the relevant stakeholders.

⁴¹. The ECtHR judgments under enhanced supervision by the department for the execution of judgments of the ECtHR in relation with Armenia include a case related to ill-treatment and/or torture in police custody (Virabyan Group).

- ✓ Inmates, including persons with disabilities and other vulnerable groups, benefit from rehabilitation programmes as well as from better healthcare services in prisons.
- ✓ Inmates have access to specialised, gender-sensitive healthcare, including mental healthcare and drug-related services.
- ✓ Medical independence within the prison system is strengthened.
- ✓ Probation achieves a more consolidated role in the Armenian judicial system.
- ✓ Probation service staff increases their capacity to carry out their new duties.
- ✓ The police operate in line with European standards as a result of the relevant reforms.

Main national partners: Ministry of Justice , Penitentiary Medical Centre, Prosecutor General’s Office, Probation Service, Police, Office of the Human Rights Defender, Office of the Representative on International Legal Matters, non-governmental organisations.

2.3 DEMOCRACY

The latest [report](#) by the Council of Europe Congress of Local and Regional Authorities (the Congress) noted with satisfaction that despite the slowing down of territorial reform due to recent political changes, the consolidation of communities through mergers has been relaunched, but expressed concerns about the limited powers of municipalities. It called upon national authorities to increase the share of public affairs managed by local authorities, to guarantee the right of local authorities to be consulted on matters that concern them directly, to revise and clarify “own” competences of municipalities and limit the State supervision of their own tasks to the control of legality and to ensure that local authorities have access to adequate financial resources and to accompany the delegation of the tasks from central to local level.

Reforms conducted in the local democracy sector also rely on the initiatives taken within the framework of the 2021-2025 Digitalisation Strategy aiming at simplifying the citizen-state relationship and at making it more efficient. In this context, the Republic of Armenia is undergoing a complete digital transformation to promote simple, transparent and accountable government systems and a more efficient delivery of public services.

The Council of Europe Action Plan for Armenia 2023-2026 will continue to assist the improvement of local democracy in Armenia by supporting the adoption of enabling legislation and assisting the capacity building of local elected representatives and civil servants to enact new competencies. It will, likewise, promote regular and effective dialogue between local authorities, their association and national authorities so as to advance decentralisation. It will also improve the quality of local democracy by promoting ethical, transparent, accountable and participatory local governance. Providing an impetus for increased citizen – including youth – and civil society organisations’ participation in local decision making will also be a focus of the Action Plan, therefore contributing to establish mechanisms for identifying and targeting interests, to overcome conflicts and to depoliticise society.

These actions will contribute to the implementation by Armenia of United Nations Sustainable Development Goals (SDGs), 10 on reduced inequalities (targets 2, 3, 4), 11 on sustainable cities and communities (target 3) and 16 on peace, justice and strong institutions (targets 5, 6, 7, 10, B).

2.3.1 DEMOCRATIC GOVERNANCE

➤ Democratic governance

Promoting good governance and local government reforms

Armenia undertook its territorial administrative reform (TARA) in 2013 on the basis of the assessment that the existing territorial and administrative division of Armenia as well as the limited decentralisation were considerable impediments to the development of local governance, effective service provision, and efficient use of financial resources. The TARA was aimed at expanding the scope of public services provided in municipalities and improving their quality, strengthening municipalities’ capacities to solve public issues under their responsibility and establishing the conditions for local economic development and improvement

of quality life in municipalities. A large structural change was initiated to pass progressively from 915 to 79 municipalities through a process of “amalgamation” of existing communities which was completed in December 2021.

Armenia ratified the European Charter of Local Self-Government (ECLSG) in 2002 and the last [monitoring](#) of the application of the ECLSG in Armenia was carried out by the Congress of Local and Regional Authorities of the Council of Europe (the Congress) in 2019. The monitoring report, adopted in June 2021, notes, *inter alia*, that the amalgamation processes have not been followed by the transfer of central government powers and duties for public functions and services in line with the principle of subsidiarity and that there are no institutionalised mechanisms of consultation between the central government and municipalities in Armenia.⁴² In addition, the administrative and organisational capacities in the vast majority of municipalities were found not to be sufficient to deliver public services fully and with due quality and the level of financial autonomy of local authorities was considered to be low.

Within the framework of its Action Plan for Armenia 2019-2022, the Council of Europe contributed to strengthening institutional capacities of the Communities Association of Armenia (CAA) and its Secretariat and supporting it in its role as a formal, credible and sustainable body. The CAA was also supported in improving services to its members, advocating for their needs at the central level with a unified voice and in facilitating interactions between local and national authorities. Support was also provided in enhancing citizen participation⁴³ in local decision making and implementation of accountability instruments and European standards of local democracy, transparency, open government, political integrity, ethics and anti-corruption. Legal and policy advice continued to be provided to the Ministry of Territorial Administration and Infrastructure to support the revision and implementation of the Decentralisation Roadmap, in particular in view of the proposed constitutional reforms pertaining to local self-government. Moreover, the Council of Europe supported the involvement of local authorities in the development, implementation and evaluation of the National Action Plan on Open Government, through close co-operation with the Open Government Partnership (OGP) Secretariat in Armenia.

Under the new Action Plan, the Council of Europe will support the Ministry of Territorial Administration and Infrastructure in revising legislation on local self-government, as well as improving legislation for fiscal and financial decentralisation and relevant constitutional amendments in consultation with the main stakeholders and in line with the ECLSG and relevant European standards. It will continue to develop capacities of local authorities of newly enlarged communities, support intermunicipal and cross-border co-operation, and help build community resilience to disasters. Moreover, the Action Plan will contribute to the development of the local economic development policy and financial decentralisation strategy. It will promote a political dialogue between different parties at local level as well as mechanisms for ensuring the autonomy of local authorities and the improved status and work conditions of local elected representatives, in order to enable them to freely exercise their functions. Comprehensive support for the improved efficiency of local governance in the areas of public ethics and open government (in particular for the Local OGP member communities) will be provided through expert support and guidance to local authorities and capacity development and training of elected local representatives. Specific measures will be aimed at integrating the human rights standards and practices into local policies and strategies, including for the protection of the rights of vulnerable and disadvantaged groups (persons with disabilities, internally displaced persons), and at ensuring civil participation in local governance, with a specific focus on young people.

Elections

The amendments to the Electoral Code adopted on 1 April 2021 were broadly welcomed by the European Commission for Democracy through Law (Venice Commission) and the OSCE/ODIHR⁴⁴ as they address the majority of recommendations raised in previous opinions and election observation reports. In their reports, following the 20 June 2021 early parliamentary elections, the Parliamentary Assembly (PACE)⁴⁵ and Organization for Security and Co-operation in Europe/Office for Democratic Institutions and Human Rights (OSCE/ODIHR),⁴⁶ assessed the Armenian legal framework as broadly conducive to the conduct of

⁴² The Association of Communities of Armenia is the only nationwide association representing the interests of the municipalities, but the interaction between the government, its line ministries and the national association is occasional and depends on the governmental will, which makes local authorities vulnerable.

⁴³ Armenia ratified the Additional Protocol to the ECLSG on the right of citizens to participate in the affairs of a local authority in 2013.

⁴⁴ Joint Opinion [CDL-AD\(2021\)025](#), 5 July 2021.

⁴⁵ PACE [report 15352](#) - Observation of the early parliamentary elections in Armenia (20 June 2021),

⁴⁶ ODIHR Election Observation Mission, - [Republic of Armenia, Early Parliamentary Elections, 20 June 2021](#).

well managed and democratic elections. However, as indicated in these reports, as well as in the PACE's [report 15432](#) of 10 January 2022 on "The functioning of democratic institutions in Armenia" and the Congress' [report CPL\(2022\)42-04](#) of 28 February 2022 "Information report on partial local elections of 5 December 2021", a number of issues need to be addressed in order to further restore the voters' trust in the electoral process, notably: the composition and training of election commissions, the polarisation and use of inflammatory speeches, the safeguarding of voters' data and the secrecy of participation, the prevention of misuse of administrative resources as well as of pressure on voters and vote buying, the improvement of equal gender representation and the participation of persons with disabilities, the impartiality and balanced media coverage of the electoral process and election campaign, the oversight of campaign finance and the election dispute resolution (EDR) mechanisms.

The Council of Europe provided long-term electoral support to the Armenian authorities between January 2015 and December 2017 which allowed to achieve good progress⁴⁷ in this area, as recognised by national authorities, civil society organisations, as well as by international organisations. Electoral reform is enshrined both in the Government Program for 2021-2026 and the 2022-2026 Strategy for Judicial and Legal Reforms.

Under the present Action Plan, following the recent amendments to the Electoral Code and the elections of June and December 2021, the Council of Europe intends to continue its co-operation with the Armenian authorities in order to address the remaining shortcomings and sustain the progress recently achieved, in particular through:

- developing electoral legislation based on European standards, taking into account the findings of the recent elections observation missions;
- strengthening the electoral administration's capacities to select the members of the election commissions at all levels and to train them on the election procedure and on addressing attempts of fraud and possible manipulation during voting, counting and tabulation of results;
- reinforcing co-operation between the electoral administration and prosecutors and law enforcement agencies to prevent, investigate and sanction electoral fraud;
- developing media professionals' capacities to provide citizens and voters with professional, independent and unbiased coverage of electoral campaigns and electoral processes as well as to prevent hate and inflammatory speeches during election campaigns;
- promoting women's participation in politics and the electoral process and empowering them;
- providing training on EDR, and ECtHR case law, for judges;
- raising public awareness about electoral rights, with a specific focus on vulnerable groups and people living in rural areas in order to better engage them in the electoral process and to prevent attempts to influence voters.

The Council of Europe will be able to rely on its long and rich experience in the field of elections⁴⁸ and its unique set of standards⁴⁹ and documents composing the European Election Standards. The Council of Europe is active in all phases of the electoral process⁵⁰ which allows a maximum of synergies and co-ordination at all levels.

Expected outcomes

Democratic governance

- ✓ The legislative and institutional framework in respect of local democracy is in line with European standards.
- ✓ The financial equalisation framework provides a more equitable distribution of resources, in line with the legislation, for counterbalancing regional disparities and diverse financial capacity of municipalities.
- ✓ Local authorities are empowered with higher level of authority and responsibility for public functions and services by the central government.

⁴⁷ The progress achieved through those actions includes the Electoral Code adopted in June 2016 and subsequently amended at the end of June 2016 and in September 2016 which was welcomed by the Venice Commission as forming a good basis for democratic elections (the Venice Commission and the OSCE/ODIHR issued two joint opinions: [CDL-AD\(2017\)019](#) and [CDL-AD\(2016\)031](#)).

⁴⁸ Council of Europe work in the field of elections.

⁴⁹ Reference standards of the Council of Europe (Council of Europe acquis on elections).

⁵⁰ Electoral cycle within the Council of Europe.

- ✓ Local-OGP member communities and civil society organisations (CSO) partners have institutionalised good governance and inclusion principles.
- ✓ Local authorities increasingly involve citizens, including young people, and civil society organisations in policy decision making.
- ✓ Local authorities actively participate in local economic development policy.
- ✓ Local authorities are duly consulted by higher levels of government through their national associations on matters which concern them directly.
- ✓ Local authorities are more transparent, accountable and ethical, and foster an enhanced citizen control over decision making at local level.
- ✓ The integrity and professionalism of the election administration is enhanced at all levels.
- ✓ The media coverage on elections is more efficient and professional.
- ✓ Electoral processes are more inclusive, gender balanced and transparent.
- ✓ Electoral corruption (vote buying, pressure on voters), including in rural areas, is reduced.
- ✓ The Human Rights Defender Office's monitoring capacities are enhanced and support better governance.

Main national partners: Ministry of Territorial Administration and Infrastructure, Ministry of Finance, Ministry of Justice, the Prime Minister's Office (Open Government Partnership Secretariat), National Assembly, Communities Association and local authorities, Central Election Commission, Helsinki Citizens' Assembly – Vanadzor Office, Media representatives (journalists, editors), Prosecutor's General Office, Domestic election observers, political parties' representatives, women associations, Office of the Human Rights Defender, civil society.

PART III – IMPLEMENTATION

3.1 METHODOLOGY

The overall co-ordination of technical co-operation carried out by the Council of Europe falls within the remit of the Office of the Directorate General of Programmes (ODGP) which steers programming of and fund-raising for co-operation actions while ensuring the proper functioning of Council of Europe offices in the field.

Substantial responsibility for co-operation projects lies with the Council of Europe “major administrative entities” who have the relevant expertise. In accordance with the Organisation's decentralised implementation of technical assistance and co-operation, the [Council of Europe Office in Yerevan](#) ensures project implementation in the field. As of 10 June 2022, 29 staff members were working in the Office in Yerevan.

The implementation of Action Plan projects can include, as necessary, needs assessments, legislative expertise, capacity building, awareness raising, peer-to-peer reviews and gender analyses. Implementation methodology, in line with the [Council of Europe Project Management Methodology](#) (PMM), is aimed at reinforcing ownership by national stakeholders and ensuring the sustainability of the outcomes. The PMM enhances the quality of project implementation in terms of planning and monitoring, cost efficiency and effectiveness. It also makes for improved risk assessment, the incorporation of a human rights approach and greater attention paid to the gender dimension.

In addition, the co-operation designed by the Council of Europe follows a “multi-institutional approach”, which allows different Council of Europe institutions and bodies to target governmental stakeholders, parliaments, civil society, independent governance institutions, such as the Ombudsperson's Office, and local and regional authorities. This creates unique leverage for comprehensive, inclusive, successful and sustainable reforms.

The Council of Europe applies a human rights approach at all levels and stages of its activities. Its *acquis*, including Council of Europe legal instruments and institutions, combined with the principles of participation and inclusion (including gender-balanced participation and engagement with civil society); equality and non-discrimination; accountability; and transparency and access to information, brings further added value

to the Council of Europe activities. The [Council of Europe human rights approach – Practical guide for co-operation projects](#) is expected to contribute to an enhanced application of a human rights approach in project management and co-operation activities.

As a component of this human rights approach, the Council of Europe emphasises gender mainstreaming throughout its project activities in line with its [Gender Equality Strategy 2018-2023](#). The [Council of Europe Gender Mainstreaming Toolkit for Co-operation Projects](#) is expected to enhance the implementation of a gender dimension in co-operation activities within the Organisation as well as by national partners and other stakeholders. The gender mainstreaming approach will be defined as the actions associated with the Action Plan are developed. It will already be applied to actions regardless of the field of co-operation. For example, the standards for gender equality and women's rights will be taken into account when the various pieces of legislation and national frameworks are revised in the light of European standards. The issue of gender equality will also be incorporated into training activities and programmes. The impact of gender will be analysed when projects are designed and implemented. In addition to gender mainstreaming, specific actions will be considered to promote gender equality.

Prior to and during project implementation, project teams will rely on the expertise of the gender mainstreaming advisor⁵¹ covering the Eastern Partnership region. The gender mainstreaming advisor will ensure that gender is mainstreamed in the projects by promoting usage of tools such as gender analysis and gender impact assessments, and subsequently advise on implementing relevant recommendations to further integrate the gender dimension. The advisor will contribute to further developing tools and mechanisms aimed at this purpose and to further building the capacities of Council of Europe project staff in the region to further facilitate a gender-sensitive approach in projects.

The Gender Equality Focal Point Network launched in January 2021 will also serve as a catalyst for gender equality in all Council of Europe offices in the field.

Similarly, the Council of Europe promotes the active participation of civil society in project activities in accordance with the [Guidelines on civil society organisations' participation in Council of Europe's co-operation activities](#).

The Action Plan will continue to address the specific needs of women and children through the implementation of projects to strengthen their rights and improve their living conditions. Particular attention will be paid to ensuring the cross-cutting nature of the inclusion by providing for balanced gender participation.

In addition, the participation of civil society will be ensured by various means throughout the Action Plan, with the aim of strengthening its role in the country by promoting dialogue with the authorities and developing its capacities.

The Organisation is committed to protecting children from harm and ensuring that children's right to protection is fully secured in line with its [Strategy for the Rights of the Child 2022-2027](#). The Council of Europe speak up policy, which provides for a mechanism to report wrongdoings and guarantees protection to those who report, is expected to enter into force in January 2023. Pending its entry into force, the scope of the existing child safeguarding policy has been extended.

Another cross-cutting dimension to be mentioned is the fight against climate change and protection of the environment. Over the years, the Council of Europe has significantly promoted environmental sustainability through regional treaties in areas such as biodiversity protection, landscape management, major natural and technological disaster risk reduction and sustainable territorial development. While the European Convention on Human Rights (ECHR) and the European Social Charter (ESC) do not explicitly refer to any right to a healthy environment as such, the case law of the European Court of Human Rights (ECtHR) and the conclusions of the European Committee of Social Rights (ECSR) affirm the undeniable inter-connection between the environment and human rights.

In 2020, the Council of Europe carried out a simplified environmental assessment to highlight the main opportunities for positive impacts and the risks of environmental vulnerabilities brought about by its co-operation activities. Preliminary conclusions have shown that the Council of Europe's co-operation sector has an indirect positive impact on the environment through its support to countries in strengthening their good governance structures and thus enabling them to deal more effectively with their environmental

⁵¹ Seconded by Finland.

challenges and goals. Yet, there is still a need for the Council of Europe's co-operation sector to increase its action in this area.

The Council of Europe's co-operation sector has the potential to introduce a climate and environmental dimension into discussions in sectors and among stakeholders not traditionally used to considering these themes. In doing so it can rely on the Council of Europe's binding commitments and treaties directly or indirectly addressing environmental concerns, its well-established working methods that include intergovernmental dialogue and co-operation, and its extensive and diverse networks of expertise across Europe. Within this context, the Council of Europe's co-operation sector aims to make the fight against climate change and environmental degradation an integral and more explicit part of its action and is currently considering three main avenues: (1) mainstreaming environmental protection and climate change considerations in Council of Europe co-operation projects; (2) conceiving and designing co-operation projects with environment-specific objectives; and (3) improving the working methods and practices of the Council of Europe to ensure greater environmental sustainability of its co-operation activities.

The present Action Plan also takes into account the conclusions and recommendations of the evaluation of the Action Plan for Armenia 2019-2022 as well as lessons learned during the implementation of previous Action Plans, including:

- close co-ordination with the partners at all levels and at all stages of programme development, and implementation is needed to ensure the relevance of action and its effective implementation as well as strong ownership and engagement among the authorities;
- effective co-ordination of projects as well as effective co-ordination mechanisms among both international and national partners, are important to avoid unnecessary overlap of interventions;
- the human rights approach to co-operation, which uses Council of Europe standards and principles both as means and goals of technical assistance, can significantly contribute to the realisation of those rights.

Owing to the nature of its mandate, the Council of Europe sometimes operates in complex and unstable environments which expose it to risks. The risk analysis of the Action Plan and possible mitigation strategies are identified in Appendix II of the present Action Plan on the basis of the Council of Europe's [risk management guidelines](#) and [Risk management policy](#), both approved in June 2016. All projects implemented within the Action Plan have their own risk assessment and mitigation strategies. In 2021, a risk management exercise was launched by the ODGP to feed into the Organisational Risk Register, which is periodically brought to the attention of the Secretary General and the Senior Management Group of the Council of Europe. Internal audit, external audit and the Oversight Advisory Committee will be analysing the results.

In the context of the Covid-19 pandemic, the Council of Europe has sought to ensure business continuity in the framework of the implementation of the previous Action Plan, while respecting national public health measures. Mitigation measures were continuously adapted and implemented by the Council of Europe throughout its co-operation activities, in close co-ordination with the donors and the beneficiaries. They included programming adaptations and looking for technical solutions. The same approach will be applied to implementing this Action Plan if circumstances so require.

3.2 CONTRIBUTION TO THE UNITED NATIONS SUSTAINABLE DEVELOPMENT GOALS

The Action Plan will sustain the efforts of the Armenian authorities in achieving the [United Nations sustainable development goals](#) (SDGs), especially goals 3, 4, 5, 8, 10, 11, 13 and 16, as follows.

Goal 3. Ensure healthy lives and promote well-being for all at all ages

Activities in the area of protecting human rights in the field of biomedicine as well as those in the field of healthcare provision in prisons will directly contribute to target 3.4.⁵² Furthermore, the management of drug users in prisons will directly contribute to the achievement of target 3.5.⁵³ Finally, improving the effectiveness of the prison healthcare system will directly contribute to Goal 3.

Goal 4. Ensure inclusive and equitable quality education and promote lifelong learning opportunities for all

Several activities of the Action Plan aim at enhancing professional capacities and providing knowledge and skills and contribute to achieving target 4.7.⁵⁴ As part of its efforts to improve human rights observance in Armenia, the Council of Europe seeks to enhance the capacities of legal professionals, national institutions, law enforcement and probation service officers as well as of local authorities to apply human rights principles in their work. The European Programme for Human Rights Education for Legal Professionals (HELP) is instrumental in this regard as it ensures lifelong learning opportunities and makes a contribution to human rights education for sustainable development.

Goal 5. Achieve gender equality and empower all women and girls

The current Action Plan will contribute to target 5.1,⁵⁵ target 5.2,⁵⁶ 5.5⁵⁷ and target 5.c.⁵⁸ This will be achieved by continuing to assist the relevant stakeholders in promoting the relevant Council of Europe standards among public officials and the general public, as well as through establishing effective protection mechanisms to address violence against women and domestic violence. Specific activities will target the conditions of women in the armed forces, enhancing the number of women judges in the judiciary and ensuring equal access to justice for women.

With Armenia having signed the Istanbul Convention in 2018, the Action Plan puts a special focus on alignment of national legislation with the Convention and capacity building of the legal professionals on the topic. As regards the Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse (Lanzarote Convention), which was ratified by Armenia in 2020, the current Action Plan includes activities for increasing awareness of key stakeholders, professionals and civil society on its provisions and providing support to national authorities for their implementation. In the area of trafficking in human beings, activities under the current Action Plan cover improving legislative and institutional frameworks as well as adopting and implementing comprehensive strategies to improve the prevention and protection of children from all forms of violence, including trafficking.

Gender mainstreaming in all policies and measures as well as in the implementation of the projects themselves is a priority of the Action Plan and also contributes to achieving goal 5.

⁵² Goal 3, target 3.4: By 2030, reduce by one third premature mortality from non-communicable diseases through prevention and treatment and promote mental health and well-being.

⁵³ Goal 3, target 3.5: Strengthen the prevention and treatment of substance abuse, including narcotic drug abuse and harmful use of alcohol.

⁵⁴ Goal 4, target 4.7: By 2030, ensure that all learners acquire the knowledge and skills needed to promote sustainable development, including, among others, through education for sustainable development and sustainable lifestyles, human rights, gender equality, promotion of a culture of peace and non-violence, global citizenship and appreciation of cultural diversity and of culture's contribution to sustainable development.

⁵⁵ Goal 5, target 5.1: End all forms of discrimination against all women and girls everywhere.

⁵⁶ Goal 5, 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.

⁵⁷ Goal 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.

⁵⁸ Goal 5, target 5.c: Adopt and strengthen sound policies and enforceable legislation for the promotion of gender equality and the empowerment of all women and girls at all levels.

Goal 8. Promote sustained, inclusive and sustainable economic growth, full and productive employment and decent work for all

The activities in the area of protecting the rights of children will contribute to target 8.7⁵⁹ by strengthening the prevention of trafficking in children, *inter alia*, introducing effective legislative and procedural frameworks to ensure that legal entities in Armenia may be held liable for human trafficking offences. Furthermore, with Armenia being a party to the Council of Europe Convention on Action against Trafficking in Human Beings, and having ratified the Lanzarote Convention in 2020, the current Action Plan includes activities aiming at increasing awareness of key stakeholders about its provisions, as well as assisting authorities in efficient implementation of both conventions.

Moreover, the European Social Charter guarantees the rights to work with no discrimination, to just conditions of work, to safe and healthy working conditions and to a fair remuneration. Activities aimed at securing social rights and the application of the Charter will therefore contribute to the achievement of target 8.8.⁶⁰

Goal 10. Reduce inequality within and among countries

The objectives set by the present Action Plan in the sphere of non-discrimination directly contribute to targets 10.2,⁶¹ 10.3⁶² and 10.7.⁶³ Specifically, it is planned to support the efforts of the national authorities to align relevant legislation with European and international anti-discrimination standards as well as in improving access to justice for victims of discrimination and enhancing access to justice for all, including women and vulnerable groups such as minorities, children and youth. Furthermore, the Council of Europe will support Armenia's efforts in enhancing the protection of minorities and help to address the matter of displaced persons in line with the European human rights standards.

Goal 11. Make cities and human settlements inclusive, safe, resilient and sustainable

Promoting good governance through local self-government is one of the objectives of the Action Plan which contributes to achieving target 11.3.⁶⁴ In this regard, the Action Plan aims at supporting Armenia in revising respective legislation for ensuring financial decentralisation as well as enhancing citizen participation in local decision making. Furthermore, the Council of Europe will assist Armenia in establishing more effective intermunicipal and cross-border co-operation.

Goal 13. Take urgent action to combat climate change and its impacts

The activities aiming at improving the legislative framework on environmental issues in line with European and international standards, raising public awareness on environmental issues, strengthening legal professionals' capacities to protect the environment as well as focusing on regional co-operation and effective stakeholder engagement in promoting sustainable changes in the field of human rights and the environment will directly contribute to achieving targets 13.2⁶⁵ and 13.3.⁶⁶

⁵⁹ Goal 8, target 8.7: Take immediate and effective measures to eradicate forced labour, end modern slavery and human trafficking and secure the prohibition and elimination of the worst forms of child labour, including recruitment and use of child soldiers, and by 2025 end child labour in all forms.

⁶⁰ Goal 8, target 8.8: Protect labour rights and promote safe and secure working environments for all workers, including migrant workers, in particular women migrants, and those in precarious employment.

⁶¹ Goal 10, target 10.2: By 2030, empower and promote the social, economic and political inclusion of all, irrespective of age, sex, disability, race, ethnicity, origin, religion or economic or other status.

⁶² Goal 10, target 10.3: Ensure equal opportunity and reduce inequalities of outcome, including by eliminating discriminatory laws, policies and practices and promoting appropriate legislation, policies and action in this regard.

⁶³ Goal 10, target 10.7: Facilitate orderly, safe, regular and responsible migration and mobility of people, including through the implementation of planned and well-managed migration policies.

⁶⁴ Goal 11, target 11.3: By 2030, enhance inclusive and sustainable urbanisation and capacity for participatory, integrated and sustainable human settlement planning and management in all countries.

⁶⁵ Goal 13, target 13.2: Integrate climate change measures into national policies, strategies and planning.

⁶⁶ Goal 13, target 13.3: Improve education, awareness raising and human and institutional capacity on climate change mitigation, adaptation, impact reduction and early warning.

Goal 16. Promote peaceful and inclusive societies for sustainable development, provide access to justice for all and build effective, accountable and inclusive institutions at all levels

This goal is the cornerstone of the rule of law in Agenda 2030. By the very nature of the Council of Europe's mandate, its technical co-operation activities implemented under the present Action Plan, bring a significant contribution to the achievement of goal 16. Indeed, all actions undertaken with Armenia will cover a wide range of areas of support related to the achievement of this goal and many of its targets, including but not limited to the following.

- Activities on preventing both violence against women and domestic violence as well as prevention and protection of children from all forms of violence contributes to achievement of target 16.1.⁶⁷ Work to prevent ill-treatment of detained persons and to build the capacities of law enforcement agencies, police officers and healthcare services in safeguarding human rights should also contribute to achieving this target.
- Preventing and combating trafficking in human beings targeting children is another priority of this Action Plan. It will strive to build a stronger legislative, policy and institutional framework aiming at identification of and assistance to child victims of trafficking thereby contributing to efforts to achieve target 16.2.⁶⁸
- Promoting the rule of law is one of the three pillars of the Council of Europe, and its actions therefore directly contribute to achieving target 16.3.⁶⁹ More specifically, activities in the field of judicial reform and constitutional justice will enhance the independence and efficiency of justice and ensure equal access to all citizens.
- Supporting Armenia in further complying with the Convention on Cybercrime (Budapest Convention) by addressing existing gaps in the legal framework and developing the capacities of the judiciary, prosecutors and investigators in the field of investigations and financial intelligence in the area of cybercrime is in line with target 16.4.⁷⁰
- Striving to further fight corruption through legal and policy advice and follow-up capacity-building activities, increasing the co-operation, co-ordination and alignment among the many different partners in the field, contributes to the achievement of target 16.5.⁷¹
- The Action Plan puts considerable efforts into developing the capacities of public, judicial and law enforcement authorities to operate more efficiently and ethically in line with their mandates. Enhancing the capacities of the staff of the institutions to implement the reforms through enhanced skills and ensuring appropriate co-ordination among relevant institutions will contribute to the achievement of target 16.6.⁷²
- Increased citizen participation such as youth and civil society in local decision making is one of the foci of the Action Plan which directly contributes to achieving target 16.7.⁷³
- The objectives set in the area of freedom of expression and information as well as media, such as enhancing the legislative framework in line with European Convention on Human Rights (ECHR) principles, decreasing information disorder and supporting Armenian media professionals contributes to target 16.10.⁷⁴

⁶⁷ Goal 16, target 16.1: Significantly reduce all forms of violence and related death rates everywhere.

⁶⁸ Goal 16, target 16.2: End abuse, exploitation, trafficking and all forms of violence against and torture of children.

⁶⁹ Goal 16, target 16.3: Promote the rule of law at the national and international levels and ensure equal access to justice for all.

⁷⁰ Goal 16, target 16.4: By 2030, significantly reduce illicit financial and arms flows, strengthen the recovery and return of stolen assets and combat all forms of organised crime.

⁷¹ Goal 16, target 16.5: Substantially reduce corruption and bribery in all their forms.

⁷² Goal 16, target 16.6: Develop effective, accountable and transparent institutions at all levels.

⁷³ Goal 16, target 6.7: Ensure responsive, inclusive, participatory and representative decision making at all levels.

⁷⁴ Goal 16, target 16.10: Ensure public access to information and protect fundamental freedoms, in accordance with national legislation and international agreements.

Actions to increase the capacity and skills of relevant institutions to monitor and counter discrimination, hate crime and hate speech directly contribute to achieving target 16.a⁷⁵ on building capacities to prevent violence and combat terrorism and crime. In addition, support provided for the adoption of non-discriminatory policies contributes to achieving target 16.b.⁷⁶

3.3. CO-ORDINATION

Co-ordination to ensure efficient use of resources and the relevance of the Council of Europe's actions is performed at different levels and in different forums, including the Committee of Ministers of the Council of Europe.

The Council of Europe's actions are determined and implemented so as to focus on areas where the Organisation has strong expertise and added value. Joint co-operation with Armenian authorities is developed on the basis of thorough analysis of the objectives followed by other international organisations and players in the field and their work, implemented and/or planned to achieve these objectives.

To ensure the relevance of its actions, the Council of Europe works in close co-ordination with relevant international partners, notably the European Union and in particular the EU Delegation in Armenia. The present Action Plan will be also implemented in the context of the European Union-Armenia Comprehensive and Enhanced Partnership Agreement (CEPA). Regular contacts will be maintained with the Office of the United Nations High Commissioner for Refugees (UNHCR), the United Nations International Children's Fund (UNICEF) and other international organisations present in Armenia.

Whenever appropriate, co-ordination platforms with other international organisations are set up and joint activities undertaken.

To ensure efficiency and avoid the overlapping of activities, the Council of Europe also co-ordinates its work with States' development agencies and embassies, including but not limited to the Swiss Agency for Development and Co-operation (SDC), the German Agency for Development Co-operation (GIZ), the Swedish International Development Co-operation Agency (SIDA), the Austrian Development Agency (ADA) and the Government of Norway.

3.4. FUNDING

The overall budget of the Action Plan is estimated at €19 million. Funding amounting to €0.9 million (4% of the total budget) has been secured.

Projects within the Action Plan are to be funded from multiple sources. Funding is to be provided mainly from voluntary contributions from donor countries and international organisations, including the European Union/Council of Europe joint programmes such as the Partnership for Good Governance, as well as the ordinary budget (OB) of the Council of Europe.

The co-ordination of Action Plan implementation incurs general management costs amounting to not more than 7% of the Action Plan's direct costs.

In line with the Council of Europe resource mobilisation strategy, fund-raising efforts under the co-ordination of the Office of the Directorate General of Programmes (ODGP) are concentrated on the Action Plan as a whole. Action Plan-level funding, in particular, allows flexibility for allocating funds where they are most needed and where they are most likely to contribute to the sustainability of key policy and institutional reforms.

The structure of the present Action Plan 2023-2026 is aligned with the structure of the Programme and Budget of the Council of Europe and its two biennial budget cycles in order to increase consistency, complementarity and co-ordination.

⁷⁵ Goal 16, 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.

⁷⁶ Goal 16, target 16.b: Promote and enforce non-discriminatory laws and policies for sustainable development.

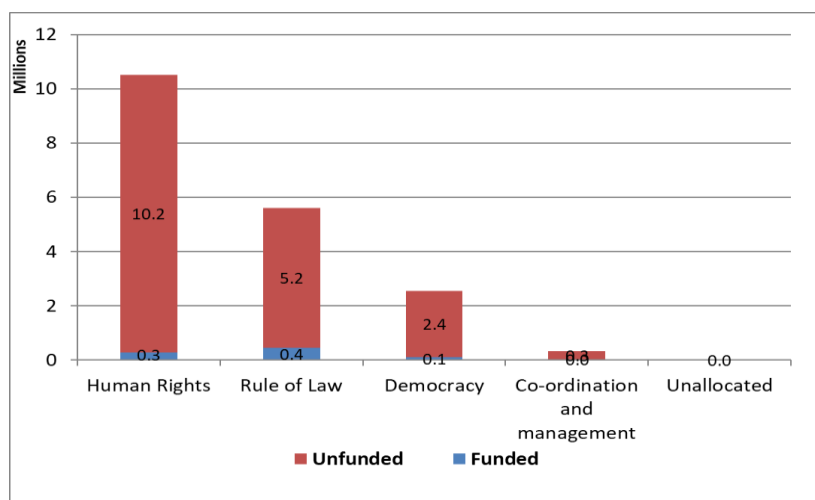


Figure 2: Estimated budget per theme of the Action Plan with Armenia 2023-2026 (in millions of euros)

3.5. GOVERNANCE

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

The Council of Europe will provide regular updates on the progress and outcomes of the Action Plan. To this end, the Office of the Directorate General of Programmes (ODGP) will submit interim and final reports to the Committee of Ministers as follows:

- an oral report 12 and 36 months after the implementation start date of the Action Plan to present the state of advancement after its official launching;
- a comprehensive mid-term progress review report, 24 months after the implementation start date of the Action Plan;
- a final progress review report at the end of the implementation of the Action Plan.

Progress made under the Action Plan will also be jointly assessed by the Council of Europe and the Armenian authorities. For this purpose, an Action Plan Steering Committee is established, composed of representatives of the Ministry of Foreign Affairs and other national stakeholders, including civil society, involved in the implementation of the Action Plan as well as of Council of Europe representatives.

This steering committee will assess the implementation of approved projects, discuss challenges and proposals for future co-operation, and recommend, if appropriate, measures to improve the effectiveness of the Action Plan. Meetings will take place 24 months after the implementation start date of the Action Plan, to assess the mid-term implementation, and before the end of the Action Plan, to assess the overall implementation. Gender-balanced participation shall be ensured here subject to limitations in terms of sectorial knowledge and experience.

In addition, the ODGP will address annual Action Plan reports to those donors contributing to the funding at the level of the Action Plan, in line with reporting requirements.

Action Plan contacts

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APPENDIX I: LOGFRAME

Transversal dimensions such as gender equality, gender mainstreaming and civil society's participation are key components of the Council of Europe's human rights approach.

Overall goal: to ensure successful reforms in Armenia which will bring its legislation, institutions and practice further into line with European standards in the areas of human rights, the rule of law and democracy, and therefore support the country's efforts to honour its obligations as a Council of Europe member State.

Human rights	
Thematic outcomes: Human rights protection, equality and human dignity are enhanced through the well-structured and co-ordinated implementation of human rights standards, including those on gender equality, freedom of expression and freedom of the media and an improved effectiveness of the European Convention on Human Rights (ECHR) system.	
Outcomes	Indicators
1.1. Effective ECHR implementation	
<p><i>Enhancing the effectiveness of the ECHR System at national level</i></p> <ul style="list-style-type: none"> ✓ Criminal policy and regulatory framework in line with the new Armenian Criminal Code and Criminal Procedure code as well as European standards. ✓ Criminal justice legal practitioners implement in a harmonised way the new criminal legislative, regulatory framework and policy. ✓ Institutional set-up for investigating ill-treatment cases is operational and relevant staff's capacities in this area are developed. ✓ The Parliament of Armenia effectively participates in implementation of the case law of the European Court of Human Rights (ECtHR) at national level. ✓ Enhanced Capacity of the HRD Office staff on the procedure of third-party intervention before the ECtHR. ✓ Armenian legal professionals have a better understanding about the ECHR and Council of Europe standards and apply them in their daily practice. ✓ The general measures in the relevant ECtHR judgments are effectively implemented. 	<ul style="list-style-type: none"> • Degree of compliance/harmonisation of the criminal policy and regulatory frameworks with European standards and Armenian CC and CPC. • Number of criminal justice practitioners enabled to apply the newly adopted criminal justice legislation. • Number of ill-treatment cases investigated by the relevant entity. • Number of general measures adopted by Armenia in compliance with the Committee of Ministers' resolution. • Number of closed ECtHR cases involving Armenia. • Number of ECtHR judgments involving Armenia under the supervision of the Committee of Ministers of the Council of Europe. • Quality of interaction among the institutions involved in the execution of ECtHR judgments (Interagency Committee, Government Agent Office, ECHR Unit in the Judicial Department of the Court of Cassation, the Justice Academy and other stakeholders). • Number of third-party interventions before the ECtHR.

<ul style="list-style-type: none"> ✓ The Armenian armed forces take concrete steps to better protect and promote human rights among military servicepersons. ✓ The relevant educational and training institutions institutionalise the protection and promotion of human rights in the armed forces as part of their standard training modules and continuing education. ✓ The profile of women servicepersons is raised within the armed forces. ✓ Military service personnel and veterans have better access to the social and healthcare services and the protection mechanisms of these rights. ✓ Co-ordinated gender-sensitive response (policies, human and financial resources) provided by the Armenian authorities to deal with specific concerns of displaced people in Armenia (housing, health, education, etc.). ✓ Enhanced access to justice and property rights by displaced people. ✓ Measures to ensure the effective protection of the environment and human rights identified by Armenian authorities. ✓ Awareness raised among legal professionals, human rights institutions and civil society about the interplay of human rights and environment. ✓ Enhanced regional co-operation on the protection of environment and human rights instruments. 	<ul style="list-style-type: none"> • Evidence of commitment by the Armenian armed forces towards enhancing the protection of human rights of servicepersons, with a particular focus on women servicepersons. • Number of male military personnel under women’s supervision. • Level of recruitment and promotion of women military personnel. • Number of military personnel having completed the training module on the protection and promotion of human rights in the armed forces. • Number of cases filed by military personnel related to human rights violations and quality of judicial response given. • Relevance and quality of the framework put in place by the Armenian authorities to deal with the issue of displaced people. • Number of displaced people whose case is being tackled by the Armenian authorities. • Number of people for which an effective remedy has been found. • Relevance of measures identified by Armenian authorities to enhance the protection of the environment. • Number of legal professionals reached by the awareness-raising campaign. • Number of legal professionals and other stakeholders actually engaging in the field of environmental protection and human rights. • Number of active contacts and initiatives at the regional level.
<p><i>Protection of human rights in the field of biomedicine</i></p> <ul style="list-style-type: none"> ✓ Armenian legal framework and related practices are more in line with the principles enshrined in the Oviedo Convention. ✓ Public awareness on the challenges related to human rights applied to the biomedical field is enhanced. ✓ The overall level of human rights protection in the biomedical field is increased. ✓ Armenia takes further steps towards the accession to the Oviedo Convention. 	<ul style="list-style-type: none"> • Level of responsiveness of authorities in introducing changes to the legal and policy framework, in line with the Oviedo Convention. • Number of public debates and level of public engagement in the field of human rights and biomedicine. • Level of changes in attitudes among the professionals, in line with the principles of the Oviedo Convention. • Level of interest expressed and concrete steps taken by the Armenian authorities to accede to the Oviedo Convention

<p><i>Freedom of expression and information, media and data protection</i></p> <ul style="list-style-type: none"> ✓ The national legislative and regulatory framework governing freedom of expression, freedom of the media and access to information is in line with the ECHR and effectively implemented. ✓ Armenian media professionals and media actors, including the public service broadcaster, actively promote media integrity, ethical standards and contribute to reduce information disorder, including disinformation and hate speech. ✓ Accreditation system of media actors is in line with European standards. ✓ Armenian legal professionals are aware and comply with Article 10 of the ECHR and the case law of the ECtHR. ✓ National Data Protection Strategy is adopted. ✓ Armenian Data Protection Agency's status and independence are enhanced, and it is empowered to implement the relevant international standards. ✓ Legal professionals have a better understanding about international data protection standards and apply them in their professional practice. ✓ Armenian citizens are more aware about their right to privacy. 	<ul style="list-style-type: none"> • Level of compliance of national legal framework in the field of media with ECHR. • Level of mis/disinformation in Armenian media. • National Data Protection Strategy and level of compliance with European standards. • Level of independence and status of the Armenian Data Protection Agency. • Level of support provided by the Armenian Data Protection Agency to its stakeholders. • Number of trained professionals. • Coverage of awareness-raising campaign (number of engagements).
<p>1.2. Equality and human dignity</p>	
<p><i>Gender equality, combating violence against women and domestic violence, and improving access to justice</i></p> <ul style="list-style-type: none"> ✓ Armenia is better prepared for ratification of the Istanbul Convention. ✓ The Armenian legal and policy framework on preventing and combating domestic violence is in line with Council of Europe standards. ✓ Law enforcement officers, social workers, and other relevant professionals have a better understanding of European standards and gender-sensitive approaches related to the work with victims of domestic violence and gender-based violence. ✓ The capacities of the Human Rights Defender (HRD) Office to raise the awareness and monitor the situation on combatting violence against women and domestic violence are enhanced. 	<ul style="list-style-type: none"> • Number of people reached through awareness-raising activities to combat violence against women and domestic violence. • Number of members of the judiciary, legal professionals and law enforcement officials trained and exposed to good practices. • Quality of exchange and co-operation with relevant stakeholders in countries where fight against domestic violence is most successful. • Number of stakeholders actively engaged in discussions on the alignment of the legislation with the Istanbul Convention. • Degree of access to justice, number of domestic violence cases filed and quality of support provided.

<ul style="list-style-type: none"> ✓ Gender equality and women’s empowerment are better promoted and the Armenian legal and policy framework on gender mainstreaming in education are in line with Council of Europe standards. ✓ Women victims of gender-based violence and domestic violence, including the most disadvantaged, have better access to justice and support services. 	
<p><i>Children’s rights</i></p> <ul style="list-style-type: none"> ✓ The legislative, policy and institutional frameworks for the protection of children are in line with European standards, in particular the Lanzarote Convention, and improve the identification of and assistance to child victims of trafficking. ✓ The relevant authorities adopt and implement comprehensive strategies to improve the prevention and protection of children from all forms of violence, including trafficking in children. ✓ The authorities, professionals and the HRD Office mobilise their capacities to prevent and protect children from all forms of violence and to provide support for child victims and witnesses. ✓ The capacities of the HRD Office to monitor children’s care institutions are improved and the services for children in alternative care are strengthened. ✓ Children are better represented in decision making process that directly affects them. 	<ul style="list-style-type: none"> • Degree of compliance with European standards of the legal, policy and institutional framework for the prevention and protection of children against all forms of violence. • Level of knowledge and use by relevant actors of strategies for the prevention of violence against children, the protection and support of children victims and witnesses of violence. • Level of co-operation among relevant stakeholders. • Level of human and financial support mobilised by the Armenian authorities.
<p>1.3. Anti-discrimination, diversity and inclusion</p>	
<p><i>Anti-discrimination – National minorities, regional or minority languages</i></p> <ul style="list-style-type: none"> ✓ The legal and regulatory framework to prevent discrimination is in line with European standards. ✓ The relevant institutions further support the prevention of racist, homo/transphobic hate speech and violence, combat these phenomena and prosecute perpetrators and actively contribute to building a more inclusive society. ✓ The HRD Office’s capacity to effectively handle the cases of discrimination and hate speech is enhanced. 	<ul style="list-style-type: none"> • Level of compliance with European standards of Armenian legal framework related to discrimination. • Level and quality of support provided by the relevant institutions to prevent discrimination, racism and homo/transphobic hate speech and violence. • Level and quality of support provided by the Human Rights Defender Office of the Republic of Armenia

<ul style="list-style-type: none"> ✓ Minority languages are further used and promoted in school, media and public life. 	
1.4. Social rights	
<p><i>Ensuring respect for social rights in Armenia in line with the revised European Social Charter</i></p> <ul style="list-style-type: none"> ✓ Armenian legislative framework brought closer into line with the European standards in the field of social rights. ✓ Progress towards the acceptance by Armenia of the collective complaints procedure and additional provisions of the European Social Charter. ✓ Improved ECSR monitoring process, thanks to a better quality of the national reports made available by the national authorities. ✓ The HRD Office actively contributes to the adequate protection of social human rights in Armenia. 	<ul style="list-style-type: none"> • Extent to which the relevant legislation is in place or amended in line with European standards on social rights, including labour rights. • Quality of data provided by Armenian authorities within the framework of the European Committee of Social Rights (ECSR) monitoring process. • Level of involvement of the HRD Office in social rights protection in Armenia. • Quality of dialogue among social partners.
<p>Rule of law</p> <p>Thematic outcomes: Democratic security is strengthened by an enhanced implementation of the existing legislation and European standards, the development of an enabling legal and institutional framework for a democratic society and an improved quality of justice and efficiency in combating corruption, cybercrime and illicit trafficking.</p>	
Outcomes	Indicators
2.1 Rule of law-based institutions	
<p><i>Independence and efficiency of justice</i></p> <ul style="list-style-type: none"> ✓ National legal acts on the judiciary are adopted and implemented in line with Council of Europe standards. ✓ The judicial self-governing bodies, including the Supreme Judicial Council (SJC), are more transparent, effective and efficient, leading to an enhanced public trust. ✓ The Constitutional Court operates according to reformed external and internal legislative frameworks, in line with European standards. ✓ Equal access to justice is improved in line with the best practices of Council of Europe member States. ✓ Effective application on a wider scale of arbitration and mediation help to reduce the backlog of the courts and to enhance access to justice. ✓ Lawyers fulfil their functions in an independent and professional manner. 	<ul style="list-style-type: none"> • Extent to which the legal framework related to the judiciary is in line with European standards. • Level of compliance of judicial self-governing bodies' practices to Council of Europe standards and best practices. • Level of quality of judicial acts. • Degree of transparency and public accountability of the judiciary. • Level of trust in the judiciary by the Armenian citizens. • Level of alignment to good practices of the legislation regulating the functioning of the Constitutional Court within the Armenian judiciary as well as the mode of interaction of the Court with other State agencies and citizens (external regulative framework). • Level of alignment to good practices of the sub-legislative acts regulating administrative, organisational, financial and structural matters of the Constitutional Court (internal regulative framework).

	<ul style="list-style-type: none"> • Quality of equipment, resources and infrastructure of the Constitutional Court. • Quality of staffing, material and equipment of the to-be-created Arbitration Centre. • Number of cases where Alternative Dispute Resolutions are applied.
2.2. Action against crime, security and protection of citizens	
<p><i>Fight against corruption, money laundering and cybercrime</i></p> <ul style="list-style-type: none"> ✓ Legislative and policy frameworks for combating corruption through independent and efficient anti-corruption bodies are in place and related institutions are operational. ✓ The national legislation on cybercrime is in line with the Budapest Convention and capacities of relevant institutions are in line with their mandates. ✓ Interagency co-operation and exchange of data relevant for cybercrime investigations is improved. ✓ A culture of co-operation with internet service providers improved through legal basis for co-operation (with a focus on procedural powers and safeguards) and revised/expanded co-operation agreements). 	<ul style="list-style-type: none"> • Level of alignment with the European and international standards of existing legislative and institutional frameworks and practices to fight corruption and cybercrime. • Level of capacities of the judiciary, prosecutors, investigators in the field of financial intelligence, digital forensics and co-operation practices in the area of cybercrime. • Balance between the interests of law enforcement and respect for fundamental human rights and principles of rule of law in the fight against cybercrime. • Level and quality of international co-operation in criminal matters related to fight against cybercrime. • Level and quality of co-operation with internet service providers.
<p><i>Prisons and police</i></p> <ul style="list-style-type: none"> ✓ Regulatory and operational frameworks for the provision of healthcare in prisons are in line with European standards and enforced by the relevant stakeholders. ✓ Inmates, including persons with disabilities and other vulnerable groups, benefit from rehabilitation programmes as well as from better healthcare services in prisons. ✓ Inmates have access to specialised healthcare, including mental healthcare and drug-related services. ✓ Medical independence within the prison system is strengthened. ✓ Probation achieves a more consolidated role in the Armenian judicial system. ✓ Probation service staff increase their capacity to carry out their new duties. ✓ The police operate in line with European standards as a result of the relevant reforms. 	<ul style="list-style-type: none"> • Level of alignment with European standards and good practices of the regulatory and operational frameworks for the provision of healthcare in prisons. • Level of healthcare (including specialised healthcare) services available to inmates. • Level of independence of prison medical personnel from the penitentiary administration. • Level of competence of penitentiary medical personnel and of Penitentiary Medical Centre (PMC) staff. • Number of offenders benefitting from probation. • Level of competence of probation service staff. • Level of accountability of the police.

Democracy	
Thematic outcome: The democratisation of society is fostered through electoral integrity, strengthened local democracy, civil participation in democratic decision making and education.	
Outcomes	Indicators
3.1. Democratic governance	
<p><i>Promoting good governance and local government reforms</i></p> <ul style="list-style-type: none"> ✓ The legislative and institutional framework in respect of local democracy is in line with European standards. ✓ The financial equalisation framework provides a more equitable distribution of resources, in line with legislation, for counterbalancing regional disparities and diverse financial capacity of municipalities. ✓ Local authorities are empowered with higher level of authority and responsibility for public functions and services by the central government. ✓ Local-OGP member communities and CSO partners have institutionalised good governance and inclusion principles. ✓ Local authorities increasingly involve citizens, including young people, and civil society organisations in policy decision making. ✓ Local authorities actively participate in local economic development policy. ✓ Local authorities are duly consulted by higher levels of government through their national associations on matters which concern them directly. ✓ Local authorities are more transparent, accountable and ethical, and foster an enhanced citizen control over decision making at local level. ✓ The integrity and professionalism of the election administration is enhanced at all levels ✓ The media coverage on elections is more efficient and professional. ✓ Electoral processes are more inclusive, gender balanced and transparent. ✓ Electoral corruption (vote buying, pressure on voters), including in rural areas, is reduced. ✓ HRD Office's capacities to monitor the situation are enhanced and support better governance. 	<ul style="list-style-type: none"> • Level of alignment with European standards and good practices of the legal and institutional framework in respect of local democracy. • Level of decentralisation. • Level of resources allocated to local governments through the financial equalisation framework. • Quality of dialogue between the central and local authorities. • Number of citizens and of civil society organisation (CSO) representatives participating in policy-making consultations. • Level of transparency and public accountability of local authorities. • Extent of incorporation of European standards in electoral legislation and practice. • Level of professionalism of election administration. • Level of confidence in the electoral process. • Overall quality of media coverage on elections. • Level of inclusiveness and transparency of electoral processes. • Level of gender participation in electoral processes. • Level of corruption in electoral processes. • Level of effectiveness of electoral dispute resolution system.

APPENDIX II: RISK REGISTER

Risk description	Mitigation actions
Political related risks	
<ul style="list-style-type: none"> • Changing governmental priorities or lack of genuine political will for reforms, leading to low political support to project implementation and reduced allocations in human and financial resources for reforms. 	<p>Communicate at the highest political level about the obligations the State has entered into when joining the Council of Europe.</p> <p>Promote dialogue between authorities and civil society on the application of the standards.</p> <p>Discuss mitigation strategies with international partners (EU in particular).</p>
<ul style="list-style-type: none"> • Increased polarisation of society, leading to unsupportive environment vis-à-vis reforms, and mixed perception among Armenian citizens and civil society organisations (CSOs) about Council of Europe's role and mandate. 	<p>Raise awareness among target groups to sensitise them as to the importance of applying the standards of the Organisation.</p> <p>Promote dialogue between authorities and civil society on application of the standards.</p> <p>Focus on protection of rights of the vulnerable groups.</p> <p>Discuss mitigation strategies with international partners (EU in particular).</p>
<ul style="list-style-type: none"> • Changing donor's priorities, leading to reduced voluntary contributions in favour of Armenia. 	<p>Reinforce communications with donors at the highest political level.</p>
<ul style="list-style-type: none"> • Prolonged vacancies in key management posts in the Yerevan office, leading to reduced Council of Europe visibility in Armenia, low Action Plan funding and low political support to project implementation. 	<p>Start preparing the succession in advance to limit the duration of the vacancies as much as possible.</p> <p>Provide extra support from headquarters, as needed.</p>
Project/programme delivery related risks	
<ul style="list-style-type: none"> • Insufficient funding for implementation of important areas of the Action Plan, resulting in discontinuation of co-operation in a number of fields, losing momentum, affecting the pace of implementation and effectiveness of reforms in Armenia and the perceived relevance of the Council of Europe. 	<p>Ensure effective resource mobilisation efforts in co-ordination with headquarters and the Council of Europe office in Yerevan.</p> <p>Maintain open communication channels with traditional donors and explore new funding sources. Organise major donor events.</p> <p>Devise a resource allocation strategy taking into account potential for synergies and overall effectiveness.</p>

	Continue to address feedback from partners and donors to improve project design, implementation, results-based monitoring, and reporting practices, so as to attract and retain donors.
<ul style="list-style-type: none"> • Ineffective co-ordination with national and international partners, leading to overlaps, missed synergies, wasted resources and reputational issues. 	<p>Increase the co-ordination efforts at national level.</p> <p>Ensure appropriate communication among stakeholders on plans and co-ordinated implementation, whenever relevant.</p> <p>Increase the practice of joint/co-ordinated activities and communication.</p>
<ul style="list-style-type: none"> • High turnover of governmental and non-governmental staff and other key partners, leading to loss of know-how and networking contacts and disruption in Action Plan implementation. 	<p>Close monitoring of staff changes and swift re-establishment of contacts.</p> <p>Support long-term institutional memory at partner institutions' level and contribute to sustainable knowledge management practices.</p> <p>Encourage a shared leadership approach on project implementation to enhance beneficiaries' ownership and commitment to results.</p>
<ul style="list-style-type: none"> • Ineffective co-operation with Armenian CSOs, leading to low national ownership of projects implemented, low support from the Armenian population, low project effectiveness and reputational issues. 	<p>Adopt an inclusive approach towards CSOs at both Action Plan and project level both during planning and implementation phases.</p> <p>Actively look for new co-operation opportunities with CSOs, on the basis of professional and transparent selection procedures.</p> <p>Continue to enhance CSO's professional capacities through specific capacity-building activities and co-operation in project implementation.</p>
Communication-related risks	
<ul style="list-style-type: none"> • Insufficient or ineffective communication, leading to poor knowledge among main international and national partners, target groups and general population about the benefits of the reforms and the Council of Europe's contribution to the reforms in Armenia. 	<p>Ensure every project develops its communication strategy to inform stakeholders and foster interest in the activities of the Organisation in Armenia.</p> <p>Ensure results-oriented communication reaching out to different target groups with clear messages about the Council of Europe's contribution to reforms in Armenia and its impact on the daily lives of Armenian citizens.</p> <p>Increase the speed at which information is exchanged.</p>

	Continue communicating in both English and Armenian to ensure the widest outreach possible.
Risks related to the health situation	
<ul style="list-style-type: none"> • Enforcement of social distancing rules and restrictions on gatherings in Armenia, making it impossible to conduct in-person events. 	<p>Rely on past experience and measures implemented within the framework of the Covid-19 pandemic:</p> <ul style="list-style-type: none"> • rely on alternative methods of conducting meetings and training sessions (videoconferencing, webinars); • closely follow the health situation to be able to hold in-person events which cannot be held online due to the sensitivity of the topic as soon as it is possible (while fully implementing social distancing measures).
<ul style="list-style-type: none"> • Changes in the priorities of national partners, possibly calling for a review of the projects and their work plans. 	<p>Maintain close communication with the national authorities and respond to shifting needs, in order to best address the needs of the beneficiaries while maintaining a focus on the core values of the Council of Europe.</p> <p>Translate and disseminate Council of Europe standards and specific recommendations to ensure that the protection of human rights, the rule of law and democracy remains on the authorities' agenda.</p>
<ul style="list-style-type: none"> • Enforcement of restrictions on international and local travel, making it impossible to conduct activities in the field. 	<p>Rely on past experience and measures implemented within the framework of the Covid-19 pandemic:</p> <ul style="list-style-type: none"> • focus on activities that can be performed remotely, until the restrictions are lifted, such as research and desk work in the short term; • regularly revise work plans (with possible fund reallocation) to align them with applicable restrictions; • examine alternative methods of work: videoconferencing, online training session and surveys, etc.

APPENDIX III: FINANCIAL TABLE

(all amounts in euros)

	Sectors	Total budget
1	Human rights	10,516,904
	1. Effective ECHR implementation	7,027,440
	2. Equality and Human Dignity	1,876,333
	3. Anti-discrimination, diversity and inclusion	865,312
	4. Social rights	747,819
2	Rule of Law	5,601,968
	1. Rule of Law based institutions	2,319,762
	2. Action against crime, security and protection of citizens	3,282,206
3	Democracy	2,550,000
	1. Democratic governance	2,550,000
	Co-ordination, management and reserves	331,128
	1. PGG II Co-ordination - Reserve - Quick Response Mechanism	24,982
	2. General management costs	306,146
	TOTAL	19,000,000

APPENDIX IV: SOURCES/RELEVANT DOCUMENTS

Council of Europe documents

1. Technical co-operation with Armenia
 - [Council of Europe Action Plan for Armenia 2019-2022](#)
 - [Progress Review Report 2019-2022](#)
 - [Council of Europe Action Plan for Armenia 2015-2018](#)
 - [Final Report 2015-2018](#)
 - [Progress Review Report 2015-2018](#)
 - [Council of Europe Action Plan Armenia 2012-2014](#)
 - [Final Report 2012-2014](#)
 - [Progress Review Report 2012-2014](#)

2. European Court of Human Rights
 - European Court of Human Rights (ECtHR) case law in relation to Armenia, in particular on ill-treatment and/or torture in police custody, absence of effective investigations into the death of military conscripts, denial of adequate medical care to prisoners.
 - [ECHR Facts and figures by State](#)

3. Commissioner for Human Rights of the Council of Europe
 - [Country report on Armenia – 2018](#)
 - [Country report on Armenia – 2011](#)

4. Committee of Ministers of the Council of Europe
 - Committee of Ministers of the Council of Europe decisions
 - o [CM/Del/Dec\(2022\)1428/H46-3 on the execution of ECtHR's judgements concerning death or torture, while in police custody and the lack of effective investigations](#)
 - o [CM/Notes/1377/H46-2 on the execution of ECtHR's judgements concerning the dispersal by the authorities of the wide-scale opposition protests against the outcome of the 2008 presidential elections including ill-treatment and ineffective investigations, poor conditions of detention, policing peaceful assemblies](#)
 - o [CM/Del/Dec\(2019\)1340/H46-1 on the execution of ECtHR's judgements concerning the lack of access to adequate medical care for persons held in detention and suffering from serious illness](#)
 - Committee of Ministers recommendations
 - o [CM/Rec\(2022\)13 on the impacts of digital technologies on freedom of expression](#)
 - o [CM/Rec\(2022\)11 on principles for media and communication governance](#)
 - o [CM/Rec\(2022\)6 on protecting youth civil society and young people, and supporting their participation in democratic processes](#)
 - o [CM/Rec\(2018\)4 on the participation of citizens in local public life](#)
 - o [CM/Rec\(2018\)2 on the roles and responsibilities of internet intermediaries](#)
 - o [CM/Rec\(2018\)1 on media pluralism and transparency of media ownership](#)
 - o [CM/Rec\(2015\)1 on intercultural integration](#)
 - o [CM/Rec\(2010\)5 on measures to combat discrimination on grounds of sexual orientation or gender identity](#)
 - o [CM/Rec\(2010\)4 on human rights of members of the armed forces](#)
 - o [Rec\(2000\)21 on the freedom of exercise of the profession of lawyer](#)

5. Congress of Local and Regional Authorities of the Council of Europe

- [European Charter of Local Self-Government](#) (ETS No. 122)
- [Additional Protocol to the European Charter of Local Self-Government on the right to participate in the affairs of a local authority](#) (CETS No. 207)
- [Monitoring of the application of the European Charter of Local Self-Government in Armenia](#), Recommendation 456 (2021)
- [Information report on partial local elections in Armenia](#) (5 December 2021)

6. Parliamentary Assembly of the Council of Europe

- [Recommendation 2209 \(2021\) on “Humanitarian consequences of the conflict between Armenia and Azerbaijan / Nagorno-Karabakh conflict”](#)
- [Recommendation 1742 \(2006\) on “Human rights of members of the armed forces”](#)
- [Resolution 2427 \(2022\) on “The functioning of democratic institutions in Armenia”](#)
- [Resolution 2418 \(2022\) on “Alleged violations of the rights of LGBTI people in the Southern Caucasus”](#)
- [Resolution 2077 \(2015\) on “Abuse of pretrial detention in States Parties to the European Convention on Human Rights”](#)
- [Report 15432 on “The functioning of democratic institutions in Armenia” \(10 January 2022\)](#)
- [Report 15352 on “Observation of the early parliamentary elections in Armenia \(20 June 2021\)”](#)
- [Report 14801 on “Observation of the early parliamentary elections in Armenia \(9 December 2018\)”](#)
- [Report 15352 on “Observation of the parliamentary elections in Armenia \(20 June 2021\)”](#)

7. Monitoring and expert advisory bodies

- European Commission for the Democracy through Law (Venice Commission – opinions with regard to Armenia)
 - o [Opinion No. 1026 / 2021 – Joint urgent opinion on amendments to the electoral code and related legislation](#)
 - o [Opinion No. 844 / 2016 – Joint opinion on the draft law on referendum](#)
 - o [Opinion No. 843 / 2016 - Joint Opinion on the Draft Constitutional Law on Political Parties](#)
 - o [Opinion No. 835 / 2016 – Second joint opinion on the electoral code](#)
- European Commission Against Racism and Intolerance (ECRI)
 - o [CRI\(2019\)39 – ECRI conclusions on the implementation of the recommendations in respect of Armenia subject to interim follow-up, June 2019](#)
 - o [CRI\(2016\)37 – ECRI report on Armenia \(fifth monitoring cycle\), June 2016](#)
- European Charter for Regional or Minority Languages (ECRML)
 - o [CM/Del/Dec\(2021\)1420/10.2 - Evaluation by the Committee of Experts of the implementation of the recommendations for immediate action contained in the Committee of Experts’ fifth evaluation report on Armenia \(8 December 2021\)](#)
- Advisory Committee on the Framework Convention for the Protection of National Minorities (ACFC)
 - o [ACFC/OP/IV\(2016\)006 - Fourth opinion on Armenia, 26 May 2016](#)
- European Committee of Social Rights (ECSR)
 - o [Conclusions 2020 for Armenia](#)
 - o [Recommendation CP/Rec\(2022\)01 on the implementation of the Council of Europe Convention](#)
 - o [European Convention on Action against Trafficking in Human Beings](#) (CETS No. 197)

Consultative Council of European Judges (CCJE) opinions relating to the independence, impartiality and competence of judges, including

- *CM(2022)4-add - Opinion No. 24 (2021): Evolution of the Councils for the Judiciary and their role for independent and impartial judicial systems, 17 June 2022*
- European Commission for the Efficiency of Justice (CEPEJ) European judicial systems
 - *Evaluation cycle 2020: Part 1 (tables, graphs and analysis)*
 - *Evaluation cycle 2020: Part 2 (Country Profiles)*
 - *Armenia: Evaluation of the judicial system (2018 - 2020)*
- European Convention for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT)
 - *CPT/Inf (2021) 10 - Report to the Armenian Government on the visit to Armenia carried out by the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment, 26 May 2021*
- Group of States against Corruption (GRECO)
 - *GrecoRC4(2021)15 – Interim compliance report. Fourth evaluation round. Corruption prevention in respect of members of parliament, judges and prosecutors, 22 September 2021*
 - *GrecoRC4(2019)21 - Second compliance report Armenia. Fourth evaluation round. Corruption prevention in respect of members of parliament, judges and prosecutors, 6 December 2019*
 - *GrecoRC4(2017)15 – Compliance report Armenia. Fourth evaluation round. Corruption prevention in respect of members of parliament, judges and prosecutors, 8 December 2017*
 - *Greco Eval IV Rep (2015) 1E – Evaluation report Armenia. Fourth evaluation round. Corruption prevention in respect of members of parliament, judges and prosecutors, 16 October 2015*
- The Committee of Experts on the Evaluation of Anti-Money Laundering Measures and the Financing of Terrorism (MONEYVAL)
 - *MONEYVAL(2015)34 – Fifth round mutual evaluation report - Anti-money laundering and counter-terrorist financing measures – Armenia, December 2015*

8. Guidelines

- *Council of Europe Gender Mainstreaming Toolkit for Co-operation Projects*
- *Council of Europe Gender Equality Strategy 2018-2023*
- *Council of Europe Strategy for the Rights of the Child 2016-2021*
- *Guidelines on Civil Society Organisations' participation in Council of Europe's co-operation activities*
- *Guidelines for civil participation in political decision making*
- *Council of Europe Project Management Methodology*
- *Council of Europe Risk Management Policy*
- *Council of Europe Risk Management Guidelines*

National policy documents of Armenia

- National Strategy for Human Rights Protection
- National Strategy on Legal and Judicial Reform of Armenia for 2019 - 2023
- Strategy for Judicial and Legal Reforms of the Republic of Armenia 2022 - 2026
- Anti-Corruption Strategy for 2019 – 2022
- Chapter 6 “Securing democracy, human rights and the rule of law” of the National Security Strategy, adopted in 2020

- Strategy for the Penitentiary and Probation Sectors of the Republic of Armenia 2019–2023

Others

- OSCE/ODIHR Election Observation Mission *Statement of Preliminary Findings and Conclusions* and *Final Report* on the parliamentary elections of 2 April 2017. *Final Report* on the early parliamentary elections of 9 December 2018 and *Final Report* on the early Parliamentary Elections of 20 June 2021.

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