

## Evaluation of the judicial systems (2020 - 2022)



Armenia

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**Reference data 2020 (01/01/2020 - 31/12/2020)**

**Start/end date of the data collection campaign : 19/03/2021 - 01/10/2021**

### **Objective :**

The CEPEJ decided, at its 35th plenary meeting, to launch the ninth evaluation cycle 2020 – 2022, focused on 2020 data. The CEPEJ wishes to use the methodology developed in the previous cycles to get, with the support of its national correspondents' network, a general evaluation of the judicial systems in the 47 member states of the Council of Europe as well as three observer states (Israel, Morocco and Kazakhstan). This will enable policy makers and judicial practitioners to take account of such unique information when carrying out their activities.

The present questionnaire was adapted by the Working group on evaluation of judicial systems (CEPEJ-GT-EVAL) in view of the previous evaluation cycles and considering the comments submitted by CEPEJ members, observers, experts and national correspondents. The aim of this exercise is to increase awareness of judicial systems in the participating states, to compare the functioning of judicial systems in their various aspects, as well as to have a better knowledge of the trends of the judicial organisation in order to help improve the efficiency of justice. The evaluation questionnaire and the analysis of the results becomes a genuine tool in favour of public policies on justice, for the sake of the European citizens.

### **Instruction :**

The ways to use the application and to answer the questions are guided by two main documents:

- User manual
- Explanatory note

While the explanatory note gives definitions and explanations on the CEPEJ evaluation questionnaire and the methodology needed for replying, the User manual is a tool to help you navigate through this application. You can download the Explanatory note as a whole on the CEPEJ website. The specific explanations are also accessible for each question within this application under the tab "Explanatory note". This will serve as immediate consultation tool when answering questions. In case you have any questions related to these documents or on the use of the application, please do not hesitate to contact the Secretariat.

## **1.General and financial information**

### **1.1.Demographic and economic data**

#### **1.1.1Inhabitants and economic general information**



**001. Number of inhabitants (if possible on 1 January of the reference year +1)**

[ 2 963 300 ]

Comments

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## 002. Total of annual public expenditure at state level and where appropriate, public expenditure at regional or federal entity level (in €)

	Amount
State or federal level	3 454 002 009 <input type="checkbox"/> NA <input type="checkbox"/> NAP
Regional / federal entity level (total for all regions / federal entities)	266 909 876 <input type="checkbox"/> NA <input type="checkbox"/> NAP

Comments The state level annual expenditure for 2020 is 1,855,697,119.500 AMD, which is calculated by the average exchange rate provided by Central bank (537.26).

The regional level annual expenditure for 2020 is 143.400.000.000 AMD, which is calculated by the average exchange rate provided by Central bank (537.26).

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## 003. Per capita GDP (in €) in current prices for the reference year

[ 3 739 ]

Comments - for the reference year 2020: 3739 €;

- for the first quarter 2021: 686 €.

## 004. Average gross annual salary (in €) for the reference year

[ 4 237 ]

NA

Comments The average monthly nominal wage has been increased since the last data collection EUR ~353 (AMD 189.716) was the average monthly nominal wage for 2020, the average annual salary is EUR~4237.

The basis for calculations was the exchange rate 537.26.

## 005. Exchange rate of national currency (non-Euro zone) in € on 1 January of the reference year +1

[ 641.11 ]

Allow decimals : 5

NAP

Comments the average for 2020- it is 537.26

the average for 2021 is 641.11

The information is provided by the Central Bank.

## A1. Please indicate the sources for answering the questions in this part

Sources: <https://armstat.am/am/?nid=12&id=08001>

cba.am

Information Provided by the Central bank and Ministry of Economy.



## 1.1.2 Budgetary data concerning judicial system

006. Annual (approved and implemented) public budget allocated to the functioning of all courts, in € (without the budget of the public prosecution services and without the budget of legal aid). If you cannot separate the budget allocated to the courts from the budget of public prosecution services and/or the one allocated to legal aid, please go to question 7. If you are able to answer this question 6, please answer NA to question 7.

	Approved budget (in €)	Implemented budget (in €)
<b>TOTAL - Annual public budget allocated to the functioning of all courts (1 + 2 + 3 + 4 + 5 + 6 + 7)</b>	23 132 635 [ ] NA [ ] NAP	22 769 625 [ ] NA [ ] NAP
<b>1. Annual public budget allocated to (gross) salaries</b>	19 244 191 [ ] NA [ ] NAP	19 232 510 [ ] NA [ ] NAP
<b>2. Annual public budget allocated to computerisation (2.1 + 2.2)</b>	653 327 [ ] NA [ ] NAP	630 909 [ ] NA [ ] NAP
<b>2.1 Investments in computerisation</b>	619 608 [ ] NA [ ] NAP	597 546 [ ] NA [ ] NAP
<b>2.2 Maintenance of the IT equipment of courts</b>	33 718 [ ] NA [ ] NAP	33 362 [ ] NA [ ] NAP
<b>3. Annual public budget allocated to justice expenses (expertise, interpretation, etc.)</b>	97 799 [ ] NA [ ] NAP	36 726 [ ] NA [ ] NAP
<b>4. Annual public budget allocated to court buildings (maintenance, operating costs)</b>	15 978 [ ] NA [ ] NAP	11 697 [ ] NA [ ] NAP
<b>5. Annual public budget allocated to investments in new (court) buildings</b>	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP
<b>6. Annual public budget allocated to training</b>	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP
<b>7. Other (please specify)</b>	3 121 338 [ ] NA [ ] NAP	2 857 781 [ ] NA [ ] NAP

Please indicate any useful comment to explain the figures provided. If the annual public budget allocated to the functioning of all courts actually implemented is different from the approved annual public budget allocated to the functioning of all courts, please indicate the main reasons for the differences: There has been an increase of the approved and implemented budget spent on salaries due to the establishment of the Bankruptcy Court on January 1, 2019. Also starting from 2019, the remuneration of the work included allocations of about 30% of the total salary fund for bonuses, monetary incentives and special payments. There has also been an increase of the approved and implemented budget allocated to computerisation due to allocations from the state budget for the modernization of computer equipment, which has not been implemented until 2018.

Are included in the category "other":

7.1 The reserve fund of courts -283 742 -242 536

7.2 Providing social packages of employees of state's institution and organization-345 953----293 691

7.3 Annual public budget allocated to other equipment -----319 358-----246 367

It should be noted that in Armenia social packages for employees (7.2) are not included in the category of salaries. The mentioned measures are allocated separately within the framework of the "Providing employees of state institutions and organizations with a social package" program of budget. The same point applies to the maintenance of courts (7.4) mentioned in the section "other" as it does not include annual public budget allocated to court buildings, but it is allocated to ensure the normal functioning of the courts and their staff and is intended for other expenses. It is not possible to perform accurate recalculation to include those elements respectively within categories 6.1 Salaries and 6.4 Budget allocated to court buildings.

**007. If you cannot answer question 6 because you cannot isolate the public budget allocated to courts from the budget allocated to public prosecution services and/or the one allocated to legal aid, please fill in only the appropriate line in the table according to your system:**

	Approved budget (in €)	Implemented budget (in €)
Total annual public budget allocated to all courts and the public prosecution services together	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
Total annual public budget allocated to all courts and legal aid together	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
Total annual public budget allocated to all courts, public prosecution services and legal aid together	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP

Comments - Please indicate any useful comment to explain the figures provided. If the annual public budget actually implemented is different from the approved annual public budget, please indicate the main reasons for the differences:

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**008. Are litigants in general required to pay a court fee to initiate a proceeding at a court of general jurisdiction:**

	Litigants required to pay a court fee to initiate a proceeding at a court of general jurisdiction ?
for criminal cases	<input type="checkbox"/> Yes, at the beginning of the procedure <input type="checkbox"/> Yes, at a later stage <input checked="" type="checkbox"/> No
for other than criminal cases	<input checked="" type="checkbox"/> Yes, at the beginning of the procedure <input type="checkbox"/> Yes, at a later stage <input type="checkbox"/> No

If there are exceptions to the obligation to pay these court fees, could you please provide comments on those exceptions?

**008-1. Please briefly present the methodology of calculation of these court fees:**

- The Article 9 of the "Law on State Fee" regulates the rates of state fees for claims and appeals, as well for getting the copies of the documents by parties of a case. The fee for pecuniary claims is 2% from the cost of the lawsuit, the fee for appeals is 3% and the fee for non-pecuniary claim is approximately EUR 7, for appeals on non-pecuniary claims is approximately 18 EUR. Amendments to the "Law on State Fee" have been adopted (will come into force in October), which raised the state fees, for example- The fee for pecuniary claims is 3% from the cost of the lawsuit, the fee for appeals is 4% and the fee for non-pecuniary claim is approximately

EUR 35.40, for appeals on non-pecuniary claims is approximately 53.10 EUR.

For the simplified proceedings the state fees will remain the same.

## 008-2. The amount of court fees requested to commence an action for 3000€ debt recovery:

[ 60 ]

[ ] NA

[ ] NAP

Comments But after the new amendments on the “Law on State Fee” come into force it will be 90 EUR, except if it is examined by the simplified procedures it will cost 60 EUR.

## 009. Annual income of court fees received by the State (in €):

[ 2 992 908 ]

[ ] NA

[ ] NAP

Comments

## 012. Annual approved public budget allocated to legal aid, in €.

	TOTAL	Criminal cases	Other than criminal cases
<b>TOTAL - Annual approved public budget allocated to legal aid (12.1 + 12.2)</b>	651 191 [ ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP
<b>12.1 for cases brought to court (court fees and/or legal representation)</b>	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP
<b>12.2 for cases not brought to court (legal advice, ADR and other legal services)</b>	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP

Comments

## 012-1. Annual implemented public budget allocated to legal aid, in €.

	TOTAL	Criminal cases	Other than criminal cases
<b>TOTAL - Annual implemented public budget allocated to legal aid (12-1.1 + 12-1.2)</b>	645 383 [ ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP
<b>12-1.1 for cases brought to court (court fees and/or legal representation)</b>	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP
<b>12-1.2 for cases not brought to court (legal advice, ADR and other legal services)</b>	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP

If the public budget actually implemented regarding legal aid is different from the annual approved public budget allocated to legal aid, please indicate the main reasons for the differences:

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**012-2. Does legal aid include:**

	Legal aid includes:
Coverage of court fees	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP
Exemption from court fees	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP

Comments No exemption is defined directly for legal aid beneficiaries, although some court fee exemptions may include those having right to legal aid. For example, pensioners, who live alone, can get a legal aid, and simultaneously all pensioners are exempted from court fees.

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**012-3. Do legal aid budgets indicated in Q12 and Q12-1 include:**

	Amount calculated/estimated included
Coverage of court fees	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP
Exemption from court fees	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP

Comments

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**013. Annual (approved and implemented) public budget allocated to the public prosecution services, in €.**

	Approved budget (in €)	Implemented budget (in €)
Total annual public budget allocated to the public prosecution services, in € (including 13.1)	7 654 793 [ ] NA [ ] NAP	7 616 351 [ ] NA [ ] NAP
13.1. Annual public budget allocated to training of public prosecution services	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP

Please indicate any useful comment to explain the figures provided. Moreover, if the annual public budget allocated to the public prosecution services actually implemented is different from the approved annual public budget, please indicate the main reasons for the differences: The budget of the RA Prosecutor's Office is formed exclusively at the expense of the state budget. As for the budget allocated for training, the allocations for the training of prosecutors at the expense of the state budget are provided to the RA Academy of Justice.

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**014. Authorities formally responsible for the budgets allocated to the courts (multiple options**

possible):

	Preparation of the total court budget	Adoption/approval of the total court budget	Management and allocation of the budget among the courts	Evaluation of the use of the budget at a national level courts
<b>Ministry of Justice</b>	( ) Yes (X) No [ ] NAP	( ) Yes (X) No [ ] NAP	( ) Yes (X) No [ ] NAP	( ) Yes (X) No [ ] NAP
<b>Other ministry</b>	( ) Yes (X) No [ ] NAP	( ) Yes (X) No [ ] NAP	( ) Yes (X) No [ ] NAP	(X) Yes ( ) No [ ] NAP
<b>Parliament</b>	( ) Yes (X) No [ ] NAP	(X) Yes ( ) No [ ] NAP	( ) Yes (X) No [ ] NAP	(X) Yes ( ) No [ ] NAP
<b>Supreme Court</b>	( ) Yes (X) No [ ] NAP	( ) Yes (X) No [ ] NAP	( ) Yes (X) No [ ] NAP	( ) Yes (X) No [ ] NAP
<b>High Judicial Council</b>	(X) Yes ( ) No [ ] NAP	( ) Yes (X) No [ ] NAP	(X) Yes ( ) No [ ] NAP	( ) Yes (X) No [ ] NAP
<b>Courts</b>	( ) Yes (X) No [ ] NAP	( ) Yes (X) No [ ] NAP	( ) Yes (X) No [ ] NAP	( ) Yes (X) No [ ] NAP
<b>Inspection body</b>	( ) Yes ( ) No [X] NAP	( ) Yes ( ) No [X] NAP	( ) Yes ( ) No [X] NAP	( ) Yes ( ) No [X] NAP
<b>Other</b>	( ) Yes ( ) No [X] NAP	( ) Yes ( ) No [X] NAP	( ) Yes ( ) No [X] NAP	( ) Yes ( ) No [X] NAP

Comments - If “Other Ministry” and/or “Inspection body” and/or “Other”, please specify:

**014-0. What are the criteria used to allocate financial resources among courts? Furthermore, please select maximum three main criteria of allocation**

	Criteria used	Main criteria
<b>Previous years' budget costs</b>	[ X ]	[ ]
<b>Special needs assessment</b>	[ X ]	[ ]
<b>Number of judges/non judges' staff</b>	[ X ]	[ ]
<b>Number of incoming cases</b>	[ X ]	[ ]
<b>Number of pending cases</b>	[ X ]	[ ]
<b>Number of resolved cases</b>	[ X ]	[ ]
<b>Other</b>	[ ]	[ ]

Comments - If "Other", please specify When preparing a budget request, for some expenses (for example, salary, energy, utilities, communications, etc.) the planning is carried out on the basis of legal regulations, and as for other expenses, the actual expenditures of previous years and also the number of cases expected next year are considered.

There are no main criteria which are used to allocate financial resources among courts.

### 014-1. Who is entrusted with responsibilities related to the budget within a first instance court?

	Preparation of the budget	Arbitration and allocation of the budget	Day to day management of the budget	Evaluation and control of the use of the budget
<b>Court President and/or judge(s)</b>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No [ ] NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No [ ] NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No [ ] NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No [ ] NAP
<b>Head of court administration and/or non-judges</b>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No [ ] NAP	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No [ ] NAP	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No [ ] NAP	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No [ ] NAP
<b>Mixed body (judge(s) and non-judge(s))</b>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No [ ] NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No [ ] NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No [ ] NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No [ ] NAP
<b>Other</b>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No [ ] NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No [ ] NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No [ ] NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No [ ] NAP

Comments - If "Other", please specify. If the responsibilities are different depending on the type/instance of courts, please answer the question for the first instance court of general jurisdiction and describe the differences in the comment box:

### A2. Please indicate the sources for answering the questions in this part

Sources: Information provided by the Judicial Department.

### 1.1.3 Budgetary data concerning the whole justice system

015-1. Annual (approved and implemented) public budget allocated to the whole justice system, in € (this global budget includes the judicial system budget - see 15-2 and other elements of the justice system - see 15-3)

	Approved budget (in €)	Implemented budget (in €)
<b>Total annual public budget allocated to the whole justice system in €</b>	65 172 411 [ ] NA [ ] NAP	63 452 466 [ ] NA [ ] NAP

Comments - Please indicate any useful comment to explain the figures provided above and specify if a large portion of the budget allocated to the whole justice system comes from an international organisation. Moreover, if the annual public budget allocated to the whole justice system actually implemented is different from the approved annual public budget, please indicate the main reasons for the differences: There has been an increase in the budget allocated to the whole justice system due to the establishment of the Bankruptcy Court on January 1, 2019 and to the inclusion in the work remuneration of allocations of about 30% of the total salary fund for bonuses, monetary incentives and special payments since 2019.



## 015-2. Elements of the judicial system budget (Q6, Q7, Q12, Q13)

	Included
Courts	( X ) Yes ( ) No <input type="checkbox"/> NAP
Legal aid	( X ) Yes ( ) No <input type="checkbox"/> NAP
Public prosecution services	( X ) Yes ( ) No <input type="checkbox"/> NAP

Comments

## 015-3. Other budgetary elements

	Included
Prison system	( X ) Yes ( ) No <input type="checkbox"/> NAP
Probation services	( X ) Yes ( ) No <input type="checkbox"/> NAP
High Judicial Council	( X ) Yes ( ) No <input type="checkbox"/> NAP
High Prosecutorial Council	( ) Yes ( ) No <input checked="" type="checkbox"/> NAP
Constitutional court	( ) Yes ( X ) No <input type="checkbox"/> NAP
Judicial management body	( X ) Yes ( ) No <input type="checkbox"/> NAP
State advocacy	( ) Yes ( ) No <input checked="" type="checkbox"/> NAP
Enforcement services	( X ) Yes ( ) No <input type="checkbox"/> NAP
Notariat	( ) Yes ( X ) No <input type="checkbox"/> NAP
Forensic services	( X ) Yes ( ) No <input type="checkbox"/> NAP

<b>Judicial protection of juveniles</b>	( X ) Yes ( ) No [ ] NAP
<b>Functioning of the Ministry of Justice</b>	( X ) Yes ( ) No [ ] NAP
<b>Refugees and asylum seekers services</b>	( ) Yes ( X ) No [ ] NAP
<b>Immigration Service</b>	( ) Yes ( X ) No [ ] NAP
<b>Some police services (e.g. : transfer, investigation, prisoners' security)</b>	( ) Yes ( X ) No [ ] NAP
<b>Other</b>	( ) Yes ( X ) No [ ] NAP

If "Other", please specify:

### A3. Please indicate the sources for answering the questions in this part

Sources: Law on State budget

## 1.2. Organisation and management of courts and public prosecution services

**015-4. Please describe who has responsibilities for the management of individual courts, what management roles they have, what is their status and their position in the organisational hierarchy of the court concerned.**

- The court presidents have the main responsibility.

The term of office for the chairperson of a court of first instance, as well as of a court of appeal, is three years.

In addition to the powers of a judge, the chairperson of a court of first instance, as well as of a court of appeal, shall:

- (1)ensure the normal operation of the court, as well as supervise the operation of the staff of the court;
- (2)grant a leave to judges;
- (3)represent the court in relations with other bodies;
- (4)refer issues related to ensuring the normal operation of the court to the Supreme Judicial Council, the General Assembly or to the commissions of the General Assembly;
- (5)in the case of discovering any prima facie violation of the code of conduct committed by a judge, report it to the Ethics and Disciplinary Commission of the General Assembly (hereinafter referred to as "the Disciplinary Commission");
- (6)exercise other powers.

The chairperson of a court of first instance shall approve, in the manner prescribed by the Supreme Judicial Council, the duty schedule of judges carrying out judicial oversight over pre-trial criminal proceedings and shall publish the seats of judges scheduled for duty on the official website of the judiciary.

The chairperson of a court of first instance, as well as of a court of appeal, may appoint another judge as his or her substitute in the cases of being on a leave or a business trip, as well as of temporary incapacity. In the case of failure by the chairperson of a court of

first instance, as well as of a court of appeal, to appoint a substitute for him or her, or in the case of suspension, automatic termination or imposed termination of his or her powers, the chairperson in question shall be substituted by a judge of the same court who has had the longest period of service in the position of a judge in the courts of the same instance. If there is more than one judge with the same period of service, preference shall be given to the eldest judge.

Max characters value : 10 000

**015-5. Please describe who has responsibilities for the management of individual public prosecution offices, what management roles they have, what is their status and their position in the organisational hierarchy of the office concerned.**

- Although Prosecution is a unified body and the General Prosecutor is the head of the Prosecution, the activities of the Prosecutor's Office are based on hierarchical subordination.  
 Yerevan city Prosecutor is in charge of managing prosecution offices in Yerevan. In different districts of Yerevan there are heads of those district prosecution offices, who manage those offices.  
 In the regions of Armenia, there are regional prosecutors, who are in charge of managing the region's prosecution offices.  
 Martial Prosecutor is in charge of managing martial prosecution units.

Max characters value : 10 000

**2. Access to justice and all courts**

**2.1. Legal Aid**

**2.1.1 Scope of legal aid**

**016. Does legal aid apply to:**

	<b>Criminal cases</b>	<b>Other than criminal cases</b>
<b>Representation in court</b>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP
<b>Legal advice, ADR and other legal services</b>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP

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**016-1. Please briefly describe the organisation of the legal aid system in your country both before going to court and during court proceedings.**

- Armenia has made significant progress in ensuring access to justice to vulnerable groups of population through provision of free

legal aid since the establishment of the Public Defender's Office (PDO) in 2006.

Over the years, the number of cases handled within the state-guaranteed free legal aid system grew steadily, from 1408 in 2007 to 3119 in 2012 to 14423 in 2020.

The Law on Advocacy states that “Free legal aid includes:

- 1)consultation: preparation of lawsuits, applications, complaints and other legal documents, including the provision of legal information,
- 2)representation or defence in criminal, civil, administrative and constitutional cases.” (Article 41).

At the time of its adoption in 2004, the Law on Advocacy provided that the State shall guarantee legal aid in criminal cases pursuant to the procedure and in cases provided for by the Code of Criminal Procedure of the Republic of Armenia, as well as pursuant to the procedure prescribed by the Code of Civil Procedure of the Republic of Armenia in the following cases:

- 1)in actions with regard to collecting maintenance payments;
- 2)compensation for losses incurred as a result of mayhem or other injury to the health, as well as death of the bread-winner.

In December 2011, the Law on Advocacy was amended, adding the possibility for various categories of population to receive free legal aid in civil and administrative cases. The categories listed in this amendment were (Article 41, part 5):

- 1)family members of soldiers who deceased during the defence of the borders of the Republic of Armenia;
- 2)persons with 1st, 2nd degree of disability;
- 3)convicts;
- 4)members of families registered in the family indigence assessment system and those having a rate of indigence higher than “0”;
- 5)participants of the Great Patriotic War and battles of the Republic of Armenia during the defence of its borders;
- 6)unemployed persons;
- 7)pensioners living alone;
- 8)children left without parental care, as well as persons considered to be children left without parental care;
- 9)refugees;
- 10)those who received temporary asylum in the Republic of Armenia;
- 11)those indigent natural persons, who present truthful data that certify their indigence. In the meaning of this provision, indigent is a natural person not having sufficient income, an employed family member who lives with him/her, as well as does not have any immovable property or a vehicle exceeding the amount of thousand-fold of the minimum salary, other than his/her personal apartment.

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**018. Can legal aid be granted for the fees that are related to the enforcement of judicial decisions (e.g. fees of an enforcement agent)?**

Yes

No

NAP

If yes, please specify:

019. Can legal aid be granted for other costs (different from those mentioned in questions 16 to 18, e.g. fees of technical advisors or experts, costs of other legal professionals (notaries), travel costs etc.)?

	Criminal cases	Other than criminal cases
Legal aid granted for other costs	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP

Comments - If yes, please specify:

## 2.1.2 Information on legal aid

020. Please indicate the number of cases for which legal aid has been granted:

	Total	Cases brought to court	Cases not brought to court
<b>TOTAL</b>	15 287 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
<b>In criminal cases</b>	7 361 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
<b>In other than criminal cases</b>	7 926 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP

Comments - Please specify when appropriate: The Information is provided by the Chamber of Advocates.

020-1. Please indicate the timeframes of the procedure for granting legal aid, in relation to the duration from the initial legal aid request to the final approval of the legal aid request:

	Time in days
Maximum duration prescribed in law/regulation	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
Actual average duration	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP

Comments - Please specify if the envisaged timeframe is set in a statutory law, or in other regulation. Furthermore, if different timeframes are envisaged for criminal and other than criminal cases please provide more information:

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021. In criminal cases, can individuals who do not have sufficient financial means be assisted by a free of charge (or financed by a public budget) lawyer?

Assisted by a free of charge lawyer

<b>Accused individuals</b>	( X ) Yes ( ) No
<b>Victims</b>	( X ) Yes ( ) No

Comments - If yes, please specify:

**022. In criminal cases are these individuals free to choose their lawyer within the framework of the legal aid system?**

	free selection of lawyer
<b>Accused individuals</b>	( ) Yes ( X ) No [ ] NAP
<b>Victims</b>	( ) Yes ( X ) No [ ] NAP

Comments

**023-0. Does your country have an income and assets evaluation for granting full or partial legal aid?**

( ) Yes

( X ) No

Comments - Please indicate if any other criteria are taken into account for the granting of legal aid and any comment that could explain the data provided above:

**023. If yes, please specify in the table:**

	Annual income value (for one person), (in €)	Assets value (for one person), (in €)
<b>Full legal aid to the applicant for criminal cases</b>	[ ] NA [ ] NAP	[ ] NA [ ] NAP
<b>Full legal aid to the applicant for other than criminal cases</b>	[ ] NA [ ] NAP	[ ] NA [ ] NAP
<b>Partial legal aid to the applicant for criminal cases</b>	[ ] NA [ ] NAP	[ ] NA [ ] NAP
<b>Partial legal aid to the applicant for other than criminal cases</b>	[ ] NA [ ] NAP	[ ] NA [ ] NAP

**024. Is it possible to refuse legal aid for lack of merit of the case (for example for frivolous action or no chance of success)?**

( ) Yes

( X ) No

Comments - If yes, please explain the exact criteria for denying legal aid:

**025. Is the decision to grant or refuse legal aid taken by:**

- the judge(s) dealing with the main case
- another judge or official
- an authority external to the court
- several authorities (court and external bodies)

Comments According to the Law on Advocacy, the Head of the PDO has the right to make a decision on eligibility of persons for legal aid – to grant the services or to refuse them, based on the set of criteria established by Article 41 of the Law on Advocacy, listed under point 2.1. The Law gives the right to the Head of PDO to apply to state or local self-government bodies or economic entities to verify the insolvency of insolvent persons, as well as to obtain the necessary information to provide free legal aid.

According to the Article 10 part 5 of the “Criminal Procedure Code” of RA the body conducting the criminal proceedings is entitled to provide the suspect or the accused with free legal aid based on the financial situation of the latter. In this case the Head of the PDO makes a decision to provide a person free legal aid on the basis of the decision made by the body conducting the criminal proceedings. It should be noted that according to the Article 6 part 30 of the Criminal Code the "body conducting criminal proceedings" means the court, and during the pre-trial proceedings, the agencies for inquest, the investigator and the prosecutor.

**026. Is there a private system of legal expense insurance enabling individuals (this does not concern companies or other legal persons) to finance court proceedings?**

- Yes
- No

Comments - If appropriate, please inform about the current development of such insurances in your country; is it a growing phenomenon?

**027. Can judicial decisions direct how legal costs, paid by the parties during the procedure, will be shared:**

	Judicial decisions direct how legal costs will be shared
in criminal cases	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
in other than criminal cases	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

Comments - If no, please specify how legal costs are distributed:

**B1. Please indicate the sources for answering the questions in this part**

Sources: Sources: Law on Advocacy of RA,  
Information provided by the Chamber of Advocates.

**2.2.Court users and victims**

**2.2.1Rights of the users and victims**

**028. Are there official internet sites/portals (e.g. Ministry of Justice, Judicial Council etc.) where general public may have free-of-charge access to the following:**

	Yes, internet adresse(es)	No
Legal texts (e.g. codes, laws, regulations, etc.)	( X ) www.arlis.am	( )
Case-law of the higher court/s	( X ) www.arlis.am, www.datalex.am	( )
Information about the judicial system (organisation of courts, court proceedings, etc)	( X ) court.am, concourt.am	( )
Other documents (e.g. forms, downloadable forms, online registration forms)	( X ) e-draft.am	( )

Comment - Please specify what documents and information are included in "Other documents"

**029. Is there an obligation to provide information to the parties concerning the foreseeable timeframes of their proceedings?**

- ( ) Yes, always  
 ( X ) No  
 ( ) Yes, only in some specific situations

Comment - If "Yes, only in some specific situations", please specify:

**030. Is there a public and free-of-charge information system for providing information and facilitating access to justice:**

	Information system
General for citizens	<input checked="" type="checkbox"/> Online information <input type="checkbox"/> Telephone <input type="checkbox"/> Interactive chat <input type="checkbox"/> In-person (physical access on site) <input type="checkbox"/> Other <input type="checkbox"/> No
Specific for victims of offences	<input checked="" type="checkbox"/> Online information <input checked="" type="checkbox"/> Telephone <input type="checkbox"/> Interactive chat <input checked="" type="checkbox"/> In-person (physical access on site) <input type="checkbox"/> Other <input type="checkbox"/> No
Specific for minors (child-friendly systems)	<input type="checkbox"/> Online information <input type="checkbox"/> Telephone <input type="checkbox"/> Interactive chat <input type="checkbox"/> In-person (physical access on site) <input type="checkbox"/> Other <input checked="" type="checkbox"/> No

Comment - Please provide more information on these systems. Furthermore, please specify how this assistance is provided.

**031. Are there special favourable arrangements to be applied, during judicial proceedings, to the following categories of vulnerable persons:**



	Information mechanism	Special arrangements in hearings	Other specific arrangements
Victims of sexual violence/rape	( ) Yes ( X ) No	( X ) Yes ( ) No	( ) Yes ( X ) No
Victims of terrorism	( ) Yes ( X ) No	( ) Yes ( X ) No	( ) Yes ( X ) No
Minors (witnesses or victims)	( X ) Yes ( ) No	( X ) Yes ( ) No	( X ) Yes ( ) No
Victims of domestic violence	( X ) Yes ( ) No	( X ) Yes ( ) No	( ) Yes ( X ) No
Ethnic minorities	( X ) Yes ( ) No	( ) Yes ( X ) No	( ) Yes ( X ) No
Persons with disabilities	( X ) Yes ( ) No	( X ) Yes ( ) No	( X ) Yes ( ) No
Juvenile offenders	( X ) Yes ( ) No	( X ) Yes ( ) No	( X ) Yes ( ) No
Other (e.g. victims of human trafficking, forced marriage, sexual mutilation)	( X ) Yes ( ) No	( X ) Yes ( ) No	( ) Yes ( X ) No

Comments - If “Other vulnerable person” and/or “Other specific arrangements”, please specify:

**031-0. If there are special arrangements for minors, what are the settings / tools / facilities / practises employed to protect them when they participate in judicial proceedings?**

- Special and child-adequate preparation for participation in trials / lawsuits (explaining in a child-friendly manner the proceedings)
- Special room in court designated for child-friendly hearings
- Special person / team of trained professional(s) (such as psychologists) to accompany a minor throughout the proceedings
- Special ways to communicate and explain meaning of court decisions
- Interagency/multidisciplinary structure such as “Children’s Houses”
- Other, please specify .....
- NAP

Comment

**031-1. What are the main criteria for a minor to initiate a proceeding, take procedural actions in his/her own name or to be a witness?**

	Civil proceedings	Criminal proceedings
Capacity to initiate a proceeding and take other procedural actions in his/her own name	<input checked="" type="checkbox"/> Age threshold [Comment]18 <input checked="" type="checkbox"/> Exceptions from the threshold <input type="checkbox"/> Capacity for discernment <input type="checkbox"/> Other <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> Age threshold [Comment]16 <input checked="" type="checkbox"/> Exceptions from the threshold <input type="checkbox"/> Capacity for discernment <input type="checkbox"/> Other <input type="checkbox"/> NAP

<b>To be a witness</b>	<input type="checkbox"/> Age threshold	<input type="checkbox"/> Age threshold
	[Comment]	[Comment]
	<input type="checkbox"/> Exceptions from the threshold	<input type="checkbox"/> Exceptions from the threshold
	<input type="checkbox"/> Capacity for discernment	<input type="checkbox"/> Capacity for discernment
	<input checked="" type="checkbox"/> Other	<input checked="" type="checkbox"/> Other
	<input type="checkbox"/> NAP	<input type="checkbox"/> NAP

Comment - Please specify if you selected answers "Exceptions from the threshold" and "Other". If your system distinguishes between full and limited capacity to take legal actions, please describe the basis for this differentiation (age, capacity for discernment, type of action, type of cases, other).

**031-2. If a minor cannot conduct proceedings in his/her own name, who can represent him/her in judicial proceedings?**

	<b>Civil proceedings</b>	<b>Criminal proceedings</b>
<b>Parent/legal guardian</b>	<input checked="" type="checkbox"/> Yes, always <input type="checkbox"/> Yes, except in some specific situations <input type="checkbox"/> No <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> Yes, always <input type="checkbox"/> Yes, except in some specific situations <input type="checkbox"/> No <input type="checkbox"/> NAP
<b>Other representative (instead of parent/legal guardian)</b>	<input checked="" type="checkbox"/> Social care services or other public institution <input type="checkbox"/> Legal professional <input type="checkbox"/> Associations for protection of minors <input type="checkbox"/> Other <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> Social care services or other public institution <input type="checkbox"/> Legal professional <input type="checkbox"/> Associations for protection of minors <input type="checkbox"/> Other <input type="checkbox"/> NAP

Comment Parents or representatives of guardianship or curatorship body.

**031-3. What are the different criteria for the criminal liability of minors? (multiple replies possible)**

- Age threshold(s)
- Capacity for discernment
- Other criteria

Comment

**031-3-1. What is the age threshold for the criminal liability of minors?**

**Criminal liability resulting in sentence without privation of liberty (for example, educational measures)**

- [ 16 ]
- NA
- NAP

**Criminal liability resulting in sentence of privation of liberty**

- [ 16 ]
- NA

[ ] NAP

Comment - Please describe, briefly, the specifics of your system. Could you, please specify if the possibility of mitigation applies to the sanctions and how?

### **032. Does your country allocate compensation for victims of offences?**

- Yes, but only if offender is unknown
- Yes, but only if compensation could not be obtained from offender
- Yes, always
- No

Comment

#### **032-0. If yes, for what types of offences the compensation is allocated?**

- For all types of offences
- For some types of offences

[ ] NAP

Comment - Please specify: According the Criminal Procedure Code, art 168 para 2 the judicial expenses (including compensation of the victim) shall be paid from state budget, if otherwise not provided by the law. Art 169 of the same Code states that the court may impose the compensation of victim's damages on the convict.

#### **032-1. Is a court decision necessary in the framework of the compensation procedure?**

- Yes
- No

Comments

#### **032-0. If yes, for what types of offences the compensation is allocated?**

- For all types of offences
- For some types of offences

[ ] NAP

Comment - Please specify: According the Criminal Procedure Code, art 168 para 2 the judicial expenses (including compensation of the victim) shall be paid from state budget, if otherwise not provided by the law. Art 169 of the same Code states that the court may impose the compensation of victim's damages on the convict.

#### **032-1. Is a court decision necessary in the framework of the compensation procedure?**

- Yes
- No

Comments

#### **032-0. If yes, for what types of offences the compensation is allocated?**

- For all types of offences
- For some types of offences

[ ] NAP

Comment - Please specify: According the Criminal Procedure Code, art 168 para 2 the judicial expenses (including compensation of the victim) shall be paid from state budget, if otherwise not provided by the law. Art 169 of the same Code states that the court may impose

the compensation of victim's damages on the convict.

**032-1. Is a court decision necessary in the framework of the compensation procedure?**

Yes

No

Comments

**034. Are there studies that evaluate the recovery rate of the damages awarded by courts to victims?**

Yes

No

Comments - If yes, please illustrate with available data concerning the recovery rate, the title of the studies, the frequency of the studies and the coordinating body:

**035. Do public prosecutors have a specific role with respect to victims (protection and assistance)?**

Yes

No

Comments - If yes, please specify:

**035-1. Do public prosecutors have a specific role with respect to minor victims (protection and assistance)?**

Yes

No

Comment - If yes, please specify:

**036. Do victims of offences have the right to dispute a public prosecutor's decision to discontinue a case? Please verify the consistency of your answers in this question and question 105 regarding the possibility for a public prosecutor "to discontinue a case without needing a decision by a judge".**

Yes

No

NAP

Comment - If necessary, please specify:

**037. Is there a system for compensating users in the following circumstances:**

	Number of requests for compensation	Number of condemnations	Total amount (in €)
<b>Total</b>	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
<b>Excessive length of proceedings</b>	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP

<b>Non-execution of court decisions</b>	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
<b>Wrongful arrest</b>	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
<b>Wrongful conviction</b>	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
<b>Other</b>	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP

Comment - Where appropriate, please give details of the compensation procedure and the calculation method for the amount of the compensation (e.g. the amount per day for unjustified detentions or convictions): There is no consolidated data regarding those questions. However, the law provides for compensation scheme.

## 2.2.2 Confidence and satisfaction of citizens with their justice system

**038. Does your country implement surveys to measure trust in justice and satisfaction with the services delivered by the judicial system?**

	National level	Court level
<b>Surveys for judges</b>	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc
<b>Surveys for court staff</b>	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc
<b>Surveys for public prosecutors</b>	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc
<b>Surveys for lawyers</b>	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input checked="" type="checkbox"/> Ad hoc	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input checked="" type="checkbox"/> Ad hoc
<b>Surveys for other professionals</b>	<input type="checkbox"/> Other regular <input type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc	<input type="checkbox"/> Other regular <input type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc
<b>Surveys for the parties</b>	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input checked="" type="checkbox"/> Ad hoc	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc
<b>Surveys for other court users (e.g. jurors, witnesses, experts, interpreters, representatives of governmental agencies, NGOs)</b>	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc
<b>Surveys for victims</b>	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input checked="" type="checkbox"/> Ad hoc	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc

<b>Surveys for minors</b>	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc
<b>Surveys for the general public</b>	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc
<b>Other not mentioned</b>	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc

Comment - Please, indicate the references and links to the satisfaction surveys you mentioned above: Surveys are being conducted by different organizations.

[https://www.iri.org/sites/default/files/wysiwyg/iri\\_poll\\_armenia\\_september-october\\_2019.pdf](https://www.iri.org/sites/default/files/wysiwyg/iri_poll_armenia_september-october_2019.pdf)

[https://www.iri.org/sites/default/files/armenia\\_ppt\\_final.pdf](https://www.iri.org/sites/default/files/armenia_ppt_final.pdf)

<https://helpcourt.am/> is a website which shows the assessment of judges by the lawyers.

**039. Are there statistical data concerning male and female court users, persons who initiate a case, victims, accused persons, etc.**

Yes, please specify: .....

No

Comment - If you have additional comments please specify:

**040. Is there a national or local procedure for filing complaints about the functioning of the judicial system? (for example, handling of the case by a judge or the duration of a proceeding)**

Yes

No

Comments

**041. If yes, please specify certain aspects of this procedure:**

	<b>Authority responsible for dealing with the complaint</b>	<b>Existence of a time limit to deal with the complaint for this authority</b>
<b>Court concerned</b>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
<b>Higher court</b>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
<b>Ministry of Justice</b>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
<b>High Judicial Council</b>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
<b>Other external bodies (e.g. Ombudsman)</b>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

Comments Other bodies- Ethics and Disciplinary Commission of judges, Corruption Prevention Commission.

**041-1. If yes, please specify certain aspects of this procedure:**

	Number of complaints	Compensation amount granted
<b>Court concerned</b>	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
<b>Higher court</b>	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
<b>Ministry of Justice</b>	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
<b>High Judicial Council</b>	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
<b>Other external bodies (e.g. Ombudsman)</b>	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP

Comments - If possible, please give information concerning the efficiency of this complaint procedure and any useful comment:

### 3. Organisation of the court system

#### 3.1. Courts

##### 3.1.1 Number of courts

##### 042. Number of courts - legal entities.

	Number of courts
<b>Total number of all courts - legal entities (1 + 2)</b>	16 <input type="checkbox"/> NA <input type="checkbox"/> NAP
<b>1 Total number of courts of general jurisdiction - legal entities (1.1 + 1.2 + 1.3)</b>	13 <input type="checkbox"/> NA <input type="checkbox"/> NAP
<b>1.1 First instance courts of general jurisdiction - legal entities</b>	10 <input type="checkbox"/> NA <input type="checkbox"/> NAP
<b>1.2 Second instance courts of general jurisdiction - legal entities</b>	2 <input type="checkbox"/> NA <input type="checkbox"/> NAP
<b>1.3 Highest instance courts of general jurisdiction - legal entities</b>	1 <input type="checkbox"/> NA <input type="checkbox"/> NAP
<b>2 Total number of specialised courts - legal entities</b>	3 <input type="checkbox"/> NA <input type="checkbox"/> NAP

Comments Number of First instance courts of general jurisdiction - legal entities is 10.

In the Republic of Armenia the following courts of first instance of general jurisdiction function:

- (1) Court of First Instance of General Jurisdiction of the City of Yerevan, composed of at least 62 judges;
- (2) Court of First Instance of General Jurisdiction of Kotayk Marz, composed of at least 10 judges;

- (3) Court of First Instance of General Jurisdiction of Ararat and Vayots Dzor Marzes, composed of at least 12 judges;
- (4) Court of First Instance of General Jurisdiction of Armavir Marz, composed of at least 9 judges;
- (5) Court of First Instance of General Jurisdiction of Aragatsotn Marz, composed of at least 6 judges;
- (6) Court of First Instance of General Jurisdiction of Shirak Marz, composed of at least 12 judges;
- (7) Court of First Instance of General Jurisdiction of Lori Marz, composed of at least 12 judges;
- (8) Court of First Instance of General Jurisdiction of Tavush Marz, composed of at least 6 judges;
- (9) Court of First Instance of General Jurisdiction of Gegharkunik Marz, composed of at least 9 judges;
- (10) Court of First Instance of General Jurisdiction of Syunik Marz, composed of at least 9 judges.

#### 043. Number of specialised courts – legal entities.

	First instance	Higher instances
<b>Total number of specialised courts - legal entities</b>	2 <input type="checkbox"/> NA <input type="checkbox"/> NAP	1 <input type="checkbox"/> NA <input type="checkbox"/> NAP
<b>Commercial courts (excluded insolvency courts)</b>	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
<b>Insolvency courts</b>	1 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
<b>Labour courts</b>	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
<b>Family courts</b>	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
<b>Rent and tenancies courts</b>	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
<b>Enforcement of criminal sanctions courts</b>	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
<b>Fight against terrorism, organised crime and corruption</b>	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
<b>Internet related disputes</b>	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
<b>Administrative courts</b>	1 <input type="checkbox"/> NA <input type="checkbox"/> NAP	1 <input type="checkbox"/> NA <input type="checkbox"/> NAP
<b>Insurance and / or social welfare courts</b>	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
<b>Military courts</b>	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
<b>Juvenile courts</b>	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP



<b>Other specialised courts</b>	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
---------------------------------	--	--

Comments - If “Other specialised courts”, please specify: There are 2 Specialized courts in Armenia- Insolvency court and Administrative court.

There is Administrative court of Appeal, and no specialized Insolvency court of Appeal, since the review of Insolvency Courts decisions is being done by the Civil court of Appeal.

In cassation court there are only 2 chambers

1. Criminal chamber.
2. Civil and administrative chamber.

#### 044. Number of courts - geographic locations.

	Number of courts (geographic locations)
<b>First instance courts geographic locations (this includes 1st instance courts of general jurisdiction and first instance specialised courts)</b>	50 <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
<b>All the courts (geographic locations) (this includes 1st instance courts of general jurisdiction, first instance specialised courts, all second instance courts and courts of appeal and all Supreme Courts)</b>	54 <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP

Comments It is envisaged to establish a new Anti-Corruption court soon.

Information on questions 42-44 can be found here- <https://court.am/hy>

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#### 045. Number of first instance courts (geographic locations) competent for a case concerning:

	Number of courts
<b>A small claim</b>	32 <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
<b>An employment dismissal</b>	32 <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
<b>A robbery</b>	31 <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
<b>An insolvency case</b>	3 <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP

Comments The Insolvency Court, established in 1 January 2019 has 3 geographic locations.

#### 045-1. Is your definition of a small claim the same as the one in the Explanatory note?

Yes

No

Comments - If not, please give your definition of a small claim: The maximum value of the claim of small cases is AMD 2.000.000., which is equal to 3550 euro.

The Court of First Instance shall render a decision on examining the case in the procedure of simplified proceedings when a claim on

confiscation of an amount not to exceed two thousand-fold of the minimum salary has been filed.

The Court of First Instance may also examine other cases in the procedure of simplified proceedings upon written consent of all persons participating in the case on examining the case in the procedure of simplified proceedings and when no person participating in the case has objected examination of the case in the procedure of simplified proceedings within the time limit defined for submitting a response to the statement of claim..

The case may not be examined in the procedure of simplified proceedings where:

- (1)there is need to question persons participating in the case, the witnesses, the expert or specialist, to assign an expert examination, to request evidence, to examine the evidence on-site, or to issue court assignments;
- (2)court has accepted for proceedings a counterclaim or a claim submitted by a third person having individual demands on the subject-matter of the dispute;
- (3)there is need to substitute an improper party or to involve other persons in the proceedings;
- (4)a group claim has been submitted;
- (5)there is need to determine other facts of significance for disposition of the case not invoked by persons participating in the case.

## 045-2. Please indicate the value in € of a small claim:

[ 3 550 ]

Comments maximum 3550.

## C. Please indicate the sources for answering the questions in this part

Sources: court.am  
Civil court procedure

### 3.2. Court staff

#### 3.2.1Judges and non-judge staff

**046. Number of professional judges sitting in courts (if possible on 31 December of the reference year). (please give the information in full-time equivalent and for posts actually filled for all types of courts - general jurisdiction and specialised courts)**

	Total	Males	Females
<b>Total number of professional judges (1 + 2 + 3)</b>	244 [ ] NA [ ] NAP	179 [ ] NA [ ] NAP	65 [ ] NA [ ] NAP
<b>1. Number of first instance professional judges</b>	183 [ ] NA [ ] NAP	133 [ ] NA [ ] NAP	50 [ ] NA [ ] NAP
<b>2. Number of second instance (court of appeal) professional judges</b>	44 [ ] NA [ ] NAP	33 [ ] NA [ ] NAP	11 [ ] NA [ ] NAP
<b>3. Number of Supreme Court professional judges</b>	17 [ ] NA [ ] NAP	13 [ ] NA [ ] NAP	4 [ ] NA [ ] NAP

Comment - Please provide any useful comment for interpreting the data above:

=

**046-1-1. Does your system allow part-time work for judges with proportionally reduced remuneration?**

- Yes
- No

Comments

**046-1-2. If yes, please specify in which situation part-time work can be granted? (multiple replies possible):**

- Child-care
- Elderly care
- For the purposes of early retirement
- Other reason, please specify: .....
- Without reason

Comments

**046-1-3. If yes, what is the percentage of judges working part-time (in relation to the total number of judges)?**

	Total (%)	Male (%)	Females (%)
<b>Total (1 + 2 + 3) (%)</b>	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP
<b>1. At first instance level (%)</b>	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP
<b>2. At second instance (court of appeal) level (%)</b>	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP
<b>3. At Supreme Court level (%)</b>	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP

Comments

**046-1-4. What is the percentage of work time of a judge working part-time compared to a full-time equivalent judge?**

- Less than 50%
- 50 – 60%
- 60 - 80%
- More than 80%
- NA
- NAP

Comments

=



**046-2. Number of judges (FTE) by case type:**

	<b>Total</b>	<b>Civil and/or commercial</b>	<b>Criminal</b>	<b>Administrative</b>	<b>Other</b>
<b>Total number of judges</b>	244 [ ] NA [ ] NAP	125 [ ] NA [ ] NAP	85 [ ] NA [ ] NAP	34 [ ] NA [ ] NAP	[ ] NA [ X ] NAP
<b>First instance</b>	183 [ ] NA [ ] NAP	98 [ ] NA [ ] NAP	61 [ ] NA [ ] NAP	24 [ ] NA [ ] NAP	[ ] NA [ X ] NAP
<b>Second instance</b>	44 [ ] NA [ ] NAP	16 [ ] NA [ ] NAP	18 [ ] NA [ ] NAP	10 [ ] NA [ ] NAP	[ ] NA [ X ] NAP
<b>Supreme court</b>	17 [ ] NA [ ] NAP	11 [ ] NA [ ] NAP	6 [ ] NA [ ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP

If “Other”, please explain which types of cases: In Supreme court there is one chamber for civil and administrative cases.

=

**047. Number of court presidents (professional judges).**

	<b>Total</b>	<b>Males</b>	<b>Females</b>
<b>Total number of court presidents (1 + 2 + 3)</b>	16 [ ] NA [ ] NAP	16 [ ] NA [ ] NAP	0 [ ] NA [ ] NAP
<b>1. Number of first instance court presidents</b>	12 [ ] NA [ ] NAP	12 [ ] NA [ ] NAP	0 [ ] NA [ ] NAP
<b>2. Number of second instance (court of appeal) court presidents</b>	3 [ ] NA [ ] NAP	3 [ ] NA [ ] NAP	0 [ ] NA [ ] NAP
<b>3. Number of Supreme Court presidents</b>	1 [ ] NA [ ] NAP	1 [ ] NA [ ] NAP	0 [ ] NA [ ] NAP

Comments The Cassation court has two Chambers, which also have presidents- the head of criminal chamber and the head of civil and administrative chamber.

In 2021 the head of the Cassation court is a woman, the president of the Civil court of Appeal was appointed a woman, and several women were appointed as heads of different first instance courts.

**048. Number of professional judges sitting in courts on an occasional basis and who are paid as such (if possible, on 31 December of the reference year):**

	<b>Figure</b>
<b>Gross figure</b>	[ ] NA [ X ] NAP
<b>In full-time equivalent</b>	[ ] NA [ X ] NAP

Comments - If necessary, please provide comments to explain the answer provided:

**048-1. Do these professional judges sitting in courts on an occasional basis deal with a significant part of cases?**

Yes If yes, please give specifications on the types of cases and an estimate in percentage. ....

No

NAP

Comments

**049. Number of non-professional judges who are not remunerated but who may receive a simple defrayal of costs (if possible, on 31 December of the reference year) (e.g. lay judges or “juges consulaires”, but not arbitrators or persons sitting on a jury):**

	Figure
Gross figure	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
In full time equivalent	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP

Comments

**049-1. If such non-professional judges exist at first instance in your country, please specify for which types of cases:**

	Yes	No	Echevinage / mixed bench
Criminal cases (severe)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Criminal cases (misdemeanour and/or minor)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Family law cases	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Labour law cases	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Social law cases	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Commercial law cases	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Insolvency cases	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other civil cases	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

NAP

Comments - If “Other civil cases”, please specify:

**050. Does your judicial system include trial by jury with the participation of citizens?**

Yes

( X ) No

Comments

**050-1. If yes, for which type(s) of case(s)?**

Criminal cases

Other than criminal cases

Comments

**051. Number of citizens who were involved in such juries for the year of reference:**

[            ]

NA

NAP

Comments



=

**052. Number of non-judge staff who are working in courts (if possible on 31 December of the reference year) (this data should not include the staff working for public prosecutors; see question 60) (please give the information in full-time equivalent and for posts actually filled)**

	Total	Males	Females
<b>Total non-judge staff working in courts (1 + 2 + 3 + 4 + 5)</b>	1 438 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
<b>1. Rechtspfleger (or similar bodies) with judicial or quasi-judicial tasks having autonomous competence and whose decisions could be subject to appeal</b>	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
<b>2. Non-judge (judicial) staff whose task is to assist the judges such as registrars (case file preparation, assistance during the hearing, helping to draft the decisions)</b>	262 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
<b>3. Staff in charge of different administrative tasks and of the management of the courts (human resources management, material and equipment management, including computer systems, financial and budgetary management, training management)</b>	692 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
<b>4. Technical staff</b>	484 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
<b>5. Other non-judge staff</b>	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP

Comments - If "Other non-judge staff", please specify: It should be noted that the difference between numbers inserted in categories for

last data collection and this year may be resulted by using different methodology for determining categories in 2018 while inserting the information. So there were no reorganizations made.

**052-1. Number of non-judge staff by instance (if possible, on 31 December of the reference year) (this data should not include the staff working for public prosecutors; see question 60) (please give the information in full-time equivalent and for posts actually filled).**

	Total	Males	Females
<b>Total non-judge staff working in courts (1+2+3)</b>	1 438 [ ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP
<b>1. Total non-judge staff working in courts at first instance level</b>	1 139 [ ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP
<b>2. Total non-judge staff working in courts at second instance (court of appeal) level</b>	205 [ ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP
<b>3. Total non-judge staff working in courts at Supreme Court level</b>	94 [ ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP

Comments Information is provided by the Judicial department.

It should be noted that the difference between numbers inserted in categories for last data collection and this year may be resulted by using different methodology for determining categories in 2018 while inserting the information. So there were no reorganizations made.

=

**053. If there are Rechtspfleger (or similar bodies) with judicial or quasi-judicial tasks having autonomous competence and whose decisions could be subject to appeal in your judicial system, please specify in which fields they have a role:**

- Legal aid
- Family cases
- Payment orders
- Registry cases (land and/or business registry cases)
- Enforcement of civil cases
- Enforcement of criminal cases
- Non-litigious cases
- Other cases not mentioned (please describe in comment)
- NAP

Comments - Please briefly describe their status and duties:

**054. Have the courts outsourced certain services under their responsibilities to external providers?**

- Yes
- No

Comments

**054-1. If yes, please specify which services have been outsourced:**

- IT services
- Training of staff
- Security
- Archives
- Cleaning
- Other types of services (please specify): .....

Comments

**C1. Please indicate the sources for answering the questions in this part**

Sources: Information provided by the Judicial Department.

**3.3. Public prosecution**

**3.3.1 Public prosecutors and staff**

**055. Number of public prosecutors (on 31 December of the reference year). (Please give the information in full-time equivalent and for posts actually filled, for all types of courts – general jurisdiction and specialised courts).**

	Total	Males	Females
<b>Total number of prosecutors (1 + 2 + 3)</b>	355 [ ] NA [ ] NAP	306 [ ] NA [ ] NAP	49 [ ] NA [ ] NAP
<b>1. Number of prosecutors at first instance level</b>	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP
<b>2. Number of prosecutors at second instance (court of appeal) level</b>	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP
<b>3. Number of prosecutors at Supreme Court level</b>	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP

Comments - Please indicate any useful comment for interpreting the data above: All 355 prosecutors work for full time. In Armenia there is no separation of prosecutors for the first or other instance courts.

=

**055-1-1. Does your system allow part-time work for prosecutors with proportionally reduced remuneration?**

- Yes
- No



Comments All prosecutors work for full time.

**055-1-2. If yes, please specify in which situation part-time work can be granted? (multiple replies possible):**

- Child-care
- Elderly care
- For the purposes of early retirement
- Other reason, please specify: .....
- Without reason

Comments

**055-1-3. If yes, what is the percentage of prosecutors working part-time (in relation to the total number of prosecutors)?**

	Total (%)	Male (%)	Females (%)
<b>Total (1 + 2 + 3) (%)</b>	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP
<b>1. At first instance level (%)</b>	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP
<b>2. At second instance (court of appeal) level (%)</b>	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP
<b>3. At Supreme Court level (%)</b>	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP

Comments

**055-1-4. What is the percentage of work time of a prosecutor working part-time compared to a full-time equivalent prosecutor?**

- Less than 50%
- 50 - 60%
- 60 - 80%
- More than 80%
- NA
- NAP

Comments

**056. Number of heads of prosecution offices.**

	Total	Males	Females
<b>Total number of heads of prosecution offices (1 + 2 + 3)</b>	42 <input type="checkbox"/> NA <input type="checkbox"/> NAP	41 <input type="checkbox"/> NA <input type="checkbox"/> NAP	1 <input type="checkbox"/> NA <input type="checkbox"/> NAP

<b>1. Number of heads of prosecution offices at first instance level</b>	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
<b>2. Number of heads of prosecution offices at second instance (court of appeal) level</b>	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
<b>3. Number of heads of prosecution offices at Supreme Court level</b>	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP

Please provide any useful comment for interpreting the data above: There has been an increase of the number of heads of public prosecution offices due to legislative amendments to the Law on Prosecutor’s Office. Previously the heads of the departments in the RA Prosecutor General's Office or the prosecutor of the administrative district of Yerevan were not considered as superior prosecutors, now according to the new legislative regulations they are also considered as such (for more details see Article 31 of the Law).

**057. Do other persons have similar duties to those of public prosecutors?**

Yes

No

Comments - If yes, please specify their titles and functions:

**057-1. Please specify their number (in full-time equivalent):**

[            ]  
 NA

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

Yes

No

NAP

Comments

**059-1. Do prosecution offices have prosecutors who are specially trained in areas of domestic violence and sexual violence?**

	-
<b>Domestic violence</b>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> Yes, specifically for minor victims <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP
<b>Sexual violence</b>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> Yes, specifically for minor victims <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP

Comments - If yes, please specify The “Curriculum of annual trainings for prosecutors” contains a course titled: “Preventing and combating violence against women and domestic violence in Armenia”, as well as a course with a focus on sexual violence and sexual crimes.



=

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

	Total	Males	Females
Number of staff (non-public prosecutors) attached to the public prosecution service	182 [ ] NA	30 [ ] NA	152 [ ] NA

Comments

### C2. Please indicate the sources for answering the questions in this part

Sources: Information received from the Prosecutor General's office.
---

## 3.4. Gender equality

### 3.4.1 Specific provisions for facilitating gender equality

061-2. Are there specific provisions for facilitating gender equality within the framework of the procedures for recruiting :

	Yes, please specify	No
judges	( X ) for judge candidates	( )
prosecutors	( )	( X )
non-judge staff	( )	( X )
lawyers	( )	( X )
notaries	( )	( X )
enforcement agents	( )	( X )

[ ] NA

Comments - if the situation changed since the reference year, please specify in the comments. If you have additional comments please specify:

061-3. Are there specific provisions for facilitating gender equality within the framework of the procedures for promoting :

Yes, please specify	No

<b>judges</b>	( )	( X )
<b>prosecutors</b>	( )	( X )
<b>non-judge staff</b>	( )	( X )
<b>lawyers</b>	( )	( X )
<b>notaries</b>	( )	( X )
<b>enforcement agents</b>	( )	( X )

Comments - If the situation changed since the reference year or you have additional comments, please specify:

=

**061-3-1. Are there specific provisions for facilitating gender equality within the framework of the procedures for the appointment of:**

	Yes / No
<b>Court president</b>	( ) Yes If "yes", please specify:[Comment] ( X ) No
<b>Head of prosecution services</b>	( ) Yes If "yes", please specify:[Comment] ( X ) No

Comments

**3.4.2 At national level**

**061-5. Does your country have an overarching document (e.g. policy/strategy/action plan/program) on gender equality that applies specifically to the judiciary?**

- ( ) Yes  
( X ) No

Comments - If the situation changed since the reference year, please indicate in the comments. Could you specify the reference or internet link of this/these document(s) or send/upload it/them to us? Specifically for judiciary no. But the Gender Policy Strategy adopted in 2019 aims at promoting women's representation in decision-making positions and eliminate the gender bias regarding certain professions, which may include also judiciary

**061-6. At national level, is there any specific person (e.g. an equal opportunities commissioner) / institution dealing with gender issues in the justice system concerning:**

	Yes, please specify	No
<b>The recruitment of judges</b>	( )	( X )
<b>The promotion of judges</b>	( )	( X )

<b>The recruitment of prosecutors</b>	( )	( X )
<b>The promotion of prosecutors</b>	( )	( X )
<b>The recruitment of non-judge staff</b>	( )	( X )
<b>The promotion of non-judge staff</b>	( )	( X )

Comments - if other than recruitment and/or promotion, please specify. If the situation changed since the reference year, please specify in the comments: No specific person, but if a problem arises it will be solved internally, for example by the head of staff in courts.

**061-6-1. Please specify the text which set up this person/institution :**

(title, date, nature of the text)

[ X ] NAP

**061-6-2. Please specify the status of this person/institution:**

(e.g. independent, attached to the Ministry of Justice, to the High Judicial Council or equivalent or to an inter-ministerial institution specifically dedicated to gender equality)

[ X ] NAP

**061-6-3. Please specify if this person/institution has an information and consultative function or if its opinions/decisions have legal consequences:**

(e.g. to block a decision or allow an appeal)

[ X ] NAP

**3.4.3 At court/public prosecution services level**

**061-7. At the court or public prosecution services level, is there a person (e.g. an equal opportunities commissioner)/institution specifically dedicated to ensure the respect of gender equality in the organisation of judicial work:**

	Yes	No
<b>in courts (judges)</b>	( )	( X )

in public prosecution services (prosecutors)	( )	( X )
for courts' non-judge staff	( )	( X )

Comments - Please specify the details of this person/institution, in particular its titles and function:

**061-8. Does the feminisation of certain functions, if it exists in your country, within courts or public prosecution services, lead to concrete changes in the organisation of the work in the following areas:**

	Yes	No
Assignment to different positions	( )	( X )
Workload distribution	( )	( X )
Working hours	( )	( X )
Modalities of teleworking and presence in the workspace	( )	( X )
Replacement of absent persons	( )	( X )
Organisation of the hearings	( )	( X )
Other	( )	( X )

Comments - If other, please specify. Could you also indicate concrete examples referring to the various possibilities mentioned? If the situation changed since the reference year, please specify in the comments.

**061-9. In order to improve gender balance in access to different judicial professions and equality in promotion and in access to functions of responsibility, what are the measures, in your country, which:**

have been already implemented (please specify) : Judicial code adopted in 2018 has provisions for improving gender balance in judiciary.

For example, Article 100, part 3: For the purpose of gender representation of judge members within the Supreme Judicial Council, the number of representatives of the same gender must be as restricted as possible to maximum three members.

Article 109, part 5: Where the number of judges of either sex is less than twenty-five per cent of the total number of judges, up to fifty per cent of the places in the list of contenders for judge candidates shall be reserved to the persons of the sex concerned who have received the maximum number of "for" votes, but not less than at least more than half of those of all the members of the Supreme Judicial Council.

In 2015, Armenia adopted the Action Plan On Promoting Gender Balance among Candidates for Judges for 2015-2017. The Action Plan defines, inter alia, the action of (i) analysing existing opinions and approaches in different social groups on gender equality in the judiciary; (ii) developing educational materials and thematic curricula based on the analysis of the international experience; (iii) providing capacity building on gender equality; (iv) ensuring cooperation with different educational institutions, NGOs and INGOs; (v) promoting access to legal professions among girls and young women; (vi) organising discussions, roundtables, seminars for raising awareness on the issue of gender equality in the judiciary. CEDAW Committee, in its concluding observations on the combined fifth and sixth periodic reports of Armenia, notes that this Action Plan is a positive development for the country.

are planned (please specify) : In 2019, the government adopted the Gender Policy Implementation Strategy and Action Plan for 2019–2023.<sup>61</sup> Among the priority areas, there are objectives related to the improvement of national machinery on women’s advancement and equal participation of women and men in the leadership and decision-making positions; elimination of gender discrimination in the socio-economic sphere and enhancement of economic opportunities for women, including addressing work-family balance, prevention of gender-based discrimination, including promoting increased political representation of women and addressing gender stereotypes.

Comments - If the situation changed since reference year, please specify in the comments. During 2021 the number of women court presidents raised.  
 During recent 5 years the number of women judge candidates raised, and nowadays most of the candidate especially for civil and administrative cases are women.

NAP

**061-10. Are there evaluation studies or official reports regarding the main causes of possible inequalities with regard to:**

- Recruitment procedures, please specify: .....
- Appointment to the position of court president, please specify: .....
- Appointment to the position of head of prosecution services, please specify: .....
- Promotion procedures and access to the functions of responsibility, please specify: .....
- Other studies, please specify: .....

NAP

Comments - Please specify also the reference documents. A report has been drafted in 2020 within the project of “Support to the judicial reform – enhancing the independence and professionalism of the judiciary in Armenia”.

The report is on GENDER EQUALITY IN THE JUDICIARY OF ARMENIA:CHALLENGES AND OPPORTUNITIES.

**3.5 Use of information technologies in courts**

**3.5.1 General policies in Information Technology in judicial systems**

**062-1. Basic principles and models used in Information technology policies and strategies definition**

	Organisation
IT policies and strategies	<input checked="" type="checkbox"/> Defined and coordinated at national level by one institution <input type="checkbox"/> Defined and coordinated at national level by several institutions <input type="checkbox"/> Defined and coordinated at unit/stakeholder level <input type="checkbox"/> Other

<b>IT Governance</b>	<input checked="" type="checkbox"/> Governed at national level by one institution <input type="checkbox"/> Governed at national level by several institutions <input type="checkbox"/> Organised at unit/stakeholder level <input type="checkbox"/> Other
----------------------	--

Comments

**065-1. In case there is a national structure in charge of the strategic policy making and governance of the judicial system modernisation (including also IT) what is the composition of this structure?**

- administrative, technical and scientific staff only
- mixed teams of judicial staff (judges/prosecutors/etc.) and administrative/technical/scientific staff
- other (please specify in a comment)

Comments - (please specify if there are other modernisation approaches that have been implemented):

**065-2. Which is the organisational model primarily chosen for conducting structural IT projects in courts and the management of applications (maintenance, evolution)?**

	Implementing new projects	Management of applications
<b>Mainly by an IT department with the help of professionals in the field (judges, prosecutors, non-judge judicial staff, etc.)</b>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
<b>Mainly by professionals in the field (judges, prosecutors, non-judge judicial staff, etc.) with the help of an internal IT department and/or an external service provider</b>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
<b>Other alternatives (external service provider only – specify in a comment)</b>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

Comments - please also describe in case of “other alternatives”

**065-4. Have you measured the impact resulting from the implementation of one or several components of your new information system?**

- Yes
- No

**065-4-1. If yes, have you measured the impact on (multiple answers possible):**

- Business processes
- Workload
- Human resources
- Costs
- Other, please specify .....

Comments (please specify examples of the impact)



### 3.5.2 Security of courts information system and personal data protection

**065-5. Are there independent audits or other mechanisms to contribute to the global security policy regarding the information system of the judiciary ?**

Yes

No

Comments (please specify in particular if national frameworks of information security exist):

**065-6. Is the protection of personal data managed by courts ensured at legislative level?**

Yes

No

Comment - If yes, please specify among others: if there are authorities specifically responsible for protection of personal data; the extent of the rights granted to citizens in the specific framework of software used by courts; if there are controls or limitations by law regarding the sharing of databases managed by courts with other administrations (police, etc.)

### 3.5.3 Centralised databases for decision support

**062-4. Is there a centralised national database of court decisions (case-law, etc.)?**

Yes

Non

Comments

**062-4-1. If yes, please specify the following information:**

	For 1st instance decisions	For 2nd instance decisions	For 3rd instance decisions	Link with ECHR case law	Data anonymised	Case-law database available free online	Case-law database available in open data
<b>Civil and/or commercial</b>	<input checked="" type="checkbox"/> Yes all judgements <input type="checkbox"/> Yes some judgements <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes all judgements <input type="checkbox"/> Yes some judgements <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes all judgements <input type="checkbox"/> Yes some judgements <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
<b>Criminal</b>	<input checked="" type="checkbox"/> Yes all judgements <input type="checkbox"/> Yes some judgements <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes all judgements <input type="checkbox"/> Yes some judgements <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes all judgements <input type="checkbox"/> Yes some judgements <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
<b>Administrative</b>	<input checked="" type="checkbox"/> Yes all judgements <input type="checkbox"/> Yes some judgements <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes all judgements <input type="checkbox"/> Yes some judgements <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes all judgements <input type="checkbox"/> Yes some judgements <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

Comments - if it exists in other matters please specify [www.datalex.am](http://www.datalex.am) is the national portal of court decisions. The portal is based on

Cast court management system which includes over 2 million files of court cases. Datalex portal consists of civil, criminal, administrative, bankruptcy and payment order cases.

There are some judgments which are not published.

-Judicial acts concluding the proceedings at the relevant judicial instance and, in cases provided for by law or by the decision of the Supreme Judicial Council, also other judicial acts shall be subject to mandatory publication on the official website of the judiciary.

-Where the judicial proceedings, or part of them, are held behind closed doors, the concluding part of the conclusive judicial act shall be published on the official website of the judiciary, provided that said concluding part does not contain a secret protected by law.

-Information on the case and its progress shall be published on the official website of the judiciary, the list and procedure for publication of such information to be defined by the Supreme Judicial Council.

-Judicial acts containing data on private life, personal biometric and personal special category data, as well as personal data on a child, shall be published on the official website of the judiciary in a depersonalised manner. The Supreme Judicial Council may prescribe other cases of depersonalisation of personal data. The procedure for depersonalisation shall be defined by the Supreme Judicial Council.

## 062-6. Is there a computerised national record centralising all criminal convictions?

Yes

No

Comments

### 062-6-1. If yes, please specify the following information:

Linkage with other European records of the same nature

Content directly available through computerised means for judges and/or prosecutors

Content directly available for purposes other than criminal (civil and administrative matters)

Comments - Please specify who is the authority delivering the access There is a centralized database in Police.

## 3.5.4 Writing assistance tools

### 062-7. Are there writing assistance tools for which the content is coordinated at national level? (models or templates, paragraphs already pre-written, etc.)

Yes

No

Comment – if it exists in other matters please specify

### 062-7-1. If yes, please specify the following information:

Availability rate
-------------------

<p><b>Civil and/or commercial</b></p>	<p><input type="checkbox"/> 100% (all templates are available for all courts of this matter)</p> <p><input type="checkbox"/> 50-99% (most of the templates are available for all courts or all templates for most of the courts)</p> <p><input type="checkbox"/> 10-49% (some of the templates are available for most of the courts or most of the templates for some of the courts)</p> <p><input type="checkbox"/> 1-9% (just starting to become available or in testing phase)</p> <p><input type="checkbox"/> 0% (NAP) (does not exist at all for this matter)</p> <p><input type="checkbox"/> NA</p>
<p><b>Criminal</b></p>	<p><input type="checkbox"/> 100% (all templates are available for all courts of this matter)</p> <p><input type="checkbox"/> 50-99% (most of the templates are available for all courts or all templates for most of the courts)</p> <p><input type="checkbox"/> 10-49% (some of the templates are available for most of the courts or most of the templates for some of the courts)</p> <p><input type="checkbox"/> 1-9% (just starting to become available or in testing phase)</p> <p><input type="checkbox"/> 0% (NAP) (does not exist at all for this matter)</p> <p><input type="checkbox"/> NA</p>
<p><b>Administrative</b></p>	<p><input type="checkbox"/> 100% (all templates are available for all courts of this matter)</p> <p><input type="checkbox"/> 50-99% (most of the templates are available for all courts or all templates for most of the courts)</p> <p><input type="checkbox"/> 10-49% (some of the templates are available for most of the courts or most of the templates for some of the courts)</p> <p><input type="checkbox"/> 1-9% (just starting to become available or in testing phase)</p> <p><input type="checkbox"/> 0% (NAP) (does not exist at all for this matter)</p> <p><input type="checkbox"/> NA</p>

**062-8. Are there voice recording tools?**

Yes

No

Comments

**062-8-1. If yes, please specify:**

<p>Availability of simple dictation tools</p>	<p>Availability of multiple speakers recording tools</p>	<p>Voice recognition feature</p>
---	--	----------------------------------

<b>Civil and/or commercial</b>	<input type="checkbox"/> in all courts <input type="checkbox"/> in most of the courts <input type="checkbox"/> in some courts / some pilot phases <input checked="" type="checkbox"/> not available for this matter <input type="checkbox"/> NA	<input type="checkbox"/> in all courts <input checked="" type="checkbox"/> in most of the courts <input type="checkbox"/> in some courts / some pilot phases <input type="checkbox"/> not available for this matter <input type="checkbox"/> NA	<input type="checkbox"/> Yes <input type="checkbox"/> Pilot testing <input checked="" type="checkbox"/> No <input type="checkbox"/> NA
<b>Criminal</b>	<input type="checkbox"/> in all courts <input type="checkbox"/> in most of the courts <input type="checkbox"/> in some courts / some pilot phases <input checked="" type="checkbox"/> not available for this matter <input type="checkbox"/> NA	<input type="checkbox"/> in all courts <input checked="" type="checkbox"/> in most of the courts <input type="checkbox"/> in some courts / some pilot phases <input type="checkbox"/> not available for this matter <input type="checkbox"/> NA	<input type="checkbox"/> Yes <input type="checkbox"/> Pilot testing <input checked="" type="checkbox"/> No <input type="checkbox"/> NA
<b>Administrative</b>	<input type="checkbox"/> in all courts <input type="checkbox"/> in most of the courts <input type="checkbox"/> in some courts / some pilot phases <input checked="" type="checkbox"/> not available for this matter <input type="checkbox"/> NA	<input checked="" type="checkbox"/> in all courts <input type="checkbox"/> in most of the courts <input type="checkbox"/> in some courts / some pilot phases <input type="checkbox"/> not available for this matter <input type="checkbox"/> NA	<input type="checkbox"/> Yes <input type="checkbox"/> Pilot testing <input checked="" type="checkbox"/> No <input type="checkbox"/> NA

**062-9. Is there an intranet site within the judicial system for distribution of news/novelities?**

**Availability rate:**

- 100% - accessible to everyone in judiciary
- 50-99% - accessible for most judges/prosecutors in all instances
- 10-49% - in some courts only
- 1-9% - in one court only
- 0% (NAP) - No access

NA

Comments

**3.5.5 Technologies used for administration of the courts and case management**

**063-1. Is there a case management system (CMS) ? (Software used for registering judicial proceedings and their management)**

- Yes
- No

Comments - if it exists in other matters please specify

**063-1-1. If yes, please specify the following information:**

	<b>CMS deployment rate</b>	<b>Status of case online</b>	<b>Centralised or interoperable database</b>	<b>Early warning signals (for active case management)</b>	<b>Status of integration/connection of a CMS with a statistical tool</b>
<b>Civil and/or commercial</b>	<input checked="" type="checkbox"/> 100% <input type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input type="checkbox"/> 0% (NAP) <input type="checkbox"/> NA	<input type="checkbox"/> Accessible to parties <input checked="" type="checkbox"/> Publication of decision online <input type="checkbox"/> Both <input type="checkbox"/> Not accessible at all <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> Fully integrated including BI <input type="checkbox"/> Integrated <input checked="" type="checkbox"/> Not integrated but connected <input type="checkbox"/> Not connected at all <input type="checkbox"/> NA <input type="checkbox"/> NAP
<b>Criminal</b>	<input checked="" type="checkbox"/> 100% <input type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input type="checkbox"/> 0% (NAP) <input type="checkbox"/> NA	<input type="checkbox"/> Accessible to parties <input checked="" type="checkbox"/> Publication of decision online <input type="checkbox"/> Both <input type="checkbox"/> Not accessible at all <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> Fully integrated including BI <input type="checkbox"/> Integrated <input type="checkbox"/> Not integrated but connected <input checked="" type="checkbox"/> Not connected at all <input type="checkbox"/> NA <input type="checkbox"/> NAP
<b>Administrative</b>	<input checked="" type="checkbox"/> 100% <input type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input type="checkbox"/> 0% (NAP) <input type="checkbox"/> NA	<input type="checkbox"/> Accessible to parties <input checked="" type="checkbox"/> Publication of decision online <input type="checkbox"/> Both <input type="checkbox"/> Not accessible at all <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> Fully integrated including BI <input type="checkbox"/> Integrated <input type="checkbox"/> Not integrated but connected <input checked="" type="checkbox"/> Not connected at all <input type="checkbox"/> NA <input type="checkbox"/> NAP

Comment - If it exists in other matters please specify: CMS(CAST management Centre) operates in the judicial department, which centralizes the entered data in the court and residence data centers (operating with distributed principles) and also provides management and analytics functions. CMS also fulfills the functions of storage and parallel processing of large amount of data. The CMS also provides automatic case allocation to judges.

### 063-2. Computerised registries managed by courts

<b>Deployment rate</b>	<b>Data consolidated at national level</b>	<b>Service available online</b>	<b>Statistical module integrated or connected</b>
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<b>Land registry</b>	<input type="checkbox"/> 100% <input type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input checked="" type="checkbox"/> 0% (NAP) <input type="checkbox"/> NA	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
<b>Business registry</b>	<input type="checkbox"/> 100% <input type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input checked="" type="checkbox"/> 0% (NAP) <input type="checkbox"/> NA	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP

Comment – if it exists in other matters please specify:

## Budgetary and financial monitoring

### 063-6. Budgetary and financial management systems of courts

	<b>Tool deployment rate</b>	<b>Data consolidated at national level</b>	<b>System communicating with other ministries (financial among others)</b>
<b>Budgetary and financial management of courts</b>	<input type="checkbox"/> 100% <input type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input checked="" type="checkbox"/> 0% (NAP) <input type="checkbox"/> NA	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
<b>Justice expenses management</b>	<input type="checkbox"/> 100% <input type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input checked="" type="checkbox"/> 0% (NAP) <input type="checkbox"/> NA	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
<b>Other (please specify in comments)</b>	<input type="checkbox"/> 100% <input type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input checked="" type="checkbox"/> 0% (NAP) <input type="checkbox"/> NA	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP

Comments

## Other tools of courts management

### 063-7. Measurement tools to assess the workload of judges, prosecutors and/or non-judge/non-prosecutor staff (tool quantifying the activity of judges, prosecutors and/or non-judge/non-prosecutor staff – for example the number of cases resolved)

Yes

No

**063-7-1. If yes, please specify the following information:**

	Tools deployment rate	Data used for monitoring at national level	Data used for monitoring at court local level	Tool integrated in the CMS
<b>For judges</b>	<input type="checkbox"/> 100% <input type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input type="checkbox"/> 0% (NAP) <input type="checkbox"/> NA	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP
<b>For prosecutors</b>	<input type="checkbox"/> 100% <input type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input type="checkbox"/> 0% (NAP) <input type="checkbox"/> NA	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP
<b>For non-judge/non-prosecutor staff</b>	<input type="checkbox"/> 100% <input type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input type="checkbox"/> 0% (NAP) <input type="checkbox"/> NA	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP

**3.5.6 Technologies used for communication between courts, professionals and/or court users**

**064-2. Is there a possibility to submit a case to courts by electronic means?(possibility to introduce a case by electronic means, for example an e-mail or a form on a website)**

- Yes
- No

Comments According to article 100 of RA civil procedure code documents can be submitted to court electronically. However currently documents are submitted to court in paper form. It ought to be mentioned that within the framework of the “Digitalization of Judicial Documents and Implementation of Electronic Court System in Armenia” USAID grant program, electronic court system software has been created which is currently under "Test System Operation and Error Correction" phase. The system will be operational shortly and will provide possibility to submit documents to court, file lawsuits, follow case proceedings, get notifications and other functions electronically (in civil cases).

The action plan for e-justice aims to:

Introduce in the courts and put into operation comprehensive system of e-courts: The unified e-management system will be introduced and put into operation in courts, within the framework of which an electronic court case has been created, ensuring the online electronic familiarisation with case materials, receipt of document copies, submission of evidence, motions and performance of other procedural actions.

**064-2-1. If yes, please specify the following information:**

Availability rate	Simultaneous submission of cases in paper form remains mandatory	Specific legislative framework authorising the submission of a case	An integrated/connect ed tool with the CMS

<b>Civil and/or commercial</b>	<input type="checkbox"/> 100% <input type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input type="checkbox"/> 0% (NAP) <input type="checkbox"/> NA	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP
<b>Criminal</b>	<input type="checkbox"/> 100% <input type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input type="checkbox"/> 0% (NAP) <input type="checkbox"/> NA	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP
<b>Administrative</b>	<input type="checkbox"/> 100% <input type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input type="checkbox"/> 0% (NAP) <input type="checkbox"/> NA	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP

Comments - if it exist in other matters please specify

**064-3. Is it possible to request legal aid by electronic means?**

Yes

No

Comments

**064-3-1. If yes, please specify the following information:**

	<b>Requesting legal aid electronically</b>
<b>Availability rate</b>	<input type="checkbox"/> 100% <input type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input type="checkbox"/> 0% (NAP) <input type="checkbox"/> NA
<b>Formalisation of the request in paper form remains mandatory</b>	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP
<b>Specific legislative framework regarding requests for legal aid by electronic means</b>	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP
<b>Granting legal aid is also electronic</b>	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP
<b>Information available in CMS</b>	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP



**064-4. Is it possible to transmit summons to a judicial meeting or a hearing by electronic means? (a judicial meeting relates to stages prior to a court hearing, with a view to mediation or conciliation)**

( X ) Yes

( ) No

Comments

**064-4-1. If yes, please specify the following information:**

	Summons produced by CMS	Simultaneous summon in paper form remains mandatory	Consent of the user to be notified by electronic means	Modalities (if other please specify in comments)	Specific legislative framework
<b>Civil and/or commercial</b>	[ ]	[ X ]	[ X ]	[ X ] SMS [ X ] E-mail [ X ] Specific computer application [ ] Other	[ X ]
<b>Criminal</b>	[ ]	[ X ]	[ X ]	[ ] SMS [ ] E-mail [ ] Specific computer application [ ] Other	[ ]
<b>Administrative</b>	[ ]	[ X ]	[ X ]	[ ] SMS [ X ] E-mail [ ] Specific computer application [ ] Other	[ ]

Comments

**Use of information technologies for improving the quality of the communication between courts and professionals**

**064-6. Are there possibilities of electronic communication between courts and lawyers and/or parties? (sending of electronic files and data concerning a judicial proceeding with or without scanned documents, mainly to develop dematerialised communication)**

Tool deployment rate	Trial phases concerned	Modalities (if there are different according to the trial phases or if other, please specify in a comment)	Specific legal framework	Availability for

<b>Civil and/or commercial</b>	<input type="checkbox"/> 100% <input type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input checked="" type="checkbox"/> 0% (NAP) <input type="checkbox"/> NA	<input type="checkbox"/> Submission of a case to a court <input type="checkbox"/> Phases preparatory to a hearing <input type="checkbox"/> Schedule of hearings and/or deferrals <input type="checkbox"/> Transmission of court decisions	<input type="checkbox"/> E-mail <input type="checkbox"/> Specific computer application <input type="checkbox"/> Other	<input type="checkbox"/> Yes	<input type="checkbox"/> Lawyers <input type="checkbox"/> Parties not represented by lawyer
<b>Criminal</b>	<input type="checkbox"/> 100% <input type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input checked="" type="checkbox"/> 0% (NAP) <input type="checkbox"/> NA	<input type="checkbox"/> Submission of a case to a court <input type="checkbox"/> Phases preparatory to a hearing <input type="checkbox"/> Schedule of hearings and/or deferrals <input type="checkbox"/> Transmission of court decisions	<input type="checkbox"/> E-mail <input type="checkbox"/> Specific computer application <input type="checkbox"/> Other	<input type="checkbox"/> Yes	<input type="checkbox"/> Lawyers <input type="checkbox"/> Parties not represented by lawyer
<b>Administrative</b>	<input type="checkbox"/> 100% <input type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input checked="" type="checkbox"/> 0% (NAP) <input type="checkbox"/> NA	<input type="checkbox"/> Submission of a case to a court <input type="checkbox"/> Phases preparatory to a hearing <input type="checkbox"/> Schedule of hearings and/or deferrals <input type="checkbox"/> Transmission of court decisions	<input type="checkbox"/> E-mail <input type="checkbox"/> Specific computer application <input type="checkbox"/> Other	<input type="checkbox"/> Yes	<input type="checkbox"/> Lawyers <input type="checkbox"/> Parties not represented by lawyer

Comments

**064-7. Terms and conditions of electronic communication used by professionals other than lawyers (sending of electronic data concerning a judicial proceeding with or without scanned documents, mainly to develop dematerialised communication)**

<b>Tool deployment rate</b>	<b>Modalities (if there are different according to the deeds or if other, please specify in a comment)</b>	<b>Specific legal framework</b>
-----------------------------	--	---------------------------------

<b>Enforcement agents (as defined in Q169 and following)</b>	<input type="checkbox"/> 100% <input checked="" type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input type="checkbox"/> 0% (NAP) <input type="checkbox"/> NA	<input type="checkbox"/> E-mail <input checked="" type="checkbox"/> Specific computer application <input type="checkbox"/> Other	<input checked="" type="checkbox"/> Yes
<b>Notaries (as defined in Q192 and following)</b>	<input type="checkbox"/> 100% <input type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input checked="" type="checkbox"/> 0% (NAP) <input type="checkbox"/> NA	<input type="checkbox"/> E-mail <input type="checkbox"/> Specific computer application <input type="checkbox"/> Other	<input type="checkbox"/> Yes
<b>Experts (as defined in Q202 and following)</b>	<input type="checkbox"/> 100% <input type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input checked="" type="checkbox"/> 0% (NAP) <input type="checkbox"/> NA	<input type="checkbox"/> E-mail <input type="checkbox"/> Specific computer application <input type="checkbox"/> Other	<input type="checkbox"/> Yes
<b>Judicial police services</b>	<input type="checkbox"/> 100% <input type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input checked="" type="checkbox"/> 0% (NAP) <input type="checkbox"/> NA	<input type="checkbox"/> E-mail <input type="checkbox"/> Specific computer application <input type="checkbox"/> Other	<input type="checkbox"/> Yes

Comments There is a computer application between the courts and enforcement agents regarding enforcement papers.

**064-9. Are there online processing systems of specialised litigation (small claim litigation, undisputed claims, preparatory phases to the resolution of family conflicts, etc. – please, specify in “comments” section)?**

- Yes
- No

Comments – Please describe the system that exists. There is currently no such tool. However, the Strategy of Judicial and Legal Reforms of 2019-2023 envisages the establishment of new online ADR and mediation systems.

**Use of information technologies between courts, professionals and users in the framework of judicial proceedings**

**064-10. Videoconferencing between courts, professionals and/or users (this concerns the use of audio-visual devices in the framework of judicial proceedings such as the hearing of parties, etc.)**

- Yes
- No

Comments

**064-10-1. If yes, please specify the following information and describe in comments of this section the cases of actual use of videoconferencing and the expected benefits (for example, the use of this device to reduce the number of detainees’ transfers to the court):**

	Deployment rate (chose one only)	Proceeding phase	Specific legislative framework
<b>Civil and/or commercial</b>	<input type="checkbox"/> 100% <input type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input type="checkbox"/> 0% (NAP) <input checked="" type="checkbox"/> NA	<input type="checkbox"/> Prior to the hearing <input checked="" type="checkbox"/> During the hearing <input type="checkbox"/> After the hearing	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
<b>Criminal</b>	<input type="checkbox"/> 100% <input type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input checked="" type="checkbox"/> 0% (NAP) <input type="checkbox"/> NA	<input type="checkbox"/> Prior to the hearing <input type="checkbox"/> During the hearing <input type="checkbox"/> After the hearing	<input type="checkbox"/> Yes <input type="checkbox"/> No
<b>Administrative</b>	<input type="checkbox"/> 100% <input type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input checked="" type="checkbox"/> 0% (NAP) <input type="checkbox"/> NA	<input type="checkbox"/> Prior to the hearing <input type="checkbox"/> During the hearing <input type="checkbox"/> After the hearing	<input type="checkbox"/> Yes <input type="checkbox"/> No

Comments In civil cases it is possible.

According to the article 145 of the Civil court procedure- Upon a reasoned motion of a participant of the proceedings, the court shall permit the same or another participant of the proceedings to participate in the court session by using means of audio-visual telecommunication if a system enabling such communication is installed in the courtroom. Neither translators may participate in a court session nor face-to-face interrogation may be conducted by using means of audio-visual telecommunication.

### 064-11. Recording of hearings or debates (sound or audio-visual recording during the investigation and/or trial phase(s))

Yes

No

Comments

#### 064-11-1. If yes, please specify the following information:

	Tool deployment rate	Type of recording	Specific legislative framework
<b>Civil and/or commercial</b>	<input type="checkbox"/> 100% <input checked="" type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input type="checkbox"/> 0% (NAP) <input type="checkbox"/> NA	<input checked="" type="checkbox"/> Sound <input type="checkbox"/> Video <input type="checkbox"/> Both <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP
<b>Criminal</b>	<input type="checkbox"/> 100% <input checked="" type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input type="checkbox"/> 0% (NAP) <input type="checkbox"/> NA	<input checked="" type="checkbox"/> Sound <input type="checkbox"/> Video <input type="checkbox"/> Both <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP

<b>Administrative</b>	<input checked="" type="checkbox"/> 100% <input type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input type="checkbox"/> 0% (NAP) <input type="checkbox"/> NA	<input checked="" type="checkbox"/> Sound <input type="checkbox"/> Video <input type="checkbox"/> Both <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP
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### 064-12. Is electronic evidence admissible?

	<b>Admissibility of electronic evidence</b>	<b>Legislative framework</b>
<b>Civil and/or commercial</b>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> General law only <input checked="" type="checkbox"/> General and specialised law <input type="checkbox"/> Specialised law only <input type="checkbox"/> NAP
<b>Criminal</b>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> General law only <input checked="" type="checkbox"/> General and specialised law <input type="checkbox"/> Specialised law only <input type="checkbox"/> NAP
<b>Administrative</b>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> General law only <input checked="" type="checkbox"/> General and specialised law <input type="checkbox"/> Specialised law only <input type="checkbox"/> NAP

Comments - Other devices of electronic communication between courts, professionals and/or users

## 3.6. Performance and evaluation

### 3.6.1 National policies applied in courts and public prosecution services

**066. Are quality standards determined for the judicial system at national level (are there quality systems for the judiciary and/or judicial quality policies)?**

Yes

No

Comments - If yes, please specify: A monitoring and evaluation mechanism for the implementation of Judicial and Legal reforms Strategy and Action Plans for 2019-2023 is envisaged in the strategy.

**067. Do you have specialised personnel entrusted with implementation of these national level quality standards?**

	<b>Yes / No</b>
<b>within the courts</b>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
<b>within the public prosecution services</b>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

Comments

### 3.6.2 Performance and quality objectives at court level/public prosecution services



#### **077. Concerning court activities, have you defined performance and quality indicators?**

( ) Yes

( X ) No

Comments There are no such indicators for courts as such, however there is a procedure in place for evaluation of performance of individual judges by the Commission for Performance Evaluation of Judges .

#### **078. If yes, please select the main performance and quality indicators that have been defined for courts:**

- number of incoming cases
- length of proceedings (timeframes)
- number of resolved cases
- number of pending cases
- backlogs
- productivity of judges and court staff
- satisfaction of court staff
- satisfaction of users (regarding the services delivered by the courts)
- costs of the judicial procedures
- number of appeals
- appeal ratio
- clearance rate
- disposition time
- other (please specify): .....

Comments

#### **077-1. Concerning public prosecution activities, have you defined performance and quality indicators?**

( ) Yes

( X ) No

Comments

#### **078-1. If yes, please select the main performance and quality indicators for the public prosecution services that have been defined:**

- number of incoming cases
- length of proceedings (timeframes)
- number of resolved cases
- number of pending cases
- backlogs

- productivity of prosecutors and prosecution staff
- satisfaction of prosecution staff
- satisfaction of users (regarding the services delivered by the public prosecutors)
- costs of the judicial procedures
- clearance rate
- disposition time
- percentage of convictions and acquittals
- other (please specify): .....

Comments Currently work is underway to clarify a quantitative and qualitative criteria for evaluating the individual performance of prosecutors. Evaluation of prosecutors' activities is currently carried out through attestation. The attestation process is regulated by Article 50 of the "Law on the Prosecutor's Office". Particularly, the immediate supervisor shall present an assessment of the prosecutor at least two weeks prior to the attestation. The assessment shall contain information about the prosecutor, his practical and personal features, and a justified evaluation of his official performance. The assessment shall be based on the opinions of the immediate supervisor formed on the basis of reports presented to him by the prosecutor annually about the prosecutor's performance during the period since the previous attestation. The data on the number of motions submitted in the criminal cases under the supervision of the prosecutor as a measure of restraint, the number of satisfied and rejected motions must be attached to the assessment.

**073. Do you have a system to evaluate regularly court performance based primarily on the defined indicators?**

- Yes
- No

Comments

**073-0. If yes, please specify the frequency:**

- Annual
- Less frequent
- More frequent

Comments - If "Less frequent" or "More frequent", please specify:

**073-1. Is this evaluation of the court activity used for the later allocation of resources within this court?**

- Yes
- No

Comments

**073-2. If yes, which courses of action are taken?**

- Identifying to the causes of improved or deteriorated performance
- Reallocating resources (human/financial resources based on performance (treatment)
- Reengineering of internal procedures to increase efficiency (treatment)
- Other (please specify): .....

Comments

**073-3. Do you have a system to evaluate regularly the performance of the public prosecution services based primarily on the defined indicators?**

Yes

No

Comments

**073-4. If yes, please specify the frequency:**

Annual

Less frequent

More frequent

Comments - If "less frequent" or "more frequent", please specify:

**073-5. Is this evaluation of the activity of public prosecution services used for the later allocation of resources within this public prosecution service?**

Yes

No

Comments

**073-6. If yes, which courses of action are taken?**

Identifying to the causes of improved or deteriorated performance

Reallocating resources (human/financial resources based on performance (treatment))

Reengineering of internal procedures to increase efficiency (treatment)

Other (please specify): .....

Comments

**079. Who is responsible for evaluating the performance of the courts (multiple replies possible)?**

High Judicial Council

Ministry of Justice

Inspection authority

Supreme Court

External audit body

Other (please specify): .....

Comments

**079-1. Who is responsible for evaluating the performance of the public prosecution services (multiple replies possible)?**

Public Prosecutorial Council

Ministry of Justice



- Head of the organisational unit or hierarchically superior public prosecutor
- Prosecutor General /State public prosecutor
- External audit body
- Other (please specify): .....

Comments

### **3.6.3 Measuring courts' / public prosecution services activity**

#### **070. Do you regularly monitor court activities (performance and quality) concerning:**

- number of incoming cases
- length of proceedings (timeframes)
- number of resolved cases
- number of pending cases
- backlogs
- productivity of judges and court staff
- satisfaction of court staff
- satisfaction of users (regarding the services delivered by the courts)
- costs of the judicial procedures
- number of appeals
- appeal ratio
- clearance rate
- disposition time
- other (please specify): .....

Comments

#### **070-1. Do you regularly monitor public prosecution activities (performance and quality) concerning:**

- number of incoming cases
- length of proceedings (timeframes)
- number of resolved cases
- number of pending cases
- backlogs
- productivity of prosecutors and prosecution staff
- satisfaction of prosecution staff
- satisfaction of users (regarding the services delivered by the by the public prosecution)
- costs of the judicial procedures
- clearance rate
- disposition time
- percentage of convictions and acquittals

[ X ] other (please specify): .....

Comments Each year, before April 1, the Prosecutor General submits a report on the activities of the Prosecutor's Office to the National Assembly of the Republic of Armenia. The report shall include information on the activities carried out by the Prosecutor's Office during the previous year in relation to each of the powers defined by Article 4 of this Law, statistical data, comparative analyzes and conclusions.

**071. Do you monitor the number of pending cases and cases that are not processed within a reasonable timeframe (backlogs) for:**

- civil law cases
- criminal law cases
- administrative law cases

Comments

**072. Do you monitor waiting time during judicial proceedings?**

	Yes (If yes, please specify)	No
<b>within the courts</b>	( )	( X )
<b>within the public prosecution services</b>	( )	( X )

Comments

**3.6.4 Information regarding courts /public prosecution services activity**

**080. Is there a centralised institution that is responsible for collecting statistical data regarding the functioning of the courts?**

- Yes (please indicate the name and the address of this institution):Judicial Department
- No

Comments

**080-1. Are the statistics on the functioning of each court published?**

- Yes, on the internet
- No, only internally (on an intranet website)
- No

Comments

=

**080-2. Is there a centralised institution that is responsible for collecting statistical data regarding the functioning of the public prosecution services?**

- Yes (please indicate the name and the address of this institution):The relevant subdivision of the RA Prosecutor's Office, the Department of Statistics and Analysis
- No

Comments

**080-3. Are the statistics on the functioning of each public prosecution service published?**

- Yes, on the internet
- No, only internally (on an intranet website)
- No

Comments The statistics on the functioning of each public prosecution service are not published, but the general statistics formed as a result of it are published on the official website of the Prosecutor's Office.

=

**081. Are individual courts required to prepare an activity report (that includes, for example, data on the number of resolved cases or pending cases, the number of judges and administrative staff, targets and assessment of the activity)?**

- Yes
- No

Comments - If yes, please describe the content of the report and its audience (i.e. to whom the report is intended):

**081-1. If yes, please specify in which form this report is released:**

- Internet
- Intranet (internal) website
- Paper distribution

Comments

**081-2. If yes, please, indicate the periodicity at which the report is released:**

- Annual
- Less frequent
- More frequent

Comments Twice a year

=

**081-3. Are public prosecution services required to prepare an activity report (that includes, for example, data on the number of incoming cases, the number of decisions, the number of public prosecutors and administrative staff, targets and assessment of the activity)?**

- Yes
- No

Comments - If yes, please describe the content of the report and its audience (i.e. to whom the report is intended):

**081-4. If yes, please specify in which form this report is released:**

- Internet
- Intranet (internal) website
- Paper distribution

**081-5. If yes, please, indicate the periodicity at which the report is released:**

- Annual
- Less frequent
- More frequent

Comments

**3.6.5 Courts administration**

**082. Is there a process or structure of dialogue between the public prosecution services and courts regarding the way cases are presented before courts (for example the organisation, number and planning of hearings, on-call service for urgent cases, selection of simplified procedures of prosecution...)?**

- Yes
- No

Comments - If yes, please specify:

**082-1. Is there in general a process or structure of dialogue between lawyers and courts regarding the way cases are presented before courts in other than criminal matters (e.g. organisation, number and planning of hearings, on-call service for urgent cases)?**

- Yes
- No

Comments - If yes, please specify:

**3.6.6 Performance and evaluation of judges and public prosecutors**

**083. Are there quantitative performance targets defined for each judge (e.g. the number of resolved cases in a month or year)?**

- Yes
- No

Comments

**083-1. Who is responsible for setting the individual targets for each judge?**

- Executive power (for example the Ministry of Justice)
- Legislative power
- Judicial power (for example the High Judicial Council, Supreme Court)
- President of the court
- Other (please specify): .....
- NAP

Comments

**114. Is there a system of qualitative individual assessment of the judges' work?**

Yes

No

Comments

**114-1. If yes, please specify the frequency of this assessment:**

Annual

Less frequent

More frequent

=

**083-2. Are there quantitative performance targets defined for each public prosecutor (e.g. the number of decisions in a month or year)?**

Yes

No

Comments Process is currently underway to introduce a quantitative and qualitative criteria for evaluating the individual performance of prosecutors. Evaluation of prosecutors' activities is currently carried out through attestation. Relationships related to attestation are regulated in Article 50 of the Law on the Prosecutor's Office, in particular, at least two weeks before the attestation, the immediate superior prosecutor submits the prosecutor's assessment. The assessment shall contain information about the prosecutor, his practical and personal features, and a justified evaluation of his official performance. The assessment shall be based on the opinions of the immediate supervisor formed on the basis of reports presented to him by the prosecutor annually about the prosecutor's performance during the period since the previous attestation. The data on the number of motions submitted in the criminal cases under the supervision of the prosecutor as a measure of restraint, the number of satisfied and rejected motions must be attached to the assessment.

**083-3. Who is responsible for setting the individual targets for each public prosecutor**

Executive power (for example the Ministry of Justice)

Prosecutor General /State public prosecutor

Public Prosecutorial Council

Head of the organisational unit or hierarchically superior public prosecutor

Other (please specify): .....

NAP

Comments

**120. Is there a system of qualitative individual assessment of the public prosecutors' work?**

Yes

No

Comments

**120-1. If yes, please specify the frequency of this assessment:**

Annual

Less frequent

More frequent

## C4. Please indicate the sources for answering the questions in this part

Sources: Law on Prosecution  
Information provided by the Prosecutor General's office

### 4. Fair trial

#### 4.1. Principles

##### 4.1.1 Principles of fair trial

**084. Percentage of first instance criminal in absentia judgments (cases in which the suspect is not attending the hearing in person nor is represented by a lawyer)?**

[            ]

[ ] NA

[ X ] NAP

Comments - Please add methodology for calculation used.

**085. Is there a procedure to effectively challenge a judge (recusal), if a party considers that the judge is not impartial?**

( X ) Yes

(   ) No

Comments - Please could you briefly specify:

**085-1. If yes, what is the ratio between the total number of initiated procedures and the total number of recusals pronounced (in the reference year):**

[            ]

[ X ] NA

Comments Statistics are not being elaborated.

**086. Is there in your country a monitoring system for the violations related to Article 6 of the European Convention on Human Rights?**

[ X ] For civil procedures (non-enforcement)

[ X ] For civil procedures (timeframe)

[ X ] For criminal procedures (timeframe)

[ ] NAP

Comments - Please specify what are the terms and conditions of this monitoring system (information related to acknowledged violations by ECHR at the State/courts level; implementation of internal systems to prevent other violations (that are similar) and if possible to

measure an evolution of the established violations):

**086-1. 1 Is there in your country a possibility to review a case after a finding of a violation of the European Convention on Human Rights by the European Court of Human Rights?**

Yes

No

NAP

Comments

**D1. Please indicate the sources for answering the questions in this part**

Sources: Judicial code of RA, Criminal Procedure Code of RA, Civil Procedure Code of RA, Administrative Procedure Code of RA, Law on the Representative of Armenia before the ECHR>

**4.2. Timeframe of proceedings**

**4.2.1 General information**

**087. Are there specific procedures for urgent matters regarding:**

civil cases

criminal cases

administrative cases

There is no specific procedure for urgent matters

Comments - If yes, please specify:

**088. Are there simplified procedures for:**

civil cases (small disputes)

criminal cases (misdemeanour cases)

administrative cases

There is no simplified procedure

Comments - If yes, please specify: The Civil procedure code provides the following simplified procedures- simplified for for claims for confiscation of amount not exceeding 2.000.000 AMD minimum wage of the day of filling the application, for cases where is a written agreement signed between all the parties to examine the case in a simplified procedure and there is not any objection, where is not counterclaim or where the amount of claim is not exceeding two thousand-fold of minimum wage, accelerated trial for different minor cases, order for payment procedurs and remote trial- in absentia (with the consent of the plaintiff or the plaintiffs the court shall have the right to institute remote trial in cases where the notified respondent has not appeared at the preliminary hearing.)

The Administrative Court Procedure provides written (simplified) procedures for simple cases and for cases, when judge finds the necessity to examine the case with written procedures. For criminal matters, the petty offences (for instance minor traffic offences or shoplifting) can not be processed through administrative or simplified procedures. The Criminal Court Procedure provides remote (in absetia) proceedings, when the accused avoids the criminal proceedings.

**088-1. For these simplified procedures, may judges deliver an oral judgement with a written order**

**and without the full reasoning of the judgement ?**

civil cases

criminal cases

administrative cases

Comments - If yes, please specify: Only during the simplified procedures described in Civil Procedure Code a judge makes a simplified judgement without full reasoning (Article 302, part 1 of Civil Procedure Code).

**089. Do courts and lawyers have the possibility to conclude agreements on arrangements for processing cases (presentation of files, decisions on timeframes for lawyers to submit their conclusions and on dates of hearings)?**

Yes

No

Comments - If yes, please specify:

**4.2.2 Case flow management – first instance**



**091. First instance courts: number of other than criminal law cases.**

	Pending cases on 1 Jan. ref. year	Incoming cases	Resolved cases	Pending cases on 31 Dec. ref. year	Pending cases older than 2 years from the date the case came to the first instance court
<b>Total of other than criminal law cases (1+2+3+4)</b>	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
<b>1. Civil (and commercial) litigious cases (including litigious enforcement cases and if possible without administrative law cases, see category 3)</b>	73 146 <input type="checkbox"/> NA <input type="checkbox"/> NAP	104 465 <input type="checkbox"/> NA <input type="checkbox"/> NAP	132 028 <input type="checkbox"/> NA <input type="checkbox"/> NAP	45 583 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
<b>2. Non litigious cases (2.1+2.2+2.3)</b>	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
<b>2.1. General civil (and commercial) non-litigious cases, e.g. uncontested payment orders, request for a change of name, non-litigious enforcement cases etc. (if possible without administrative law cases, see category 3; without registry cases and other cases, see categories 2.2 and 2.3)</b>	6 997 <input type="checkbox"/> NA <input type="checkbox"/> NAP	90 015 <input type="checkbox"/> NA <input type="checkbox"/> NAP	89 533 <input type="checkbox"/> NA <input type="checkbox"/> NAP	7 286 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
<b>2.2. Registry cases (2.2.1+2.2.2+2.2.3)</b>	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP



<b>2.2.1. Non litigious land registry cases</b>	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
<b>2.2.2 Non-litigious business registry cases</b>	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
<b>2.2.3. Other registry cases</b>	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
<b>2.3. Other non-litigious cases</b>	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
<b>3. Administrative law cases</b>	5 508 <input type="checkbox"/> NA <input type="checkbox"/> NAP	12 622 <input type="checkbox"/> NA <input type="checkbox"/> NAP	11 001 <input type="checkbox"/> NA <input type="checkbox"/> NAP	7 129 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
<b>4. Other cases</b>	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP

Comments There is no analysis which would examine the reasons for the increases or decreases on the case flow. But it should be noted that significant increases on the case flow for civil and commercial litigious cases is due to the addition of insolvency cases. The reason for the increase may also be the raising of the legal awareness of individuals. As for the increase of the resolved cases, it should be noted that it may be due to the legislative amendments and adoption of rules of simplified procedures, as these amendments led to a shortening of the proceedings for some cases.

**092. If courts deal with “civil (and commercial) non-litigious cases”, please indicate the case categories included:**

. Regarding the case categories, which are included in civil (and commercial) non-litigious cases, it should be noted that according to the statistics provided by the Judicial department the following cases are included: statement for recognition of sui juris (emancipated), cases on declaring a citizen as having no active legal capacity or limiting the active legal capacity of a citizen, cases on involuntary hospitalization of the citizen in the psychiatric organization, cases on recognition of the citizen as missing or dead, cases on finding out the inaccuracies in the records of civil acts, cases on considering property as ownerless, cases on on confirmation of the facts having legal value, cases on recovery of the rights on the lost bearer securities or order securities.

**093. Please indicate the case categories included in the category "other cases":**

. NAP

**094. First instance courts: number of criminal law cases.**

Pending cases on 1 Jan. ref. year	Incoming cases	Resolved cases	Pending cases on 31 Dec. ref. year	Pending cases older than 2 years from the date the case came to the first instance court

<b>Total of criminal law cases (1+2+3)</b>	2 600 [ ] NA [ ] NAP	3 743 [ ] NA [ ] NAP	2 714 [ ] NA [ ] NAP	3 629 [ ] NA [ ] NAP	[ X ] NA [ ] NAP
<b>1. Severe criminal cases</b>	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP
<b>2. Misdemeanour and / or minor criminal cases</b>	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP
<b>3. Other criminal cases</b>	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP

Comments - If you cannot make a distinction between misdemeanour criminal cases and severe criminal cases (according to the CEPEJ definitions), please specify what cases are reported in those categories. If “Other criminal cases”, please specify

#### 4.2.3 Case flow management – second instance



##### 097. Second instance courts (appeal): Number of “other than criminal law” cases.

	Pending cases on 1 Jan. ref. year	Incoming cases	Resolved cases	Pending cases on 31 Dec. ref. year	Pending cases older than 2 years from the date the case came to the second instance court
<b>Total of other than criminal law cases (1+2+3+4)</b>	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP
<b>1. Civil (and commercial) litigious cases (including litigious enforcement cases and if possible without administrative law cases, see category 3)</b>	790 [ ] NA [ ] NAP	6 417 [ ] NA [ ] NAP	6 020 [ ] NA [ ] NAP	556 [ ] NA [ ] NAP	[ X ] NA [ ] NAP
<b>2. Non litigious cases (2.1+2.2+2.3)</b>	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP
<b>2.1. General civil (and commercial) non-litigious cases, e.g. uncontested payment orders, request for a change of name, non-litigious enforcement cases etc. (if possible without administrative law cases, see category 3; without registry cases and other cases, see categories 2.2 and 2.3)</b>	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP
<b>2.2. Registry cases (2.2.1+2.2.2+2.2.3)</b>	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP

<b>2.2.1. Non litigious land registry cases</b>	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
<b>2.2.2 Non-litigious business registry cases</b>	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
<b>2.2.3. Other registry cases</b>	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
<b>2.3. Other non-litigious cases</b>	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
<b>3. Administrative law cases</b>	3 329 <input type="checkbox"/> NA <input type="checkbox"/> NAP	2 988 <input type="checkbox"/> NA <input type="checkbox"/> NAP	3 265 <input type="checkbox"/> NA <input type="checkbox"/> NAP	2 909 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
<b>4. Other cases</b>	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP

Comments - If "Other cases" please specify There may be different reasons for growth of civil (and commercial) litigious cases, inter alia, increase of public awareness on administrative issues, social- economic situation within the country, etc. It should be noted that there is no official analysis which would examine the reasons for the increases or decreases on the case flow.

Also in 2020 because of COVID less cases were examined and resolved. It should be noted that courts have not been closed during pandemic, but court staff was working by remote. Also, some documents (actions, applications, complaints, and responses to actions etc.) were submitted by electronic means to prevent the spread of the pandemic. Regarding how the pandemic affected the case flow data it should be noted that there is no official report on that issue.

Regarding the horizontal discrepancies it should be noted that while calculating data there are also cases which have been suspended, resumed, or sent to other courts if the case was submitted to the court which has no general or territorial jurisdiction.

#### 098. Second instance courts (appeal): Number of criminal law cases.

	<b>Pending cases on 1 Jan. ref. year</b>	<b>Incoming cases</b>	<b>Resolved cases</b>	<b>Pending cases on 31 Dec. ref. year</b>	<b>Pending cases older than 2 years from the date the case came to the second instance court</b>
<b>Total of criminal law cases (1+2+3)</b>	488 <input type="checkbox"/> NA <input type="checkbox"/> NAP	4 439 <input type="checkbox"/> NA <input type="checkbox"/> NAP	3 487 <input type="checkbox"/> NA <input type="checkbox"/> NAP	619 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
<b>1. Severe criminal cases</b>	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
<b>2. Misdemeanour and / or minor criminal cases</b>	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
<b>3. Other cases</b>	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP

Comments - If you cannot make a distinction between misdemeanour criminal cases and severe criminal cases (according to the CEPEJ definitions), please indicate the categories of cases reported in the category "serious offences" and cases reported in the category "minor offences". If "Other cases", please specify. Regarding the horizontal discrepancies it should be noted that while calculating data there are also cases which have been suspended, resumed, or sent to other courts if the case was submitted to the court which has no general or territorial jurisdiction.

## 4.2.4 Case flow management – Supreme Court



### 099. Highest instance courts (Supreme Court): Number of “other than criminal law” cases:

	Pending cases on 1 Jan. ref. year	Incoming cases	Resolved cases	Pending cases on 31 Dec. ref. year	Pending cases older than 2 years from the date the case came to the Supreme Court
<b>Total of other than criminal law cases (1+2+3+4)</b>	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP
<b>1. Civil (and commercial) litigious cases (including litigious enforcement cases and if possible without administrative law cases, see category 3)</b>	646 [ ] NA [ ] NAP	2 152 [ ] NA [ ] NAP	1 596 [ ] NA [ ] NAP	555 [ ] NA [ ] NAP	[ X ] NA [ ] NAP
<b>2. Non litigious cases (2.1+2.2+2.3)</b>	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP
<b>2.1. General civil (and commercial) non-litigious cases, e.g. uncontested payment orders, request for a change of name, non-litigious enforcement cases etc. (if possible without administrative law cases, see category 3; without registry cases and other cases, see categories 2.2 and 2.3)</b>	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP
<b>2.2. Registry cases (2.2.1+2.2.2+2.2.3)</b>	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP
<b>2.2.1. Non litigious land registry cases</b>	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP
<b>2.2.2 Non-litigious business registry cases</b>	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP
<b>2.2.3. Other registry cases</b>	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP
<b>2.3. Other non-litigious cases</b>	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP
<b>3. Administrative law cases</b>	286 [ ] NA [ ] NAP	1 156 [ ] NA [ ] NAP	882 [ ] NA [ ] NAP	274 [ ] NA [ ] NAP	[ X ] NA [ ] NAP
<b>4. Other cases</b>	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP

Comments - If “Other cases”, please specify Regarding the horizontal discrepancies it should be noted that while calculating data there are also cases which have been suspended, resumed, or sent to other courts if the case was submitted to the court which has no general or territorial jurisdiction

**099-1. At the level of the Highest court (Supreme Court), is there a procedure of manifest inadmissibility?**

( X ) Yes, please indicate the number of cases closed by this procedure: 1312

( ) No

Comments

**100. Highest instance courts (Supreme Court): Number of criminal law cases.**

	Pending cases on 1 Jan. ref. year	Incoming cases	Resolved cases	Pending cases on 31 Dec. ref. year	Pending cases older than 2 years from the date the case came to the Supreme Court
<b>Total of criminal law cases (1+2+3)</b>	353 [ ] NA [ ] NAP	1 630 [ ] NA [ ] NAP	1 622 [ ] NA [ ] NAP	116 [ ] NA [ ] NAP	[ X ] NA [ ] NAP
<b>1. Severe criminal cases</b>	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP
<b>2. Misdemeanour and / or minor criminal cases</b>	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP
<b>3. Other criminal cases</b>	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP

Comment - If you cannot make a distinction between misdemeanour criminal cases and severe criminal cases (according to the CEPEJ definitions), please specify what cases are reported in those categories.. If “Other criminal cases”, please specify Regarding the horizontal discrepancies it should be noted that while calculating data there are also cases which have been suspended, resumed, or sent to other courts if the case was submitted to the court which has no general or territorial jurisdiction

**4.2.5 Case flow management and timeframes – specific cases**



**101. Number of specific litigious cases received and processed by first instance courts.**

	Pending cases on 1 Jan. ref. year	Incoming cases	Resolved cases	Pending cases on 31 Dec ref. year	Pending for more than 2 years
<b>Litigious divorce cases</b>	1 104 [ ] NA [ ] NAP	1 323 [ ] NA [ ] NAP	1 180 [ ] NA [ ] NAP	982 [ ] NA [ ] NAP	[ X ] NA [ ] NAP
<b>Employment dismissal cases</b>	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP
<b>Insolvency</b>	7 055 [ ] NA [ ] NAP	3 612 [ ] NA [ ] NAP	2 053 [ ] NA [ ] NAP	7 344 [ ] NA [ ] NAP	[ X ] NA [ ] NAP
<b>Robbery case</b>	91 [ ] NA [ ] NAP	83 [ ] NA [ ] NAP	48 [ ] NA [ ] NAP	123 [ ] NA [ ] NAP	[ X ] NA [ ] NAP

<b>Intentional homicide</b>	113 <input type="checkbox"/> NA <input type="checkbox"/> NAP	55 <input type="checkbox"/> NA <input type="checkbox"/> NAP	25 <input type="checkbox"/> NA <input type="checkbox"/> NAP	142 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
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Comments the statistics are publish at court.am.

There has been an increase of the number of incoming insolvency cases since 2018, the reasons are not only legal reasons but also, social, economic, etc. There is no official report on that issue prepared by the Government of RA.

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### 101-0. Number of procedures/cases relating to asylum seekers and to the right of entry and stay for aliens.

	Pending cases on 1 Jan. ref. year	Incoming cases	Resolved cases	Pending cases on 31 Dec ref. year	Pending for more than 2 years
<b>Non-court procedures relating to asylum seekers (refugee status under the 1951 Geneva Convention)</b>	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
<b>Non-court procedures relating to the right of entry and stay for aliens</b>	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
<b>Court cases relating to asylum seekers (refugee status under the 1951 Geneva Convention)</b>	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
<b>Court cases relating to the right of entry and stay for aliens</b>	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP

Comments

### 101-1. Could you briefly describe the system in your country dealing with legal remedies relating to asylum seekers (refugee status under the 1951 Geneva Convention) and the right of entry and stay for aliens:

. According to the Law of the Republic of Armenia on Refugees and Asylum Article 2,

1. Asylum is the protection granted to a foreign citizen or stateless person in the Republic of Armenia, which guarantees the application of the principle defined in Article 9 of this Law, as well as all the rights granted under the Convention, present Law, and other legal acts of the Republic of Armenia to refugees recognized as such in the Republic of Armenia.
2. Asylum, as defined in the Paragraph 1 of this Article, shall further be extended to any foreign citizen or stateless person recognized as a refugee by another State, if he/she has legally entered the territory of the Republic of Armenia and has one of the resident permits issued based on the legislation of the Republic of Armenia, providing the right to legally reside in the country.
3. The granting of asylum shall be considered a peaceful and humanitarian gesture and shall in no manner be regarded as an unfriendly act, as it does not imply any judgement on the country of citizenship of the refugee or any other country.

Article 57. Appeal Against Decisions on Asylum Application and Recognition as Refugee

1. Asylum seekers and refugees shall have the right to appeal to the court against any negative decisions issued by the Designated Body to them in the course of the asylum procedure or any other administrative procedure based on the present Law. Appeals may be

launched within 30 days after notification on decision.

2. If the deadline defined in Paragraph 1 of the present Article is not met, the decision of the Designated Body becomes final. The period for launching an appeal may be renewed if

there are valid reasons, which do not fall within the sphere of influences of the appellant.

3. After the reason (reasons) for missing the appeal period disappears, the asylum seeker can present an appeal to the court within 15 days, but not later than within 3 months starting from the day s/he got acknowledgement of the decision by the Designated Body regarding his/her asylum application. 4. Negative decision of the Designated Body shall include information on the right to appeal and the periods for launching an appeal as defined in Paragraphs 1 and 2 of the present Article, as well as on applying to respective court.

5. Negative decisions of the Designated Body on asylum application or refugee recognition shall be considered final, if the asylum seeker did not appeal within the timeframe defined in Paragraph 3 of the present Article.

#### Article 7. Asylum for Family Members and Family Reunion

1. The spouse, the child under 18 years of age, and any other person under the lawful care of a refugee granted asylum in the Republic of Armenia shall also be considered refugees and accorded with asylum in the Republic of Armenia, if they reside together with the refugee in the territory of the Republic of Armenia and do not possess any citizenship - different from that of the refugee - providing effective protection.

2. Other relatives, or in-laws of a refugee granted asylum in the Republic of Armenia may also be considered refugees and accorded with asylum in the Republic of Armenia, provided

they reside together with the refugee in the territory of the Republic of Armenia, are dependent on him/her and do not possess any citizenship - different from that of the refugee - providing effective protection.

3. According to the criteria of Article 6 of the present Law, the parents of the child who is recognized as a refugee and received asylum in the Republic of Armenia, under 18 years old, as well as sisters and brothers above 18 who are disabled, are also considered refugees and granted asylum in the Republic of Armenia, if they reside together with the child who received refugee status and do not possess citizenship of another state – different from that of this child – providing effective protection. 4. Refugees granted asylum in the Republic of Armenia shall be entitled to family reunion with their family members specified in Paragraphs 1 and 3 of the present Article on the territory of the Republic of Armenia pursuant to the procedure stipulated in Article 54 of the present Law.

5. In case of cessation, or cancellation of the recognition as refugee, or the cessation of asylum of the refugee who was recognized first (hereafter: the principal refugee) pursuant to Article 53, of the present law, his/her family members, who have been recognised as refugees and obtained asylum in the Republic of Armenia according to Paragraphs 1, 2, or 3 of the present Article, shall forfeit their status together with the principle refugee. However, this shall not deprive them of the possibility to launch an asylum application immediately thereafter based on their personal reasons. They shall, however, if recognised as refugees and granted asylum not be able to confer their status to those family members, who have lost their recognition as refugees and the right to asylum by cessation, revocation, or cancellation.

#### Article 54. Procedure for Family Reunification

1. Family members of a refugee granted Asylum in the Republic of Armenia enumerated in Article 7, Paragraphs 1 and 3 of the present Law are entitled to refugee status and asylum in the Republic of Armenia, even if they are outside the boundaries of the Republic of Armenia.

2. Persons mentioned in Paragraph 1 of this Article, who reside outside the boundaries of the Republic of Armenia, and intend to join a refugee granted asylum in the Republic of Armenia, shall apply to the diplomatic representations and consular department of the Republic of Armenia in a respective country with the request for family reunification. The

relevant diplomatic representations and consular department of the Republic of Armenia shall record their application and forward it to the Designated Body.

In the cases of absence of a diplomatic representations and a consular institution of the Republic of Armenia in a respective country, the persons defined in Paragraph 1 of the present Article who reside outside the boundaries of the Republic of Armenia, and intend to join their family member recognized as a refugee and granted asylum in the Republic of Armenia, shall apply to the diplomatic representations and consular department of the Republic of Armenia in the closest country with request for family reunification.

3. The Designated Body, in co-operation with the designated body for Foreign Affairs, shall verify the information provided by the applicants and determine whether they fulfil the requirements stipulated in Article 7, Paragraphs 1 and 3 of the present Law.

4. If the Designated Body decides that the requirements of Paragraph 3 of the present Article are met, it shall grant refugee status and asylum to those persons on the basis of Article 52 Paragraph 3 and Article 53, Paragraph 5 of the present Law and shall inform about it the relevant diplomatic representation and consular department of the Republic of Armenia, through the designated body for Foreign Affairs, based on which the latter shall issue the family members granted asylum with valid visa for entering the Republic of Armenia. The Police shall issue them Convention Travel Documents upon arrival to the Republic of Armenia. (Amended as of 3 March 2011)

5. If the Designated Body considers that the requirements of Paragraph 3 of the present Article are not met, it shall make a decision on rejecting the application pursuant to Article 52, Paragraph 7 of the present Law, informing the diplomatic representation and consular department of the Republic of Armenia in the respective country through the designated body for Foreign Affairs. The latter informs the persons who submitted an asylum application. The refugee granted asylum in the Republic of Armenia may appeal the decision of the Designated Body pursuant to Article 57 of the present Law.

## 101-2. Number of cases relating to child sexual abuse and child pornography received and processed by first instance courts.

	Pending cases on 1 Jan. ref. year	Incoming cases	Resolved cases	Pending cases on 31 Dec ref. year	Pending cases older than 2 years from the date the case came to the first instance court
<b>Child sexual abuse</b>	19 [ ] NA [ ] NAP	24 [ ] NA [ ] NAP	25 [ ] NA [ ] NAP	18 [ ] NA [ ] NAP	[ X ] NA [ ] NAP
<b>Child pornography</b>	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP

Comments - Please explain what are the legal definitions of these categories of offences in your system: It should be noted that introduction of child pornography through computer systems or storage of child pornography in a computer system or in a computer data-storage system is a crime which is envisaged by the second part of the 263. Thus, this is a crime for which more strict punishment has been envisaged. Considering the fact that statistical data is collected for the whole article (in this case for the Article 263 (Dissemination of pornographic materials or objects)) and not for the parts of the article, the statistical data on cases regarding child pornography cases cannot be provided.

According to the Article 263 (2) of Criminal code, introduction of child pornography through computer systems or storage of child pornography in a computer system or in a computer data-storage system shall be punished by a fine in the amount of four-hundred-fold to eight-hundred-fold of the minimum salary or by detention for a term of maximum three months or by imprisonment for



a term of maximum three years. The same act which has been committed by an organized group shall be punished by imprisonment for a term of two to four years (Article 263 (3)). According to the Article 141 (1), sexual intercourse or other sexual actions with a person obviously below the age of sixteen by a person having attained the age of eighteen, where there are no elements of the criminal offences provided for in Article 138, 139 or 140 of this Code —shall be punished by a fine in the amount of one-hundred-fold to two-hundred-and-fifty-fold of the minimum salary or by imprisonment for a term of maximum two years. It should be noted that more strict criminal liability is also envisaged for rape, violent sexual actions and compelling to sexual intercourse or actions of sexual nature which has been committed against a minor (Articles 138, 139 and 140), but considering the fact that statistical data is collected for the whole article and not for the parts of the article, the statistical data cannot be provided. So, only the information on Article 141 has been provided.

**102. Percentage of decisions subject to appeal, average length of proceedings and percentage of cases pending for more than 3 years for all instances for specific litigious cases. The average length of proceedings has to be calculated from the date the application for judicial review is lodged to the date the judgment is made, without taking into account the investigation phase in criminal cases as well as enforcement procedure.**

	% of decisions subject to appeal	Average length in 1st instance (in days)	Average length in 2nd instance (in days)	Average length in 3rd instance (in days)	Average total length of the total procedure (in days)	% of cases pending for more than 3 years for all instances
<b>Civil and commercial litigious cases</b>	_____ Max numeric value allowed : 100  [ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	_____ Max numeric value allowed : 100  [ X ] NA [ ] NAP
<b>Litigious divorce cases</b>	_____ Max numeric value allowed : 100  [ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	_____ Max numeric value allowed : 100  [ X ] NA [ ] NAP
<b>Employment dismissal cases</b>	_____ Max numeric value allowed : 100  [ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	_____ Max numeric value allowed : 100  [ X ] NA [ ] NAP
<b>Insolvency cases</b>	_____ Max numeric value allowed : 100  [ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	_____ Max numeric value allowed : 100  [ X ] NA [ ] NAP
<b>Robbery cases</b>	_____ Max numeric value allowed : 100  [ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	_____ Max numeric value allowed : 100  [ X ] NA [ ] NAP
<b>Intentional homicide cases</b>	_____ Max numeric value allowed : 100  [ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	_____ Max numeric value allowed : 100  [ X ] NA [ ] NAP

**103. Where appropriate, please indicate the specific procedure regarding divorce cases (litigious and non-litigious):**

. In case of mutual agreement, the divorce is registered by the Agency for Registration of Acts of Civil Status. In case of a litigious case it goes to the court.

**104. How is the length of proceedings calculated for the six case categories of question 102? Please give a description of the calculation method.**

. NAP

**4.2.6 Case flow management – public prosecution**

**105. Role and powers of the public prosecutor in the criminal procedure (multiple options possible):**

[ X ] to conduct or supervise police investigation

[ ] to conduct investigations

[ ] when necessary, to request investigation measures from the judge

[ X ] to charge

[ X ] to present the case in court

[ X ] to propose a sentence to the judge

[ X ] to appeal

[ X ] to supervise the enforcement procedure

[ X ] to discontinue a case without needing a decision by a judge (ensure consistency with question 36!)

[ ] to end the case by imposing or negotiating a penalty or measure without requiring a judicial decision

[ X ] other significant powers (please specify): According to Armenian Constitution. The Prosecutor's Office, in the cases and under the procedure prescribed by law, shall: (1) instigate criminal prosecution; (2) exercise oversight over the lawfulness of pre-trial criminal proceedings; (3) pursue a charge at court; (4) appeal against the civil judgments, criminal judgments and decisions of courts; (5) exercise oversight over the lawfulness of applying punishments and other coercive measures.

Comments In regard of conducting or supervising police investigation, it should be noted that the term "supervising police investigation" is not envisaged by the RA legislation and the RA Prosecutor's Office does not have such authority.

However, if saying "police investigation" we should understand police operative-investigative activities, than in accordance with the Article 35 of the RA Law on Operative Investigation, the prosecutor exercises control over the legality of operative-investigative activities, while conducting procedural oversight of the preliminary investigation and inquiry in the scope of the powers vested to him by law, and if "police investigation" means investigation conducted by the police, than In accordance with the Constitution of the Republic of Armenia, the prosecutor's office exercises control over the legality of the investigation and preliminary investigation.

## 106. Does the public prosecutor also have a role in:

civil cases

administrative cases

insolvency cases

Comments - If yes, please specify:

## 107. Public prosecutors: Total number of 1st instance criminal cases.

	Number of cases
<b>1.Pending cases on 1 Jan. ref. year</b>	4 811 <input type="checkbox"/> NA <input type="checkbox"/> NAP
<b>2.Incoming/received cases</b>	29 923 <input type="checkbox"/> NA <input type="checkbox"/> NAP
<b>3.Processed cases (3.1+3.2+3.3+3.4)</b>	26 497 <input type="checkbox"/> NA <input type="checkbox"/> NAP
<b>3.1.Discontinued during the reference year (3.1.1+3.1.2+3.1.3+3.1.4.)</b>	7 857 <input type="checkbox"/> NA <input type="checkbox"/> NAP
<b>3.1.1 Discontinued by the public prosecutor because the offender could not be identified</b>	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
<b>3.1.2 Discontinued by the public prosecutor due to the lack of an established offence or a specific legal situation</b>	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
<b>3.1.3 Discontinued by the public prosecutor for reasons of opportunity</b>	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
<b>3.1.4 Discontinued for other reasons</b>	66 <input type="checkbox"/> NA <input type="checkbox"/> NAP
<b>3.2.Concluded by a penalty or a measure imposed or negotiated by the public prosecutor</b>	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
<b>3.3.Cases closed by the public prosecutor for other reasons</b>	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
<b>3.4.Cases brought to court</b>	3 702 <input type="checkbox"/> NA <input type="checkbox"/> NAP
<b>4.Pending cases on 31 Dec. ref. year</b>	8 237 <input type="checkbox"/> NA <input type="checkbox"/> NAP

Comments 7857 cases have been discontinued in the reference year, 3380 on justifying grounds, 4477 on non-justifying grounds.

The reasons mentioned in 3.1.4 are grounds established by the Article 35 (1) of the Criminal Procedure Code. Thus, according to the Article 35 (1) of the Criminal Procedure Code: Criminal case can not be instituted, and criminal prosecution may not be started, and the instituted criminal case shall be dismissed:

1) in the absence of any criminal act; 2) if the alleged act contains no corpus delicti;

- 3) if the alleged act, which has resulted in damages, is legitimate under criminal law;
- 4) in the event of absence of a complaint of the injured, in cases prescribed by this Code; 5) in the event of reconciliation of the injured party and the suspect or the accused, in cases prescribed by this Code; 6) the prescription has expired; 7) against the person and upon a cause, with respect to whom and upon which cause the court has already passed a judgment and such judgment has entered into legal force, or any other enforceable judicial decision is available to exclude criminal prosecution; 8) against the person and upon the same charge, with respect to whom and upon which charge the agency for inquest, the investigator, or the prosecutor has already made a decision denying criminal prosecution, and such decision is still in force;
- 9) At the moment of commitment of the crime the person had not reached the age punishable by law, as established by law;
- 10) The person died, except the cases when the proceedings are necessary to rehabilitate the rights of the deceased or to resume the case on occasion of new circumstances with regard to other persons; 11) The person refused to complete the crime of one's own accord, if the action already committed has no other formal elements of crime;
- 12) The person is liable to exemption from criminal liability as stipulated in the General Part of the Criminal Code of the Republic of Armenia. 13) Amnesty act has been adopted. The mentioned data was calculated by collecting the data received from the subdivisions of the RA Prosecutor's Office.

Regarding increase in the number of incoming cases it should be noted that 34.734 cases were investigated in 2020, and 4811 of these cases were transferred from the previous year (2019). It should be noted that there is no analysis which would examine the reasons for the increases or decreases on the case flow.

Referring to the terminology “justifying grounds” and “non justifying grounds” it should be noted that this terminology was suggested by the Cassation court of RA. Thus, grounds which are mentioned in the Article 35, part 1, points 1-3 and part 2 of the Criminal Procedure Code of RA, are considered as “justifying grounds”. As for the grounds mentioned in the Article 35, part 1, points 4-13, they are considered as “non justifying grounds”.

#### 107-1. If the guilty plea procedure exists, how many cases were concluded by this procedure?

	Total	Severe criminal cases	Misdemeanour and / or minor criminal cases
<b>Total number of guilty plea procedures</b>	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
<b>Before the main trial</b>	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
<b>During the main trial</b>	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP

Comments The guilty plea procedure exists in Armenia, the relevant provisions came into force in 27.07.2021, that is why there is no statistics of the number of guilty plea procedures.

#### 109. Do the figures provided in Q107 include traffic offence cases?

Yes

No

Comments The cases are not differentiated, the information is provided by the Prosecutor General's Office for all cases.

#### D2. Please indicate the sources for answering the questions in this part

Sources: Criminal Procedure Code of RA,  
information provided by the Prosecutor General's office.

## 5. Career of judges and public prosecutors

### 5.1. Recruitment and promotion

#### 5.1.1 Recruitment and promotion of judges

##### 110. How are judges recruited?

- mainly through a competitive exam (open competition)
- mainly through a recruitment procedure for experienced legal professionals (for example experienced lawyers)
- a combination of both (competitive exam and working experience)
- other (please specify): .....

Comments

##### 111. Authority(ies) responsible for recruitment - are judges initially/at the beginning of their career recruited and nominated by:

- An authority made up of judges only
- An authority made up of non-judges only
- An authority/authorities made up of judges and non-judges
- Other

Comments - Please indicate the name of the authority(ies) involved in the whole procedure of recruitment and nomination of judges. If there are several authorities, please describe their respective roles:

##### 111-1. How many members compose this authority?

	Total	Male	Female
<b>Members</b>	10	9	1
	<input type="checkbox"/> NA	<input type="checkbox"/> NA	<input type="checkbox"/> NA
	<input type="checkbox"/> NAP	<input type="checkbox"/> NAP	<input type="checkbox"/> NAP

Comments – Please specify what is the status of this authority and who is proposing its members?

##### 111-2. May non-selected candidates appeal against the decision on recruitment/appointment?

- Yes
- No

Comments – please specify which body is competent to decide on appeal?

##### 112. Is the same authority (Q111) competent for the promotion of judges?

- Yes
- No

Comments

##### 113. What is the procedure for the promotion of judges? (multiple answers possible)

- Competitive test / Exam

Other procedure (interview or other)

No special procedure

Comments - Please specify how the promotion procedure for judges is organised (especially if there is no competition or examination):

### **113-1. Please indicate the criteria used for the promotion of a judge? (multiple replies possible)**

Years of experience

Professional skills (and/or qualitative performance)

Performance (quantitative)

Subjective criteria (e.g. integrity, reputation)

Other

No criteria

Comments - Please specify any useful comment regarding the criteria (especially if you have checked the box “performance” or “other”):

## **5.1.2 Status, recruitment and promotion of prosecutors**

### **115. What is the status of public prosecution services?**

Has an independent status as a separate entity among state institutions

Is part of the executive power but enjoys functional independence (please briefly explain how and to what extent)

Is part of the executive power (without functional independence)

Is part of the judicial power but enjoys functional independence (please briefly explain how and to what extent)

Is part of the judicial power (without functional independence)

Is a mixed model (please explain)

Has other status (please explain)

Comments - When appropriate, please specify the objective guarantees of this independence (such as funding) and where they are enshrined (Constitution, legislation etc.). Furthermore, if “mixed model” or “other”, please specify.

### **115-1. Does the law or other regulation prevent specific instructions to prosecute or not, addressed to a public prosecutor?**

Yes

No

Comments - If yes, please specify:

### **115-2. If you answered “Yes” to Q115-1, are there exceptions provided by the law/regulations?**

Yes

No

Comments - Please describe these exceptions:

### **115-3. If you answered “No” to Q115-1, which authority can issue the specific instructions?**

General Prosecutor

Higher prosecutor/Head of prosecution office

Executive power

Other

Comments - If "Other", please specify: According to the Article 6 of the "Law on Prosecution" of RA, in the exercise of his/her powers, every prosecutor shall take decisions autonomously based on laws and inner conviction, and shall be responsible for decisions taken by him. Any interference with the prosecutor's activities, which is not prescribed by law, leads to legal liability and shall be prohibited. It should be noted that according to the Article 32, instructions of the superior prosecutor are mandatory for the subordinate prosecutor, except in cases when the subordinate prosecutor finds that instructions are illegal or unfounded. In that case the subordinate prosecutor shall not follow the given instructions and must file a written objection to the superior prosecutor, who gave the instruction, except in cases when the instruction was given by the General Prosecutor.

#### **115-4. What form these instructions may take?**

Oral instruction

Oral instruction with written confirmation

Written instruction

Other

NAP

Comments - If "Other", please specify:

#### **115-5. In that case, are the instructions:**

Issued seeking prior advice from the competent public prosecutor

Mandatory

Reasoned

Recorded in the case file

Other

NAP

Comments - If "Other", please specify:

#### **115-6. What is the frequency of this type of instructions:**

Exceptional

Occasional

Frequent

Systematic

NAP

Comments

#### **115-7. Can the public prosecutor oppose/report an instruction to an independent body?**

Yes

No

NAP

Comments - If yes, please specify to which body/institution and please describe under which conditions. The prosecutor can oppose the instructions and challenge them to the higher prosecutor.

#### **116. How are public prosecutors recruited?**

mainly through a competitive exam (open competition)

mainly through a recruitment procedure for experienced legal professionals (for example experienced lawyers)

a combination of both (competitive exam and working experience)

other (please specify): .....

Comments

**117. Authority(ies) responsible for recruitment - Are public prosecutors initially/at the beginning of their career recruited by:**

An authority composed of public prosecutors only

An authority composed of non-public prosecutors only

An authority composed of public prosecutors and non-public prosecutors

Other

Comments - Please indicate the name of the authority(ies) involved in the whole procedure of recruitment and nomination of public prosecutors. If there are several authorities, please describe their respective roles: The Qualification Commission is responsible for the recruitment and nomination of public prosecutors. According to article 23 of Law on Prosecution- The Qualification Commission shall have nine members, and for choosing the candidates of prosecutors for carrying out the activities stipulated in “Forfeiture of unlawfully acquired property” law, the Commission shall have 11 members.

The Qualification Commission shall consist of one deputy of the Prosecutor General, four prosecutors, three law academics and the Rector of the Academy of Justice, and in the 2-nd case the Commission shall include 2 experts (appointed by the Prosecutor General) having at least 3 year's experience in the field of forfeiture of unlawfully acquired property.

**117-1. How many members compose this authority?**

	Total	Male	Female
<b>Members</b>	9	7	2
	<input type="checkbox"/> NA	<input type="checkbox"/> NA	<input type="checkbox"/> NA
	<input type="checkbox"/> NAP	<input type="checkbox"/> NAP	<input type="checkbox"/> NAP

Comments - Please specify what is the status of this authority and who is proposing its members? For choosing the candidates of prosecutors for carrying out the activities stipulated in “Forfeiture of unlawfully acquired property” law, the Commission shall have 11 members- 9 man, 2 women.

**117-2. May non-selected candidates appeal against the decision on recruitment/appointment?**

Yes

No

Comments - Please specify which body is competent to decide on appeal?

**118. Is the same authority (Q.117) formally responsible for the promotion of public prosecutors?**

Yes

No, please specify which authority is competent for promoting public prosecutors .....

Comments

**119. What is the procedure for the promotion of prosecutors? (multiple answers possible)**

Competitive test / exam

Other procedure (interview or other)



No special procedure

Comments - Please specify how the promotion procedure for prosecutors is organised (especially if there is no competition or examination):

### **119-2. Please indicate the criteria used for the promotion of a prosecutor:**

Years of experience

Professional skills (and/or qualitative performance)

Performance (quantitative)

Subjective criteria (e.g. integrity, reputation)

Other

No criteria

Comments - Please, specify any useful comment regarding the criteria (especially if you have checked the box "performance" or "other"):

## **5.1.3Mandate and retirement of judges and prosecutors**

### **121. Are judges appointed to office for an undetermined period (i.e. "for life" = until the official age of retirement)?**

Yes, please indicate the compulsory retirement age:65

No

Comments - If yes, are there exceptions (e.g. dismissal as a disciplinary sanction)? Please specify:

### **121-1. Can a judge be transferred to another court without his/her consent:**

For disciplinary reasons

For organisational reasons

For other reasons (please specify modalities and safeguards): .....

No

Comments Judge's consent is mandatory.

### **122. Is there a probation period for judges (e.g. before being appointed "for life")? If yes, how long is this period?**

Yes, duration of the probation period (in years): .....

No

Comments

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

Yes, please indicate the compulsory retirement age:65

No

Comments - If yes, are there exceptions (e.g. dismissal as a disciplinary sanction)? Please specify:

### **124. Is there a probation period for public prosecutors? If yes, how long is this period?**

Yes, duration of the probation period (in years): .....

No

Comments

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

[            ]

NA

NAP

Comments

**125-1. Is it renewable?**

Yes

No

NAP

Comments

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

[            ]

NA

NAP

Comments

**126-1. Is it renewable?**

Yes

No

NAP

Comments

**E1. Please indicate the sources for answering the questions in this part**

Sources: Sources: The Constitution of RA

Judicial Code of RA

"Law on Prosecution" of RA

Information provided by the Prosecutor General's office

## 5.2. Training

### 5.2.1 Training of judges

**127. Types of different trainings offered to judges:**

	<b>Compulsory</b>	<b>Optional</b>	<b>No training proposed</b>
<b>Initial training (e.g. attend a judicial school, traineeship in a court)</b>	( X ) Yes ( ) No	( ) Yes ( X ) No	( ) Yes ( X ) No
<b>General in-service training</b>	( X ) Yes ( ) No	( ) Yes ( X ) No	( ) Yes ( X ) No
<b>In-service training for specialised judicial functions (e.g. judge for economic or administrative issues)</b>	( X ) Yes ( ) No	( ) Yes ( X ) No	( ) Yes ( X ) No
<b>In-service training for management functions of the court (e.g. court president)</b>	( X ) Yes ( ) No	( ) Yes ( X ) No	( ) Yes ( X ) No
<b>In-service training for the use of computer facilities in courts</b>	( ) Yes ( X ) No	( ) Yes ( X ) No	( X ) Yes ( ) No
<b>In-service training on ethics</b>	( X ) Yes ( ) No	( ) Yes ( X ) No	( ) Yes ( X ) No
<b>In-service training on child-friendly justice</b>	( ) Yes ( X ) No	( ) Yes ( X ) No	( X ) Yes ( ) No

Comments Judge candidates must attend initial training at the Academy of Justice. This is a precondition for becoming a judge. It should be mentioned, that a training course on the use of computer facilities in courts is regularly being held as part of the educational program for individuals included in the list of applicants for candidates of judges position.

## 128. Frequency of the in-service training of judges:

	<b>Frequency of the judges training</b>
<b>General in-service training</b>	[ X ] Regularly (for example every year) [ ] Occasional (as needed) [ ] No training proposed
<b>In-service training for specialised judicial functions (e.g. judge for economic or administrative issues)</b>	[ X ] Regularly (for example every year) [ ] Occasional (as needed) [ ] No training proposed
<b>In-service training for management functions of the court (e.g. court president)</b>	[ X ] Regularly (for example every year) [ ] Occasional (as needed) [ ] No training proposed
<b>In-service training for the use of computer facilities in courts</b>	[ ] Regularly (for example every year) [ ] Occasional (as needed) [ X ] No training proposed
<b>In-service training on ethics</b>	[ X ] Regularly (for example every year) [ ] Occasional (as needed) [ ] No training proposed

<b>In-service training on child-friendly justice</b>	<input type="checkbox"/> Regularly (for example every year) <input type="checkbox"/> Occasional (as needed) <input checked="" type="checkbox"/> No training proposed
--	--

Comments - Please indicate any information on the periodicity of the continuous training of judges:

## 5.2.2 Training of prosecutors

### 129. Types of different trainings offered to public prosecutors:

	<b>Compulsory</b>	<b>Optional</b>	<b>No training proposed</b>
<b>Initial training</b>	( X ) Yes ( ) No	( ) Yes ( X ) No	( ) Yes ( X ) No
<b>General in-service training</b>	( X ) Yes ( ) No	( ) Yes ( X ) No	( ) Yes ( X ) No
<b>In-service training for specialised functions (e.g. public prosecutors specialised in organised crime)</b>	( X ) Yes ( ) No	( ) Yes ( X ) No	( ) Yes ( X ) No
<b>In-service training for management functions (e.g. Head of prosecution office, manager)</b>	( X ) Yes ( ) No	( ) Yes ( X ) No	( ) Yes ( X ) No
<b>In-service training for the use of computer facilities in office</b>	( ) Yes ( X ) No	( ) Yes ( X ) No	( X ) Yes ( ) No
<b>In-service training on ethics</b>	( X ) Yes ( ) No	( ) Yes ( X ) No	( ) Yes ( X ) No
<b>In-service training on child-friendly justice</b>	( ) Yes ( X ) No	( ) Yes ( X ) No	( X ) Yes ( ) No

Comments In-service trainings on management functions are being held for prosecutors only as part of online educational module. A training course on the use of computer facilities in office is only being held for individuals included in the list of prosecutor candidates, as part of core curriculum.

### 130. Frequency of the in-service training of public prosecutors :

	<b>Frequency of the in-service training</b>
<b>General in-service training</b>	<input checked="" type="checkbox"/> Regularly (for example every year) <input type="checkbox"/> Occasional (as needed) <input type="checkbox"/> No training proposed
<b>In-service training for specialised functions (e.g. public prosecutor specialised in organised crime)</b>	<input checked="" type="checkbox"/> Regularly (for example every year) <input type="checkbox"/> Occasional (as needed) <input type="checkbox"/> No training proposed
<b>In-service training for management functions (e.g. Head of prosecution office, manager)</b>	<input checked="" type="checkbox"/> Regularly (for example every year) <input type="checkbox"/> Occasional (as needed) <input type="checkbox"/> No training proposed

<b>In-service training for the use of computer facilities in office</b>	<input type="checkbox"/> Regularly (for example every year) <input type="checkbox"/> Occasional (as needed) <input checked="" type="checkbox"/> No training proposed
<b>In-service training on ethics</b>	<input checked="" type="checkbox"/> Regularly (for example every year) <input type="checkbox"/> Occasional (as needed) <input type="checkbox"/> No training proposed
<b>In-service training on child-friendly justice</b>	<input type="checkbox"/> Regularly (for example every year) <input type="checkbox"/> Occasional (as needed) <input checked="" type="checkbox"/> No training proposed

Comments - Please indicate any information on the periodicity of the in-service training of prosecutors: Part 1- February 17- April 3  
Part 2- April 6- May 22  
Part 3- May 25-July 10  
Part 4- July 13- October 2  
the same periodicity for judges.

### 5.2.3 Training institutions

#### 131. Do you have public training institutions for judges and / or prosecutors?

	Initial training only	Continuous training only	Initial and continuous training
<b>Institution(s) for judges</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Institution(s) for prosecutors</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Institution(s) for both judges and prosecutors</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Comments

#### 131-0. If yes, what is the budget of such institution(s)?

	Budget of the institution(s) for the reference year, in €
<b>Institution(s) for judges</b>	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
<b>Institution(s) for prosecutors</b>	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
<b>Institution(s) for both judges and prosecutors</b>	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP

Comments The budget is not separated for the training institution. The amount of the overall budget named “ Special training services for judges, prosecutors, judges and prosecutors included in the list of candidates and bailiffs” is 230.527.700 AMD, which is equal to 421.440 euros. The Academy of Justice is funded from the state budget of the Republic of Armenia through the Ministry of Justice in the form of a grant, and through the Investigative Committee of the Republic of Armenia and the Corruption Prevention Committee under the service delivery contract.

**131-1. If judges and/or prosecutors have no compulsory initial training in such institutions, please indicate briefly how these judges and/or prosecutors are trained?**

. They have.

**5.2.4 Number of trainings**



**131-2. Number of in-service training courses available and delivered (in days) by the public institution(s) responsible for training**

	Number of in-person training courses available	Number of delivered in-person training courses in days	Online training courses available during the reference year (e-learning)
<b>Total</b>	98 [ ] NA [ ] NAP	83 [ ] NA [ ] NAP	9 [ ] NA [ ] NAP
<b>1. For judges</b>	39 [ ] NA [ ] NAP	38 [ ] NA [ ] NAP	5 [ ] NA [ ] NAP
<b>2. For prosecutors</b>	30 [ ] NA [ ] NAP	17 [ ] NA [ ] NAP	4 [ ] NA [ ] NAP
<b>3. For other non-judge staff</b>	0 [ ] NA [ ] NAP	0 [ ] NA [ ] NAP	0 [ ] NA [ ] NAP
<b>4. For other non-prosecutor staff</b>	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP
<b>5. Ttraining for other professionals</b>	29 [ ] NA [ ] NAP	28 [ ] NA [ ] NAP	0 [ ] NA [ ] NAP

Comments – please specify if there are training courses of judges and/or prosecutors that include other professionals in the field of justice. The trainings of judges and prosecutors organized by the Academy of Justice consist of two parts. The first part consists of general professional courses, which are organized in-person, and the second part consists of special professional courses, which are organized both in-person and online (it depends on the choice of trainees), but because of the pandemic both general and special professional courses have been replaced by online training courses (e-learning). In 2020, because of the pandemic, bailiffs’ courses were canceled and were not replaced by distance learning.

The special subjects training of judges was conducted from October 5 to December 11 of 2020 in 10 groups for 10 weeks - 50 days. The special subjects training of prosecutors was conducted from October 5 to November 6 of 2020 in 10 groups for 10 weeks - 50 days. The additional training of prosecutors was conducted on December 23 2020 in 1 group for 1 day. In 2020 the Academy of Justice did not conduct trainings for non-judge staff. It should be noted that non-judge staff include judicial officers. Non-judge staff cannot join trainings for other categories.

**131-3. Number of participants of the training courses during the reference year**

Number of participants in in-person training courses	Number of participants in online training courses (e-learning)
--	--

<b>Total</b>	712 <input type="checkbox"/> NA <input type="checkbox"/> NAP	308 <input type="checkbox"/> NA <input type="checkbox"/> NAP
<b>Judges</b>	231 <input type="checkbox"/> NA <input type="checkbox"/> NAP	153 <input type="checkbox"/> NA <input type="checkbox"/> NAP
<b>Prosecutors</b>	179 <input type="checkbox"/> NA <input type="checkbox"/> NAP	155 <input type="checkbox"/> NA <input type="checkbox"/> NAP
<b>Non-judge staff</b>	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP
<b>Non-prosecutor staff</b>	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
<b>Other professionals</b>	302 <input type="checkbox"/> NA <input type="checkbox"/> NAP	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP

Comments Non-judge staff include judicial officers.

### 5.3.Practice of the profession

#### 5.3.1Salaries and benefits of judges and prosecutors



#### 132. Salaries of judges and public prosecutors on 31 December of the reference year:

	Gross annual salary, in €	Net annual salary, in €	Gross annual salary, in local currency	Net annual salary, in local currency
<b>First instance professional judge at the beginning of his/her career</b>	16 453 <input type="checkbox"/> NA <input type="checkbox"/> NAP	12 668 <input type="checkbox"/> NA <input type="checkbox"/> NAP	8 598 200 <input type="checkbox"/> NA <input type="checkbox"/> NAP	6 620 614 <input type="checkbox"/> NA <input type="checkbox"/> NAP
<b>Judge of the Supreme Court or the Highest Appellate Court (please indicate the average salary of a judge at this level, and not the salary of the Court President)</b>	24 325 <input type="checkbox"/> NA <input type="checkbox"/> NAP	18 730 <input type="checkbox"/> NA <input type="checkbox"/> NAP	12 712 423 <input type="checkbox"/> NA <input type="checkbox"/> NAP	9 788 571 <input type="checkbox"/> NA <input type="checkbox"/> NAP
<b>Public prosecutor at the beginning of his/her career</b>	7 651 <input type="checkbox"/> NA <input type="checkbox"/> NAP	5 597 <input type="checkbox"/> NA <input type="checkbox"/> NAP	4 904 940 <input type="checkbox"/> NA <input type="checkbox"/> NAP	3 588 180 <input type="checkbox"/> NA <input type="checkbox"/> NAP
<b>Public prosecutor of the Supreme Court or the Highest Appellate Instance (please indicate the average salary of a public prosecutor at this level, and not the salary of the Attorney General).</b>	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP

Comments Special fee for judges is 30% of their salary (the special fee is an additional remuneration which is not based on performance/other criteria and mainly it is the same for all judges).

Thus, we have the following picture.

First instance professional judge at the beginning of his/her career- all with special fees

Gross annual salary- 21,009, net annual- 16,177, gross salary 10,979,240, net annual 8,454,015.

Judge of the Supreme Court or the Highest Appellate Court-

### 133. Do judges and public prosecutors have additional benefits?

	Judges	Public prosecutors
<b>Reduced taxation</b>	( ) Yes ( X ) No	( ) Yes ( X ) No
<b>Special pension</b>	( X ) Yes ( ) No	( X ) Yes ( ) No
<b>Housing</b>	( ) Yes ( X ) No	( ) Yes ( X ) No
<b>Other financial benefit</b>	( X ) Yes ( ) No	( X ) Yes ( ) No

Comments A judge or a prosecutor appointed to a position outside the place of his or her permanent residence shall, based on his or her application, be provided with compensation equal to the rent of an apartment in the given place.

The additional salary includes supplements and surcharges. It must be noted, however, that the 2019-2023 Strategy of Judicial and Legal Reforms provides for increase of salaries for judges, their staff and prosecutors.

### 134. If “other financial benefit”, please specify:

. According to Article 65 of the RA Law on the Prosecutor's Office, the Prosecutor may be granted a one-time financial assistance in the amount prescribed by the Prosecutor General within the salary fund, and according to Article 66 of the same law: Property damage caused to the prosecutor or his / her family members due to the fulfillment of obligations shall be compensated by the state in the manner prescribed by law.

The state provides free examinations and treatment of prosecutors. The examination and treatment of the prosecutor's health condition is carried out in the medical institutions mentioned in the list approved by the Police of the Republic of Armenia and the Ministry of Defense of the Republic of Armenia.

[ ] NAP

=

### 135. Can judges combine their work with any of the following functions/activities?

	With remuneration	Without remuneration
<b>Teaching</b>	( X ) Yes ( ) No	( X ) Yes ( ) No
<b>Research and publication</b>	( X ) Yes ( ) No	( X ) Yes ( ) No
<b>Arbitrator</b>	( ) Yes ( X ) No	( ) Yes ( X ) No
<b>Consultant</b>	( ) Yes ( X ) No	( X ) Yes ( ) No
<b>Cultural function</b>	( X ) Yes ( ) No	( X ) Yes ( ) No



<b>Political function</b>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
<b>Mediator</b>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
<b>Other function</b>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

Comments - If rules exist in your country (e.g. authorisation needed to perform these activities), please specify. If “other function”, please specify.

### 137. Can public prosecutors combine their work with any of the following functions/activities?

	With remuneration	Without remuneration
<b>Teaching</b>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
<b>Research and publication</b>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
<b>Arbitrator</b>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
<b>Consultant</b>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
<b>Cultural function</b>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
<b>Political function</b>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
<b>Mediator</b>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
<b>Other function</b>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

Comments - If rules exist in your country (e.g. authorisation needed to perform these activities), please specify. If “other function”, please specify:

### 139. Productivity bonuses: do judges receive bonuses based on the fulfilment of quantitative objectives in relation to the number of resolved cases (e.g. number of cases resolved over a given period of time)?

Yes

No

Comments - If yes, please specify the conditions and if possible the amounts:

### 5.3.2 Body/institution of ethics

#### 138. Is there in your country an institution / body giving opinions on ethical questions of the conduct of judges (e.g. involvement in political life, use of social media by judges, etc.)

Yes

No

Comments The possibility of applying to Disciplinary commission for advice on the rule of ethics and conduct has been eliminated based on Venice Commissions report and the concerns that we have. Specifically, a Disciplinary body responsible for initiating a disciplinary should not have the authority to interpret those rules.

There is no body in the judiciary which can be authorised to give advice on ethical rules. Besides, the advice will lead to complying to the interpretation, which can be explained differently by the Supreme Judicial Council, which is responsible for applying disciplinary measures. Thus, contradicting opinions will exist regarding the same rule. The status of advice on ethics or rules of conduct and its influence should be clear and not lead to conflicting situations.

**138-1. If yes, who are the members of this institution/body?**

- Only judges
- Judges and other legal professionals
- Other, please specify: .....

Comments

**138-2. Are the opinions of this institution / body publicly available?**

- Yes
  - No
- NAP

Comments - Please describe the work of this institution / body, the frequency of opinions, etc.

**138-3. Is there in your country an institution / body giving opinions on ethical questions of the conduct of prosecutors (e.g. involvement in political life, use of social media by prosecutors, etc.)**

- Yes
- No

Comments

**138-4. If yes, who are the members of this institution/body?**

- Only prosecutors
- Prosecutors and other legal professionals
- Other, please specify: .....

Comments Pursuant to Article 57(10) of the RA Law on the Prosecutor's Office, the prosecutor may apply to the Ethics Committee for advisory comments on the prosecutor's code of conduct, and the Ethics Committee, in accordance consists of of seven members.

**138-5. Are the opinions of this institution / body publicly available?**

- Yes
  - No
- NAP

Comments - Please describe the work of this institution / body, the frequency of opinions, etc. In practice, there has been only one case when prosecutor realizing the disciplinary proceedings applied to the Ethics Committee for an advisory opinion.

**5.4. Disciplinary procedures**

**5.4.1 Authorities responsible for disciplinary procedures and sanctions**

**140. Who is authorised to initiate disciplinary proceedings against judges (multiple replies**

**possible)?**

- Court users
- Relevant Court or hierarchical superior
- High Court / Supreme Court
- High Judicial Council
- Disciplinary court
- Disciplinary body (disciplinary prosecutor, investigator etc.)
- Ombudsman
- Parliament
- Executive power (please specify): Ministry of Justice
- Other (please specify): .....
- This is not possible

Comments

**141. Who is authorised to initiate disciplinary proceedings against public prosecutors: (multiple replies possible):**

- Citizens
- Head of the organisational unit or hierarchical superior public prosecutor
- Prosecutor General /State public prosecutor
- Public prosecutorial Council (High Judicial Council)
- Disciplinary court
- Disciplinary body (disciplinary prosecutor, investigator etc.)
- Ombudsman
- Professional body
- Executive power (please specify): .....
- Other (please specify): .....
- This is not possible

Comments

**142. Which authority has disciplinary power over judges? (multiple replies possible)**

- Court
- Higher Court / Supreme Court
- High Judicial Council
- Disciplinary court or body
- Ombudsman
- Parliament
- Executive power (please specify): .....
- Other (please specify): .....

**143. Which authority has disciplinary power over public prosecutors? (multiple replies possible)**

- Supreme Court
- Head of the organisational unit or hierarchical superior
- Prosecutor General /State public prosecutor
- Public prosecutorial Council (High Judicial Council)
- Disciplinary court or body
- Ombudsman
- Professional body
- Executive power (please specify): .....
- Other (please specify): .....

Comments

**5.4.2 Number of disciplinary procedures and sanctions**

**144. Number of disciplinary proceedings initiated during the reference year against judges and public prosecutors. (If a disciplinary proceeding is undertaken because of several reasons, please count the proceedings only once and for the main reason.)**

	Judges	Prosecutors
<b>Total number (1+2+3+4)</b>	39 <input type="checkbox"/> NA <input type="checkbox"/> NAP	7 <input type="checkbox"/> NA <input type="checkbox"/> NAP
<b>1. Breach of professional ethics</b>	10 <input type="checkbox"/> NA <input type="checkbox"/> NAP	2 <input type="checkbox"/> NA <input type="checkbox"/> NAP
<b>2. Professional inadequacy</b>	29 <input type="checkbox"/> NA <input type="checkbox"/> NAP	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP
<b>3. Criminal offence</b>	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP
<b>4. Other</b>	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	5 <input type="checkbox"/> NA <input type="checkbox"/> NAP

Comments - If “other”, please specify: Non-performance or improper performance of duties was the basis for initiating disciplinary proceedings against 5 prosecutors in 5 cases in the reporting year.

39 is the number of disciplinary procedurs initiated by the Ministry of Justice and Etichs and Disciplinary commission of judges. Only 16 of them were referred to SJC (11-MOJ, 5-Commission).

Professional inadequacy-includes violation of the provisions of substantive or procedural law, which has been committed deliberately or with gross negligence, while administering justice or exercising, as a court, other powers provided for by law.

**145. Number of sanctions pronounced during the reference year against judges and public prosecutors:**

	Judges	Prosecutors
<b>Total number (total 1 to 10)</b>	10 [ ] NA [ ] NAP	5 [ ] NA [ ] NAP
<b>1. Reprimand</b>	3 [ ] NA [ ] NAP	3 [ ] NA [ ] NAP
<b>2. Suspension</b>	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP
<b>3. Withdrawal from cases</b>	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP
<b>4. Fine</b>	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP
<b>5. Temporary reduction of salary</b>	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP
<b>6. Position downgrade</b>	[ ] NA [ X ] NAP	1 [ ] NA [ ] NAP
<b>7. Transfer to another geographical (court) location</b>	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP
<b>8. Resignation</b>	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP
<b>9. Other</b>	5 [ ] NA [ ] NAP	0 [ ] NA [ ] NAP
<b>10. Dismissal</b>	2 [ ] NA [ ] NAP	1 [ ] NA [ ] NAP

Comments - If "other", please specify. If a significant difference exists between the number of disciplinary proceedings and the number of sanctions, please indicate the reasons. Other sanctions-5= 2 severe reprimands, 3 warnings  
2 criminal cases are being examined against judges.

### E3. Please indicate the sources for answering the questions in this part

Sources: Information is Provided by the Judicial Department and Prosecutor General's Office.

## 6.Lawyers

### 6.1.Profession of lawyer

#### 6.1.1Status of the profession of lawyers

**146. Total number of lawyers practising in your country:**

	Total	Male	Female
Number of lawyers	2 240 <input type="checkbox"/> NA	1 234 <input type="checkbox"/> NA	1 006 <input type="checkbox"/> NA

Comments

**147. Does this figure include “legal advisors” who cannot represent their clients in court (for example, some solicitors or in-house counsellors)?**

Yes ( )

No ( X )

Comments

**148. Number of legal advisors who cannot represent their clients in court:**

[ ]

NA

NAP

Comments

=

**149. Is legal representation in courts exclusively exercised by lawyers in: (multiple replies possible)**

	First instance	Second instance	Highest instance court (Supreme Court)
<b>Civil cases</b>	( X ) Yes always ( ) Yes in some cases ( ) No <input type="checkbox"/> NAP	( X ) Yes always ( ) Yes in some cases ( ) No <input type="checkbox"/> NAP	( X ) Yes always ( ) Yes in some cases ( ) No <input type="checkbox"/> NAP
<b>Dismissal cases</b>	( X ) Yes always ( ) Yes in some cases ( ) No <input type="checkbox"/> NAP	( X ) Yes always ( ) Yes in some cases ( ) No <input type="checkbox"/> NAP	( X ) Yes always ( ) Yes in some cases ( ) No <input type="checkbox"/> NAP
<b>Criminal cases – Defendant</b>	( X ) Yes always ( ) Yes in some cases ( ) No <input type="checkbox"/> NAP	( X ) Yes always ( ) Yes in some cases ( ) No <input type="checkbox"/> NAP	( X ) Yes always ( ) Yes in some cases ( ) No <input type="checkbox"/> NAP
<b>Criminal cases – Victim</b>	( X ) Yes always ( ) Yes in some cases ( ) No <input type="checkbox"/> NAP	( X ) Yes always ( ) Yes in some cases ( ) No <input type="checkbox"/> NAP	( X ) Yes always ( ) Yes in some cases ( ) No <input type="checkbox"/> NAP
<b>Administrative cases</b>	( ) Yes always ( ) Yes in some cases ( X ) No <input type="checkbox"/> NAP	( ) Yes always ( ) Yes in some cases ( X ) No <input type="checkbox"/> NAP	( ) Yes always ( ) Yes in some cases ( X ) No <input type="checkbox"/> NAP

Comments - Please indicate any useful clarifications regarding the content of lawyers' exclusive rights: In all cases except for the

administrative cases the representation is carried out only by licensed advocates, the only exceptions for non-attorney lawyers are the followings:

- they may represent their close relatives in courts and represent the companies whose more than 50 percent shares belong to their close relatives. At the same time, NGOs with relevant PoAs may represent a group of plaintiffs.

In administrative cases representation can be done by anyone.

**149-0. If other than lawyers may represent a client in court, please specify who:**

	First instance	Second instance	Highest instance court (Supreme Court)
<b>Civil society organisation</b>	( X ) Yes ( ) No	( X ) Yes ( ) No	( X ) Yes ( ) No
<b>Family member</b>	( X ) Yes ( ) No	( X ) Yes ( ) No	( X ) Yes ( ) No
<b>Self-representation</b>	( X ) Yes ( ) No	( X ) Yes ( ) No	( X ) Yes ( ) No
<b>Trade union</b>	( ) Yes ( X ) No	( ) Yes ( X ) No	( ) Yes ( X ) No
<b>Other</b>	( ) Yes ( X ) No	( ) Yes ( X ) No	( ) Yes ( X ) No

Comments - If "other", please specify. In addition, for the categories selected please specify the types of cases concerned by this/these representation(s):

**149-1. In addition to the functions of legal representation and legal advice, can a lawyer exercise other activities?**

- Notarial activity
- Arbitration / mediation
- Proxy / representation
- Property manager
- Real estate agent
- Other law activities (please specify):scientific, research and other activities

Comments

**149-2. What are the statuses for exercising the profession of lawyer?**

- Self-employed lawyer
- Staff lawyer
- In-house lawyer

Comments

**150. Is the lawyer profession organised through:**

- a national bar association
- a regional bar association
- a local bar association

Comments

**151. Is there a specific initial training and/or exam to enter the profession of lawyer?**

Yes

No

Comments - Please indicate if there are other specific requirements as regards diplomas or university degrees:

**152. Is there a mandatory general in-service professional training system for lawyers?**

Yes

No

Comments

**153. Is the specialisation in some legal fields linked to specific training, levels of qualification, specific diploma or specific authorisations?**

Yes

No

Comments - If yes, please specify:

**F1. Please indicate the sources for answering the questions in this part**

Sources: Law on Advocacy,  
information provided by the Chamber of Advocates of RA

**6.1.2 Practicing the profession**

**154. Can court users establish easily what the lawyers' fees will be (i.e. a prior information on the foreseeable amount of fees)?**

Yes

No

Comments

**155. Are lawyers' fees freely negotiated?**

Yes

No

Comments

**156. Do laws or bar standards provide any rules on lawyers' fees (including those freely negotiated)?**

Yes, laws provide rules

Yes, standards of the bar association provide rules

No, neither laws nor bar association standards provide rules





### 6.1.3 Quality standards and disciplinary procedures

#### 157. Have quality standards been determined for lawyers?

- Yes
- No

Comments - If yes, what are the quality criteria used?

#### 158. If yes, who is responsible for formulating these quality standards:

- the bar association
- the Parliament
- other (please specify): .....

Comments

#### 159. Is it possible to file a complaint about:

- the performance of lawyers
- the amount of fees

Comments - Please specify:

#### 160. Which authority is responsible for disciplinary procedures?

- a judge
- Ministry of Justice
- a professional authority
- other (please specify): .....

Comments

#### 161. Disciplinary proceedings initiated against lawyers. (If a disciplinary proceeding is undertaken because of several reasons, please count the proceedings only once and for the main reason.)

	Number of disciplinary proceedings
<b>Total number of disciplinary proceedings initiated (1 + 2 + 3 + 4)</b>	180 <input type="checkbox"/> NA <input type="checkbox"/> NAP
<b>1. Breach of professional ethics</b>	26 <input type="checkbox"/> NA <input type="checkbox"/> NAP
<b>2. Professional inadequacy</b>	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP
<b>3. Criminal offence</b>	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
<b>4. Other</b>	154 <input type="checkbox"/> NA <input type="checkbox"/> NAP

Comments - If "other", please specify: 154 relates to not paying the membership fee.

Criminal offence can not be ground for disciplinary proceedings.

## 162. Sanctions pronounced against lawyers.

	Number of sanctions
<b>Total number of sanctions (1 + 2 + 3 + 4 + 5)</b>	46 [ ] NA [ ] NAP
<b>1. Reprimand</b>	45 [ ] NA [ ] NAP
<b>2. Suspension</b>	0 [ ] NA [ ] NAP
<b>3. Withdrawal from cases</b>	[ ] NA [ X ] NAP
<b>4. Fine</b>	0 [ ] NA [ ] NAP
<b>5. Other</b>	1 [ ] NA [ ] NAP

Comments - If "other", please specify. If a significant difference between the number of disciplinary proceedings and the number of sanctions exists, please indicate the reasons. Participation in additional training courses- 1.

## 7. Court related mediation and other alternative Dispute Resolution

### 7.1. Court related mediation

#### 7.1.1 Details on court related mediation

#### 163. Does the judicial system provide for court-related mediation procedures?

Yes

No

Comments

#### 163-1. In some fields, does the judicial system provide for mandatory mediation with a mediator?

Before/instead of going to court

Ordered by the court, the judge, the public prosecutor or a public authority in the course of a judicial proceeding

No mandatory mediation

Comments - If there is mandatory mediation, please specify which fields are concerned: Article 184 (2) of Civil Procedure Code prescribes that if the judge believes that there is a great possibility of amicable settlement between the parties he/she may refer parties to 4 hour free of charge mediation.

#### 163-2. In some fields, does the legal system provide for mandatory informative sessions with a mediator?

( ) Yes

( X ) No

Comments - If there are mandatory informative sessions, please specify which fields are concerned:

**164. Please specify, by type of cases, who provides court-related mediation services:**

	Private mediator	Public authority (other than the court)	Judge	Public prosecutor
<b>Civil and commercial cases</b>	( X ) Yes ( ) No [ ] NAP	( ) Yes ( X ) No [ ] NAP	( ) Yes ( X ) No [ ] NAP	( ) Yes ( X ) No [ ] NAP
<b>Family cases</b>	( X ) Yes ( ) No [ ] NAP	( ) Yes ( X ) No [ ] NAP	( ) Yes ( X ) No [ ] NAP	( ) Yes ( X ) No [ ] NAP
<b>Administrative cases</b>	( ) Yes ( ) No [ X ] NAP	( ) Yes ( ) No [ X ] NAP	( ) Yes ( ) No [ X ] NAP	( ) Yes ( ) No [ X ] NAP
<b>Labour cases including employment dismissals</b>	( X ) Yes ( ) No [ ] NAP	( ) Yes ( X ) No [ ] NAP	( ) Yes ( X ) No [ ] NAP	( ) Yes ( X ) No [ ] NAP
<b>Criminal cases</b>	( ) Yes ( ) No [ X ] NAP	( ) Yes ( ) No [ X ] NAP	( ) Yes ( ) No [ X ] NAP	( ) Yes ( ) No [ X ] NAP
<b>Consumer cases</b>	( X ) Yes ( ) No [ ] NAP	( X ) Yes ( ) No [ ] NAP	( ) Yes ( X ) No [ ] NAP	( ) Yes ( X ) No [ ] NAP

Comments

**165. Is there a possibility to receive legal aid for court-related mediation or receive these services free of charge?**

( X ) Yes

( ) No

[ ] NAP

Comments - If yes, please specify (only one or both options)::

=

**166. Number of accredited or registered mediators for court-related mediation:**

	Total	Males	Females
<b>Number of mediators</b>	55 [ ] NA [ ] NAP	32 [ ] NA [ ] NAP	23 [ ] NA [ ] NAP

Comments

**167. Number of court-related mediations:**

	Number of cases for which the parties agreed to start mediation	Number of finished court-related mediations	Number of cases in which there is a settlement agreement
<b>Total ( 1 + 2 + 3 + 4 + 5 + 6)</b>	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
<b>1. Civil and commercial cases</b>	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
<b>2. Family cases</b>	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
<b>3. Administrative cases</b>	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
<b>4. Labour cases including employment dismissal cases</b>	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
<b>5. Criminal cases</b>	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
<b>6. Consumer cases</b>	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP

Comments - Please indicate the source:

=

**168. Do the following alternative dispute resolution (ADR) methods exist in your country?**

- Mediation other than court-related mediation
- Arbitration
- Conciliation (if different from mediation)
- Other ADR (please specify): .....

Comments From the Law on Mediation it is obvious that there are three types of mediation - 1. the mediation based on mutual agreement of parties which is regulated by the same law, 2. the mediation based on court decision, which is regulated by the Civil Procedure Code, and 3. Financial mediation which is regulated by the Law on Financial Mediation system. It is worth to note that both 1st and 2nd types of mediation were envisaged by relevant laws adopted in 2018. The Law on Financial mediation system exists since 2008.

**G1. Please indicate the sources for answering the questions in this part**

Source: moj.am  
the Law on Financial Mediation system  
the Law on Mediation  
the Civil Procedure code

## 8. Enforcement of court decisions

### 8.1. Execution of decisions in civil matters

#### 8.1.1 Number of enforcement agents, status and mandate

##### 169. Number and type of enforcement agents in your country.

	Total	Male	Female
<b>Total (1+2+3+4)</b>	309 [ ] NA	234 [ ] NA	75 [ ] NA
<b>1. Private professionals under the authority (control) of public authorities</b>	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP
<b>2. Enforcement agents working in a public institution (civil servants paid by state)</b>	309 [ ] NA [ ] NAP	234 [ ] NA [ ] NAP	75 [ ] NA [ ] NAP
<b>3. Judges</b>	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP
<b>4. Other</b>	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP

Comments - If other, please specify their status and competences: There are 365 positions for enforcement agents, but 56 of them are vacant, that is why the total amount is shown 309.

##### 170. What are the requirements to access the profession of enforcement agent (multiple replies possible)?

- diploma
- professional experience
- specific exam
- appointment procedure by the State
- initial training
- other

Comments - If "other", please specify:

##### 171. Are enforcement agents appointed to office for an undetermined period (i.e. "for life" = until the official age of retirement)?

- Yes, please indicate the age of retirement: 55
- No, please specify the duration of the appointment: .....

Comments - If yes, are there exceptions (e.g. dismissal as a disciplinary sanction)? Please specify:

#### 8.1.2 Activities/scope of competence

##### 171-1. Which debtor's information can the enforcement agent access at the beginning of the enforcement procedure?

	Access to information	Direct electronic access to information
Address	( X ) Yes ( ) No	( ) Yes ( X ) No
Date of birth	( X ) Yes ( ) No	( ) Yes ( X ) No
Civil status	( X ) Yes ( ) No	( ) Yes ( X ) No
Cohabitant	( ) Yes ( X ) No	( ) Yes ( X ) No
Employer	( X ) Yes ( ) No	( ) Yes ( X ) No
Motor vehicle	( X ) Yes ( ) No	( ) Yes ( X ) No
Movable property	( X ) Yes ( ) No	( ) Yes ( X ) No
Immovable property	( X ) Yes ( ) No	( ) Yes ( X ) No
Bank account	( X ) Yes ( ) No	( ) Yes ( X ) No
Other enforcement proceedings underway	( X ) Yes ( ) No	( X ) Yes ( ) No
Insolvency proceedings (bankruptcy, judicial reorganisation, collective debt settlement etc.)	( X ) Yes ( ) No	( ) Yes ( X ) No
Other	( ) Yes ( X ) No	( ) Yes ( X ) No

Comments - If "other", please specify:

**171-2. Can the enforcement agent carry out the following civil enforcement proceedings:**

	Option
Seizure of movable tangible properties	( X ) Yes, exclusively performed by enforcement agents ( ) Yes, but not exclusively performed by enforcement agents ( ) No [ ] NAP
Preventive seizure of movable tangible properties	( X ) Yes, exclusively performed by enforcement agents ( ) Yes, but not exclusively performed by enforcement agents ( ) No [ ] NAP

<b>Seizure of immovable properties</b>	<input checked="" type="checkbox"/> Yes, exclusively performed by enforcement agents <input type="checkbox"/> Yes, but not exclusively performed by enforcement agents <input type="checkbox"/> No <input type="checkbox"/> NAP
<b>Preventive seizure of immovable properties</b>	<input checked="" type="checkbox"/> Yes, exclusively performed by enforcement agents <input type="checkbox"/> Yes, but not exclusively performed by enforcement agents <input type="checkbox"/> No <input type="checkbox"/> NAP
<b>Seizure from a third party of the debtor claims regarding a sum of money</b>	<input checked="" type="checkbox"/> Yes, exclusively performed by enforcement agents <input type="checkbox"/> Yes, but not exclusively performed by enforcement agents <input type="checkbox"/> No <input type="checkbox"/> NAP
<b>Seizure of remunerations</b>	<input checked="" type="checkbox"/> Yes, exclusively performed by enforcement agents <input type="checkbox"/> Yes, but not exclusively performed by enforcement agents <input type="checkbox"/> No <input type="checkbox"/> NAP
<b>Seizure of motorised vehicles</b>	<input checked="" type="checkbox"/> Yes, exclusively performed by enforcement agents <input type="checkbox"/> Yes, but not exclusively performed by enforcement agents <input type="checkbox"/> No <input type="checkbox"/> NAP
<b>Eviction measures</b>	<input type="checkbox"/> Yes, exclusively performed by enforcement agents <input checked="" type="checkbox"/> Yes, but not exclusively performed by enforcement agents <input type="checkbox"/> No <input type="checkbox"/> NAP
<b>Seizures of boats and ships</b>	<input type="checkbox"/> Yes, exclusively performed by enforcement agents <input type="checkbox"/> Yes, but not exclusively performed by enforcement agents <input type="checkbox"/> No <input checked="" type="checkbox"/> NAP
<b>Seizure of aircrafts</b>	<input type="checkbox"/> Yes, exclusively performed by enforcement agents <input type="checkbox"/> Yes, but not exclusively performed by enforcement agents <input type="checkbox"/> No <input checked="" type="checkbox"/> NAP

<b>Seizure of electronic assets (e.g cryptocurrency)</b>	<input checked="" type="checkbox"/> Yes, exclusively performed by enforcement agents <input type="checkbox"/> Yes, but not exclusively performed by enforcement agents <input type="checkbox"/> No <input type="checkbox"/> NAP
<b>Enforced sale by public tender of seized properties</b>	<input type="checkbox"/> Yes, exclusively performed by enforcement agents <input checked="" type="checkbox"/> Yes, but not exclusively performed by enforcement agents <input type="checkbox"/> No <input type="checkbox"/> NAP
<b>Sale of shares</b>	<input type="checkbox"/> Yes, exclusively performed by enforcement agents <input checked="" type="checkbox"/> Yes, but not exclusively performed by enforcement agents <input type="checkbox"/> No <input type="checkbox"/> NAP
<b>Other</b>	<input type="checkbox"/> Yes, exclusively performed by enforcement agents <input type="checkbox"/> Yes, but not exclusively performed by enforcement agents <input type="checkbox"/> No <input checked="" type="checkbox"/> NAP

Comments

### 171-3. Apart from the enforcement of court decisions, what are the other activities that can be carried out by enforcement agents?

- Service of judicial and extrajudicial documents
- Debt recovery
- Voluntary or public auctions of moveable or immovable property
- Custody of goods
- Recording and reporting of evidence
- Court hearings service
- Provision of legal advice
- Bankruptcy procedures
- Performing tasks assigned by judges
- Representing parties in courts
- Drawing up private deeds and documents
- Building manager
- Other

Comments

## 8.1.3 Training and ICT





**172-1. Is there a system of mandatory general continuous training for enforcement agents?**

Yes

No

Comments Each year, at least one third of compulsory enforcement officers shall be subject to mandatory attestation. After the attestation, the Attestation Committee is entitled to defer the attestation and second the compulsory enforcement officer to training. The amendment of the Law on Compulsory Enforcement Service of the Republic of Armenia shall enter into force on 1 January 2022, according to which all the enforcement agents shall be subject to annual evaluation of their performance. In cases of approval of non-correspondence between the actual knowledge and competitions of the enforcement agents and the ones needed for holding a position of the enforcement agent, the enforcement agent shall be entitled to mandatory re-training.

**172-2. Do you have an e-learning training system established for enforcement agents?**

Yes

No

Comments - If yes, please specify:

**172-3. Does the content of the continuous training system also include ICT (related to enforcement procedures)?**

Yes

No

Comments - If yes, please specify:

**172-4. Have an electronic service of documents or electronic notifications been introduced in your country?**

Yes

No

Comments Decisions and notifications of the compulsory enforcement officer are sent to state and local self-government bodies, legal persons and individual entrepreneurs to their official electronic mail, unless they have provided other electronic mail address, or there is no system for electronic document circulation with the Compulsory Enforcement Service. Decisions and notifications of the compulsory enforcement officer shall be sent to the party that is not a state and local self-government body, a legal person and an individual entrepreneur via electronic mail or other means of communication, where the party has filed a motion for it. After imposing an attachment on or applying restriction to the property of the debtor, a notification shall immediately be sent to the official electronic mail address of the person, whereas in case of absence thereof, upon the consent of the person — to the electronic mail address provided by the latter or via sending a short message to the mobile phone (Article 28.1 of the Law on Compulsory Enforcement of the Judicial Acts).

**172-5. Does the development of new technologies have an effect on the different stages of the enforcement procedure?**

Yes

No

Comments - Please explain: The Republic of Armenia is currently on a way to provide legislative and technical grounds for fully-electronic enforcement proceedings. During the reference year several steps have been conducted to operate systems for electronic document circulation with other state institutions. To be more specific, an enforcement officer currently initiates the enforcement proceedings electronically and sends all the inquiries, decisions and notifications to state and local self-government bodies, legal persons and individual entrepreneurs via electronic systems of document circulation. Currently an e-payment system and united portal for electronic requests are available - enabling to conduct the payments and send all the applications, requests and complaints in scope of

### **8.1.4 Fees**

**174. Are enforcement fees easily established and transparent for parties?**

Yes

No

Comments

**175-1. Are the fees charged in case of successful enforcement proceedings freely negotiated?**

Yes

No

Comments

**175-2. Who has to pay these fees if the enforcement proceedings are successful?**

The debtor

The creditor

Other – please specify .....

Comments

**176. Do laws provide any rules on enforcement fees (including those freely negotiated)?**

Yes

No

Comments

**H0. Please indicate the sources for answering the questions in this part**

Source: Sources for answering the questions in this part are as follows;

- 1.Law on Compulsory Enforcement of the Judicial Acts of the Republic of Armenia;
- 2.Law on Compulsory Enforcement Service of the Republic of Armenia;
- 3.Law on Civil Service of the Republic of Armenia;
- 4.Law on Public Service of the Republic of Armenia.

### **8.1.5 Organisation of profession and efficiency of enforcement services**

**177. Is there a body entrusted with supervising and monitoring the enforcement agents' activity?**

Yes

No

Comments

**178. Which authority is responsible for supervising and monitoring enforcement agents?**

- professional body
- judge
- Ministry of Justice
- public prosecutor
- other (please specify): .....

Comments Compulsory Enforcement Service of the RA has a hierarchical structure. The decisions, actions and non-actions of the enforcement agent can be challenged in an superiorly order - to the superior officials (head of division, Chief Compulsory Enforcement Officer of the RA). Chief Compulsory Enforcement Officer leads and exercises oversight over the activities of the Compulsory Enforcement Service, examines complaints brought against compulsory enforcement officers and abolish illegal decisions of compulsory enforcement officers, assigns and conducts official investigations, within the scope of his or her competence, applies incentives to or impose disciplinary penalties on the officers of the Compulsory Enforcement Service appointed to position by him or her and executes some other supervisory functions.

According to the article 20 of the Law on Compulsory Enforcement Service of the RA, the relevant ministry (Ministry of Justice) shall organise and exercise supervision over the activities of the Compulsory Enforcement Service. Minister of Justice is entitled to adopt orders and decisions and give instructions for the organisation of the activities of the Compulsory Enforcement Service; assign or terminate official investigations, replace the person conducting official investigation and has some other supervisory functions over the enforcement agents.

Decisions, actions and non-actions of the enforcement agents can be challenged in the Administrative court of the Republic of Armenia. Therefore, Administrative court can also be considered as a supervisory authority.

**181. Is there a specific mechanism for executing court decisions rendered against public authorities, including supervising such execution?**

- Yes
- No

Comments - If yes, please specify:

**182. Is there a system for monitoring how the enforcement procedure is conducted by the enforcement agent?**

- Yes
- No

Comments - If yes, please specify:

**183. What are the main complaints made by users concerning the enforcement procedure? Please indicate a maximum of 3.**

- no execution at all
- non execution of court decisions against public authorities
- lack of information
- excessive length
- unlawful practices
- insufficient supervision
- excessive cost
- unethical behaviour of enforcement agent

[ X ] other (please specify):non-proper administration

Comments

**185. Is there a system measuring the length of enforcement procedures:**

	Existence of the system
for civil cases	( ) Yes ( X ) No
for administrative cases	( ) Yes ( X ) No

Comments

**186. Regarding a decision on debt collection, please estimate the average timeframe to serve and/or notify the decision to the parties who live in the city where the court sits (one option only):**

( X ) between 1 and 5 days

( ) between 6 and 10 days

( ) between 11 and 30 days

( ) more (please specify): .....

[ ] NA

Comments

**187. Number of disciplinary proceedings initiated against enforcement agents. (If a disciplinary proceeding is undertaken because of several reasons, please count the proceedings only once and for the main reason.)**

	Number of disciplinary proceedings initiated
Total number of initiated disciplinary proceedings (1+2+3+4)	22 [ ] NA [ ] NAP
1. For breach of professional ethics	6 [ ] NA [ ] NAP
2. For professional inadequacy	13 [ ] NA [ ] NAP
3. For criminal offence	3 [ ] NA [ ] NAP
4. Other	0 [ ] NA [ ] NAP

Comments - If "other", please specify:

**188. Number of sanctions pronounced against enforcement agents:**

	Number of sanctions pronounced
<b>Total number of sanctions (1+2+3+4+5)</b>	27 [ ] NA [ ] NAP
<b>1. Reprimand</b>	16 [ ] NA [ ] NAP
<b>2. Suspension</b>	0 [ ] NA [ ] NAP
<b>3. Withdrawal from cases</b>	[ ] NA [ X ] NAP
<b>4. Fine</b>	[ ] NA [ X ] NAP
<b>5. Other</b>	11 [ ] NA [ ] NAP

Comments - If "other", please specify. If a significant difference between the number of disciplinary proceedings and the number of sanctions exists, please indicate the reasons: Other

Warning - 4

Severe reprimand -7

The decrease of the main salary by 20 % is also prescribed as a disciplinary sanction by the legislation of the Republic of Armenia. However, this sanction has not been pronounced against enforcement agents during the reference year.

## H1. Please indicate the sources for answering the questions in this part

Source: Law on Compulsory Enforcement Service of the Republic of Armenia

## 8.2. Execution of decisions in criminal matters

### 8.2.1 Functioning of execution in criminal matters

**189. Which authority is in charge of the enforcement of judgments in criminal matters? (multiple replies possible)**

- [ ] Judge
- [ ] Public prosecutor
- [ X ] Prison and Probation Services
- [ X ] Enforcement agent
- [ ] Other authority (please specify): .....

Comments - Please specify his/her functions and duties (e.g. initiative or monitoring functions). The enforcement of judgements (verdicts) in criminal cases shall be exercised by the Penitentiary Service of the Republic of Armenia, which operates under the Ministry of Justice. Service ensures implementation of its tasks through its central body and through its structural subdivisions and penitentiary

institutions. The Probation Service deals with the sanctions not related to deprivation of liberty. However, the judgements and decisions in criminal cases with respect to fines, confiscation of property and levy of execution on property are subject to compulsory enforcement. Enforcement agents are in charge of enforcement of this kind of court judgments and decisions in criminal cases and are authorized to enforce all the applicable enforcement measures to ensure the factual enforcement of these acts.

**190. Are the effective recovery rates of fines decided by a criminal court evaluated by studies?**

Yes

No

Comments

**191. If yes, what is the recovery rate?**

80-100%

50-79%

less than 50%

Comments - Please indicate the source for answering this question:

**9. Notaries**

**9.1. Profession of notary**

**9.1.1 Number, status and mandate of notaries**

**192. Number and status of notaries in your country.**

	Total	Male	Female
<b>TOTAL (1+2+3+4)</b>	109 <input type="checkbox"/> NA <input type="checkbox"/> NAP	28 <input type="checkbox"/> NA <input type="checkbox"/> NAP	81 <input type="checkbox"/> NA <input type="checkbox"/> NAP
<b>1. Private professionals (without control from public authorities)</b>	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
<b>2. Holders of public offices appointed by the State</b>	109 <input type="checkbox"/> NA <input type="checkbox"/> NAP	28 <input type="checkbox"/> NA <input type="checkbox"/> NAP	81 <input type="checkbox"/> NA <input type="checkbox"/> NAP
<b>3. Civil servants (paid by the State)</b>	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
<b>4. Other</b>	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP

Comments - If "Other", please specify the status, or if "holder of a public office appointed by the State", please indicate which ministry is mainly engaged in the appointment procedure:

**192-1. What are the access conditions to the profession of notary (multiple replies possible):**

diploma

professional experience

specific exam

appointment procedure by the State

initial training

other (please specify):at least 25 years old,no criminal record, internship under the supervision of at an acting notary

Comments

## 192-2. Are notaries appointed to office for an undetermined period (i.e. "for life" = until the official age of retirement)?

yes, please indicate the age of retirement:65

no, please specify the duration of the appointment: .....

Comments - are there exceptions (e.g. dismissal as a disciplinary sanction)? Please specify:

## 9.1.2 Activities/scope of competences

### 194. What kind of activities do notaries perform (multiple options possible):

	Please select one option
<b>Authentication</b>	<input checked="" type="checkbox"/> Yes, exclusively performed by notaries <input type="checkbox"/> Yes, but not exclusively performed by notaries <input type="checkbox"/> No <input type="checkbox"/> NAP
<b>Certification of signatures</b>	<input checked="" type="checkbox"/> Yes, exclusively performed by notaries <input type="checkbox"/> Yes, but not exclusively performed by notaries <input type="checkbox"/> No <input type="checkbox"/> NAP
<b>Legalisation of signatures / Apostille</b>	<input type="checkbox"/> Yes, exclusively performed by notaries <input type="checkbox"/> Yes, but not exclusively performed by notaries <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP
<b>Legality control of documents</b>	<input type="checkbox"/> Yes, exclusively performed by notaries <input type="checkbox"/> Yes, but not exclusively performed by notaries <input type="checkbox"/> No <input checked="" type="checkbox"/> NAP
<b>Mediation</b>	<input type="checkbox"/> Yes, exclusively performed by notaries <input type="checkbox"/> Yes, but not exclusively performed by notaries <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP

<b>Taking of oaths</b>	<input checked="" type="checkbox"/> Yes, exclusively performed by notaries <input type="checkbox"/> Yes, but not exclusively performed by notaries <input type="checkbox"/> No <input type="checkbox"/> NAP
<b>Non-contentious judicial procedures (e.g. acting as court commissioner in a successions file, performing divorce, division of estate, please specify)</b>	<input type="checkbox"/> Yes, exclusively performed by notaries <input checked="" type="checkbox"/> Yes, but not exclusively performed by notaries <input type="checkbox"/> No <input type="checkbox"/> NAP
<b>Act as civil servant (for example performing marriage, please specify)</b>	<input type="checkbox"/> Yes, exclusively performed by notaries <input type="checkbox"/> Yes, but not exclusively performed by notaries <input type="checkbox"/> No <input checked="" type="checkbox"/> NAP
<b>Other judicial functions (for example, payment orders)</b>	<input type="checkbox"/> Yes, exclusively performed by notaries <input checked="" type="checkbox"/> Yes, but not exclusively performed by notaries <input type="checkbox"/> No <input type="checkbox"/> NAP
<b>Public auctions</b>	<input type="checkbox"/> Yes, exclusively performed by notaries <input type="checkbox"/> Yes, but not exclusively performed by notaries <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP
<b>Other (for example collect taxes, run registers etc.)</b>	<input type="checkbox"/> Yes, exclusively performed by notaries <input checked="" type="checkbox"/> Yes, but not exclusively performed by notaries <input type="checkbox"/> No <input type="checkbox"/> NAP

Comments - If “other”, please specify. Please indicate any useful clarifications regarding the content of the notaries’ exclusive rights or, on the opposite, other bodies that also have competences for the listed activities. According to the Article 36 point 1 notaries implement the following notary actions:

- 1) Ratify transactions (contracts, wills, power of attorney, agreements, etc.);
- 2) Take measures for the protection of hereditary property;
- 3) Give inheritance certificates;
- 4) Issue certificates of ownership to the share of the property under shared ownership or joint ownership rules;
- 5) Ratify the authenticity of copies of the documents or their extracts;
- 6) Ratify the authenticity of the signature on the documents;
- 7) Ratify the authenticity of the translation;
- 8) Confirms that the citizen is alive;
- 9) Confirms the fact that the citizen is in a certain place;
- 10) Confirms the identity of the person and the citizen depicted in the photo;
- 11) Approve the time for submission of documents;
- 12) Transmit applications, declarations or other documents of individuals or organizations to other individuals or organizations;



- 13) Deposit, deliver or return cash or securities, precious metals, stones and issue a certificate;
- 14) Keep records of documents;
- 15) Provide evidence;
- 16) Ratify the minutes of the organization's general meeting or the collegial body of other organization;
- 17) Hand over inheritable property to trust management;
- 18) issues document certifying the powers of the executor of will
- 19) With the consent of all the heirs, revokes previous certificates of inheritance rights;
- 20) Ratify the authenticity of the signature of the translator he / she has trusted;
- 21) Give a performance record sheet;
- 22) Provide duplicates of notary acts;
- 23) Carry out other notary actions prescribed by law.

**194-2. In which areas of law do notaries perform their activities (multiple options possible)?**

- Real estate transaction
- Family law
- Succession law
- Company law
- Legality control of gambling activities
- Protection of vulnerable persons
- Other

Comments

**9.1.3 ICT, organisation of the profession and training**

**194-3. Do notaries use specialised ICT systems in their activity?**

- In their relations with the State (e.g. courts, registries, chambers of commerce, tax authorities)
- In their relations with their clients
- In their relations with other notaries (e.g. videoconferencing, system to exchange documents)

Comments

**194-4. Which computerised registries can notaries consult?**

- Land registry
- Business registry
- Civil status / Population registry
- Succession / Family law registry
- Any other registry (please specify) .....
- None

Comments

**194-5. Are there registries/ registry infrastructures run by the notaries?**

- Yes
- No

Comments - If yes, please specify:

**194-6. In which computerised registries can notaries modify data (either directly or by submitting an online request)?**

	Directly modifying	Indirectly modifying by submitting an online request
<b>Land registry</b>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NAP
<b>Business registry</b>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NAP
<b>Civil status/ Population registry</b>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP
<b>Succession / Family law registry</b>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP
<b>Any other registry (please specify)</b>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP
<b>None</b>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NAP

Comments

**194-7. What ICT tools are used by notaries in their relations with clients?**

- Videoconferencing (e.g. digital advice)
- Digital act
- Digital identification
- Digital archiving
- Other, please specify .....
- None

Comments According to the Law on Notariate there is an opportunity to verify digital acts, but in practice notaries don't have any tools for that yet (the necessary actions are in process). Currently:

- the notary is making the draft of the act by E-notary system;
- then the notary is printing it (the document shall be signed by the sides);
- then the notary is verifying the document;
- then notary scans and uploads it to the E-notary system.

**194-8. Who is responsible to run the digital archives?**

- Notariat / Professional body
- Other public authority
- Another entity (please specify) .....

Comments

**195. Is there an authority entrusted with supervising and monitoring the notaries' work?**

Yes

No

Comments

**196. If yes, which authority is responsible for supervising and monitoring notaries (multiple options possible)?**

professional body

court

Ministry of Justice

public prosecutor

other (please specify): .....

Comments

**196-1. Is there a system of general continuous training for all notaries?**

Yes

No

Comments

**196-2. Do notaries have training on:**

	Yes	No
European law	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Law of another Member State (cross-border training programmes)	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Comments - If yes, please indicate the types (e.g. traditional courses, e-learning, webinar) and the major topics of the training activities:

**II. Please indicate the sources for answering the questions in this part**

Sources: Law on Notariat, Civil code

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**10. Court interpreters**

**10.1. Details on profession of court interpreter**

**10.1.1 Status of court interpreters**

**197. Is the title of court interpreters protected?**

Yes

No

Comments Government Decree N1334 of November 22, 2018 provides the procedure to involve interpreters into judicial proceedings, and provides the quality criteria, including availability of license for translators. the decree also states that the authorized body makes a decision to involve a particular interpreter in the proceedings (ensuring consequent participation of all interpreters and taking into account the place of their activity).

## 198. Is the function of court interpreters regulated by legal norms?

Yes

No

Comments The function of court interpreters is regulated by the Article 12 of the Judicial Code, Article 46 of the Civil Procedure Code, Article 83 of the Criminal Procedure Code, Article 9 Paragraphs 5-7 of the Administrative Procedure Code.

According to Article 46 of the Civil Procedure Code, the interpreter is the person who masters the languages necessary for interpretation. The interpreter has right to ask question to the litigants and the court to ensure correctly and fully interpretation. The court warns the interpreter about the criminal liability for incorrect interpretation. The court is entitled to appoint the interpreter as suggested by the party which pays for the interpretation services. The interpreter is entitled to ask questions to make the interpretation more accurate.

According to the Article 83 of the Criminal Procedure Code, an interpreter is a person, disinterested personally in the criminal case, invited by a body conducting criminal trial, for interpretation. The interpreter shall have a free command of the language of criminal proceedings, as well as the language, from which the translation is conducted. The judge and as well as the prosecutor, the officer of the body of inquiry, the defense attorney, the representative and other participants of the trial, the witness to a search, the expert, the witness are not entitled to be interpreters. An interpreter, pursuant to this Code, is considered also a person, who understands the signs of the deaf-mutes people and is capable to communicate with the deaf though signs.

4. The interpreter has the following obligations:

- 1) to arrive upon the call of the body, conducting the criminal trial, for conduct of translation;
- 2) to present to the body, conducting the criminal trial, documents, verifying his/her qualification as an interpreter;
- 3) to communicate, upon the demand of the body, conducting the criminal trial and also the parties, information on his/her professional experience and on relations with the people participating in the proceedings of respective criminal case;
- 4) to be at the location of the implementation of investigatory or other procedure action, in the room of court session during all the time, until it is necessary for him/her to provide interpretation, and not to leave the location of the implementation of the named action (not official copy) without the permission of the person, conducting it, and from the room of court session, without the permission of the presiding person;
- 5) to conduct interpretation fully, correctly and timely;
- 6) to obey the lawful instructions of the prosecutor, the investigator, the body of inquiry, of the presiding person;
- 7) to observe order at the court session;
- 8) to verify with his/her signature the fullness and the correctness of the translation in the protocol of investigatory or other procedure action, in the proceedings of which he/she participated, and also the correctness of the translation in the documents, issued in translation to the persons, participating in the proceedings of the criminal case;
- 9) to not divulge, without the permission of the body, conducting the criminal trial, the information, became known to him/her in connection with the participation in the investigatory action or during the closed-door session of the court.

5. Failure to perform one's obligations by the interpreter produces responsibility, prescribed by the law.

6. The interpreter has the right:

- 1) to ask questions to the persons, present during the interpretation, to make the translation more accurate;
- 2) to acquaint himself/herself with the protocols of investigatory or other procedure action,

in which he/she participated, and also, in the respective part, with the protocol of the court session and to make remarks, subject to inclusion to the protocol, on the fullness and correctness of the record of translation;

3) to receive compensation of the expenses, incurred during the proceedings of the criminal case.

**199. Number of registered court interpreters:**

- [            ]
- [ ] NA
- [ X ] NAP

Comments There is no consolidated database of court interpreters because they are not subject of special accreditation.

**200. Are there binding provisions regarding the quality of court interpretation within judicial proceedings?**

- ( X ) Yes
- (   ) No

Comments - If yes, please specify (e.g. having passed a specific exam): Government Decree N1334 of November 22, 2018 provides the procedure to involve interpreters into judicial proceedings. It provides requirements for selection of interpreters to ensure the quality of interpretation. The Services of Interpreters are being obtained via State Procurement procedures where the quality requirements are a must.

Binding provisions regarding the quality of court interpretation defines by the Article 6 of the Procurement Law of the Republic of Armenia.

In accordance with the paragraph 3 of the Article 6 of the Procurement Law "The participant must meet the qualification criteria set out in the invitation. The participant must have some qualities for the performance of obligations under the contract, such as 1.compliance with the professional activity of the contract.

- 2.professional experience.
- 3.technical measures.
- 4.financial measures.
- 5.working resources".

In accordance with the paragraph 4 of the Article 6 of the Procurement Law "Some criteria, connected with the right to participate in purchases and qualifications, that are not define in this Article, that are discriminatory and restrict competition, that are not adequate and directly do not derived from the necessity of fulfillment of obligations under the contract can not be set for the participant".

**201. Are the courts responsible for selecting court interpreters?**

- [   ] Yes, for recruitment and/or appointment for a specific term of office
- [   ] Yes, for recruitment and/or appointment on an ad hoc basis, according to the specific needs of given proceedings
- [ X ] No, please specify which authority selects court interpreters .....

Comments When there are grounds requiring involvement/appointment of an interpreter in a case, the court, according to the relevant procedural laws, makes a decision on involving an interpreter in a case. The appointment procedure, the size and procedure of remuneration of interpreters is set forth by the Government Decree. According to the relevant provisions of the mentioned Decree, after the court decision is received, the Judicial Department is processing the procurement.

**J1. Please indicate the sources for answering the questions in this part**

Sources: Government Decree N1334 of November 22, 2018,  
Law on Procurement

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## 11.Judicial experts

### 11.1.Profession of judicial expert

#### 11.1.1Status of judicial experts

**202. In your system, what types of judicial experts can participate in judicial procedures (multiple replies possible):**

Experts designated by the parties in support of their arguments but bound by a duty of independence and impartiality to the court

Experts appointed by the court or other authority independent of the parties

Other system of judicial expertise, please specify .....

Comments - Please specify who is proposing and appointing experts in an individual case.

**202-1. Are there lists or any other form of official registration for judicial experts?**

Yes

No

Comments

**202-1-1. If yes, at which level is the list established (multiple replies possible):**

national

administrative district or federal entity

judicial district

other

Comments - Please, indicate any other comment regarding these lists or databases of experts, if they do exist (e.g. does the expert take an oath? How are his/her skills evaluated? By whom?):

**202-1-2. Are these lists publicly available?**

Yes, available on the internet

Yes

No

Comments

**202-2. Which authority is competent for the registration of judicial experts?**

Ministry of justice

Courts

Administrative body

Independent body (association of judicial experts)

Other

Comments - Please also specify the registration criteria: There is no such consolidated database as of yet.

**202-3. Is the registration of judicial experts limited in time?**

Yes, for how long .....

No

Comments

**202-4. Can an expert who is not on the list or not registered be appointed in a case?**

Yes

No

Comment - If yes, please specify in which cases:

**203. Is the title of judicial experts protected?**

Yes

No

Comments - If appropriate, please explain the meaning of this protection:

**203-1. Does the judicial expert have an obligation of training?**

	Obligation of training
<b>Initial training</b>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
<b>Continuous training</b>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

Comments The experts must have relevant professional educational background. However, a special training is not being organized.

**203-2. If yes, does this training concern:**

judicial proceedings

the profession of expert

other

Comments

**204. Is the function of judicial experts regulated by legal norms?**

Yes

No

Comments

**204-1. On the occasion of a task entrusted to him/her, does the judicial expert have to report any potential conflicts of interest?**

Yes

No

Comments - If yes, please specify: There is no concrete demand, however the law requires that the expert is not interested in the case concerned.

**205. Number of accredited or registered judicial experts:**

	Total	Male	Female
Number of experts	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP

Comments

### 206-1. Number of cases where expert opinion was ordered by a judge or requested by the parties

	Number of cases
Total (1+2+3+4)	<input type="checkbox"/> NA <input type="checkbox"/> NAP
1.Civil and commercial litigious cases	<input type="checkbox"/> NA <input type="checkbox"/> NAP
2.Administrative cases	<input type="checkbox"/> NA <input type="checkbox"/> NAP
3.Criminal cases	<input type="checkbox"/> NA <input type="checkbox"/> NAP
4.Other cases	<input type="checkbox"/> NA <input type="checkbox"/> NAP

Comments

### 205-1. Who defines the amount of the expert remuneration?

	In civil/administrative cases	In criminal cases
Defined by law/by-law or a special regulation	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP
Defined by the court/judge	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NAP
Defined by Ministry of Justice or another ministry (setting a tariff for example)	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP
Salary of public official (in case of forensic or another specialist – who is public employee)	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP
Freely agreed between expert and the parties	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP
Other	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP

Comments - If other, please specify:



**206. Are there binding provisions for judicial experts regarding:**

	Yes	No
Deadlines to provide expertise	( )	( X )
Quality of expertise	( X )	( )
Other	( )	( X )

NAP

Comments - If yes, please specify, and provide details in case there are possible sanctions:

**207-1. Does the judge or another body control the progress of the expertise?**

( ) Yes

( X ) No

If yes, please specify:

**207-2. Are judicial experts' associations involved in:**

Selection processes

Initial or continuous training

Disciplinary procedures

NAP

Comments

**K1. Please indicate the sources for answering the questions in this part**

Sources: Criminal Procedure Code, Civil procedure Code, information provided by the Judicial Department.

**12.Reforms in judiciary**

**12.1.Foreseen reforms**

**12.1.1Reforms**

**208. Can you provide information on the current debate in your country regarding the functioning of justice? Are there undergoing or foreseen reforms? If possible, please observe the following categories:**

**208-1. (Comprehensive) reform plans**

Yes (planned)

Yes (adopted)

Yes (implemented during year of reference +1)

No

NA

Comments - If yes, please specify: Planned reforms are:

-Introduce a mechanism for publishing reports and statistics providing summary of the activities of courts acting in the publicly accessible online mode.

The Judicial Code of RA was adopted by National Assembly on 25.03.2020. It elaborated legislative bases of subjecting judges to disciplinary liability in compliance with international standards and introduced mechanisms required to perform the integrity assessment of judges. The mentioned laws are in force since May 2020. Particularly, the Code clarifies:

- the list of significant disciplinary violations underlying the termination of judge's authorities, with the view to ensuring legal certainty,
- the bases for distinguishing any judicial error from the violation of human rights and fundamental freedoms, by a judge, in course of own professional activity,
- the rules of conduct of judge, taking there from such rules, which are formulated unclearly or which are not disciplinary in their nature, but are rather ethics rules,
- the procedures of disciplinary proceeding and investigation of the issue on subjecting judges to disciplinary liability,
- the grounds and the procedure of disciplinary liability set forth with regard to the SJC members.

Besides, integrity check system is established for nominees and candidates for judges and for Members of Supreme Judicial Council.

Integrity check competences are provided to Corruption Prevention Commission. Furthermore, competences of Corruption Prevention Commission (CPC) were enlarged: CPC has gained access to financial information, bank secrets and access to databases of other state bodies in order to carry out its activities effectively; the system of ad-hoc declaration is established, which allows the Commission for Prevention of Corruption to demand situational/ad-hoc declarations from the declarant and its family members (other related 3rd persons) in cases when a significant change in property (increase in property (or decrease in liabilities)) is not reasonably justified by legal income, or the latter has undeclared or incompletely declared property, or the source of income is not legal or credible.

It is worth adding that RA Law "On Public Service" was amended and supplemented on January 19, 2021, which considers complete transformation of the system of declaration, expansion of the content of declaration, introduction of the institute of declaration of expenses/expenditure. Thus, the mechanisms for checking the legality of property of judges are also improved. Also the Judicial Code of RA introduces formation of Ethics and Disciplinary Committee instead of the Disciplinary Committee, the members of which will be elected for two vs. five years, and which will incorporate not only judges, but also representatives from the HRD Office and the general public and stipulates a mandatory requirement to pass a psychological test in order to become a judge.»

## 208-2. Budget

Yes (planned)

Yes (adopted)

Yes (implemented during year of reference +1)

No

NA

Comments - If yes, please specify: In 2020 the budget spent on judiciary is 18 399 921 EUR.

For 2021 the allocated budget is 39 505 159 EUR.

## 208-3. Courts and public prosecution services (e.g. powers and organisation, structural changes - e.g. reduction of the number of courts (geographic locations), competences of the courts, management and working methods, information technologies, backlogs and efficiency, court fees, renovations and construction of new buildings)

Yes (planned)

Yes (adopted)

Yes (implemented during year of reference +1)

No

NA

Comments - If yes, please specify: •In 2020 a legislative package was elaborated which proposed establishing a Specialized Anti-Corruption Court (SACC) and a Specialized Anti-Corruption Court of Appeal. From the perspective of establishing an institutional system that prevents and combats corruption, the creation of SACC is of major strategic significance for Armenia. To ensure specialized court hearing of cases regarding forfeiture of illegal assets, SACC will have at least 15 judges, 10 of which will examine cases of corruption crimes, while the remaining 5 will examine the cases arising from applications and claims submitted based on the Law “On civil forfeiture of illegal assets” and civil cases regarding state interests. The legislative package meanwhile proposes that at least 6 specialized judges in the Criminal Court of Appeal and at least 6 specialized judges of the Civil Court of Appeal will be hearing appeals regarding court decisions and judgments of the anti-corruption 1st instance courts. At the same time, the package defines the procedure for filling in the anti-corruption specialization section of the list of candidates for judges of the anti-corruption court, the requirements for judges of the first staff. The legislative package also sets the requirement for the integrity check of the judges as well as special training that they will receive. On 14 April 2021, the Parliament passed the mentioned legislative package. The mentioned legislative package is currently in the Constitutional Court, the decision of which on the constitutionality will be announced on 12 October 2021. It is intended that SACC will be operational on the 1st quarter of the year 2022.

In parallel, comprehensive works have been initiated and run to address the issues regarding the physical facilities of the anti-corruption court. In the context of the above, in accordance with RA Government's decision N 1896N (dated 27 November, 2020) property located at 23/1 Garegin Nzhdeh Street in Yerevan, was attached to the Ministry of Justice of the Republic of Armenia. Currently the application for tender to reconstruct the building is being prepared. Besides, according to RA Government Decision N 1506-A (dated 10 September, 2020) additional facilities in other locations (on the Halabyan str., Yerevan) were provided to the Ministry of Justice for this purpose. Process of launching of renovation, is underway.

•It is worth mentioning that this package also envisages amendments in RA Law “On prosecutor’s office” according to which candidates for prosecutors will undergo the integrity check. Besides, integrity of the acting prosecutors of the departments of General prosecutor’s office dealing with corruption crimes case will also be checked.

•on the 16th of April 2020 RA National Assembly adopted the Law “On civil forfeiture of Illegal assets”, which defines the proceedings on civil forfeiture of illegal assets, legal relations, the reasons and grounds for initiating an investigation, the scope of the competent bodies to conduct an investigation, the rules of international cooperation in connection with the civil forfeiture of illegal assets, etc.

Department dealing with cases of civil forfeiture of illegal assets was established in September 3, 2020 within General Prosecutor's Office of the Republic of Armenia. Currently, the department includes 8 prosecutors, who act under the leadership of the Deputy Prosecutor General of the Republic of Armenia, who coordinates the field. 4 economists are involved for the effective implementation of the department's work. There is a supporting department to organize the document circulation and other operational activities of the department. The Department resides in a separate, well equipped facility in Yerevan, has the respective budget and enjoys the institutional and functional independence from the executive. During 2020, the department received about 200 materials on 405 entities with property of possible illegal origin. As a result of the verification of the grounds for initiating an investigation, in 2020, 214 decisions to initiate an examination were made based on the materials received during the year, and 83 decisions not to initiate an examination were made in 216 cases. In 2021-2022 it is intended to enhance international cooperation in regard with asset recovery. •It is also noteworthy that the strategy of Judicial and Legal Reforms of the Republic of Armenia for 2019-2023 states that in order to achieve the goals of reforming the prosecution system, it is necessary to increase the number of prosecutors. This will increase the level and quality of prosecutors' efficiency

#### **208-4. Access to justice and legal aid**

Yes (planned)

Yes (adopted)

Yes (implemented during year of reference +1)

No

NA

Comments - If yes, please specify: Access to justice:

Written (simplified) procedures were introduced for administrative court procedure.

Draft Law on Amendments to the Law on Advocacy is currently being developed, which, in line with other issues, refers to the development of state guaranteed free legal aid and pro bono legal aid mechanisms.

Thus, firstly, it is planned to expand the range of state guaranteed free legal aid beneficiaries. At the same time, legal grounds are provided, which will make it possible involving non-public defenders to the works of the Public Defender's Office, particularly:

- advocates (on contractual grounds);
- advocates (who wish to provide pro bono legal aid by being involved in the works of the Public Defender's Office);
- students of legal clinics of higher education institutions and the School of Advocates.

At the same time, provisions regarding the development of pro bono legal aid culture and institution are suggested. In particular, incentives are provided for advocates who provide pro bono legal aid in line with established criterias. At the same time, provisions on mandatory reporting of pro bono activity are envisaged, which requires advocates to annually report about their pro bono activity. Although not providing pro bono legal aid does not cause consequences, not reporting may cause consequences as a disciplinary liability.

## 208-5. High Judicial Council

- Yes (planned)
- Yes (adopted)
- Yes (implemented during year of reference +1)
- No
- NA

Comments - If yes, please specify: During 2020 the draft amendments of Judicial code were adopted, which introduced new procedures for the appointment of judges in line with international standards, that is

(a)change in the procedure for formation of the Evaluation Commission; (b)clarification of the evaluation standards and providing for a regulation aimed at ensuring transparency of evaluation; (c)conducting of the psychological test developed through application of the advanced international practice; (d)introducing the procedure for appealing the results of the examination and ensuring transparency of the adoption of decisions by the Supreme Judicial Council.

## 208-6. Legal professionals (judges, public prosecutors, lawyers, notaries, enforcement agents, etc.): organisation, education and training, etc.

- Yes (planned)
- Yes (adopted)
- Yes (implemented during year of reference +1)
- No
- NA

Comments - If yes, please specify: In 2020 and 2021 amendments were made in the Judicial code of Armenia, which changed the requirements for becoming a judge.

Planned reforms:

Continue carrying out trainings for judges in the following fields: (a)investigation of cases of corruption, economic crimes and crimes committed by officials,  
(b)importance is attached to the development of the skills of judges to work with evidence on electronic media parallel to the introduction of electronic justice tools,  
(c)professional rules of conduct and ethics,  
(d)case-law of the European Court of Human Rights on particular articles of the European Convention for the Protection of Human Rights and Fundamental Freedoms.

## 208-7. Gender balance

- Yes (planned)
- Yes (adopted)
- Yes (implemented during year of reference +1)
- No

NA

Comments - If yes, please specify: The Ministry of Justice in cooperation with UNDP carries out a Gender equality in Public Administration of Armenia (GEPAA) Project. The expected outcome of the project is that gender equality prism will be ensured throughout implementation of the public administration reform in Armenia. It will also lay a solid basis for further continued work and replication of successes and results for stronger gender equality dimension in the public administration system, including policy and legal framework, organizational structure, incentive and enabling measures for better women engagement in public administration. In addition, findings from the survey among students on their aspirations and needs in their potential joining the public office will inform the overall reforming process from human resource management perspective and make it more conducive for women and men, potential leaders of next generation. It should be mentioned that an internal review of the legal and policy frameworks with an assessment methodology in the Ministry of Justice is in the process of implementation and the results will be ready soon which will serve as a basis for future gender equality strengthening policies within the MOJ.

## **208-8. Reforms regarding civil, criminal and administrative laws, international conventions and cooperation activities**

Yes (planned)

Yes (adopted)

Yes (implemented during year of reference +1)

No

NA

Comments - If yes, please specify: The New Criminal Code was adopted in 2021.  
The Strategy for Judicial and Legal reforms aims to adopt a new code on Administrative Offences.

Planned:

- Elaborate draft laws aimed at making amendments to the Civil Code of the Republic of Armenia and other legal acts. -Making amendments to the Civil Procedure Code of the Republic of Armenia and the Law "On conciliation".
- Reviewing the institute of returning of statements of claim through making amendments to the Civil Code of the Republic of Armenia and other legal acts.

## **208-9. Enforcement of court decisions and in particular regarding decisions against public authorities**

Yes (planned)

Yes (adopted)

Yes (implemented during year of reference +1)

No

NA

Comments - If yes, please specify: Strategic directions for 2021-2023 are:

•Systemic review of the legislation of the compulsory enforcement sector •Improving the technical equipment of the Compulsory Enforcement Service

The Government aims to elaborate the draft Law "On enforcement proceedings to ensure:

- 1)all the specifics related to the enforcement of the subject to compulsory enforcement are not clarified, relations in connection with the compulsory enforcement of each of them are not subjected to institutional regulation;
- (2)determination of the amount of enforcement costs subject to levy in execution is restricted only to the size of the value of the property or of the amount being levied in execution;
- (3)differentiated grounds for suspension of enforcement proceedings exist;
- (4)there is a necessity of reducing the time limits for enforcement actions.

## **208-10. Mediation and other Alternative Dispute Resolution**

Yes (planned)

Yes (adopted)

Yes (implemented during year of reference +1)

No

NA

Comments - If yes, please specify: •Establishing arbitration centres

•Developing other alternative methods of dispute settlement

•Raising the level of relevant legal education and public awareness

The Government planned to reform the mediation system.

-by introducing mandatory mediation for family cases before applying to court,

-by providing the opportunity for online mediation.

## 208-11. Fight against crime

Yes (planned)

Yes (adopted)

Yes (implemented during year of reference +1)

No

NA

Comments - If yes, please specify: •By the end of the year 2021, a specialized law enforcement body, an Anti-Corruption Committee will be established and fully functional. The relevant law was elaborated in 2020 and adopted on March 24, 2021, stipulates that the main competence of the Committee will be the organization and implementation of pre-trial criminal proceedings on alleged corruption crimes, which meanwhile will carry out operative intelligence activities. The law also established merit-based appointment procedure for the Anti-corruption committee officers, according to which they will be selected through competition, during which integrity of the candidates will also be checked. The establishment of Anti-Corruption Committee has launched: the Chair of Anti-corruption has been appointed; the formation of the staff is on the way. It is intended to finish formation of Anti-corruption committee by the end of the year 2021.

In parallel comprehensive works have been initiated and run to address the issues regarding the physical facilities (including residence) of the Anti-corruption committee.

•In 2020 the list of corruption crimes was determined by the RA Criminal Code.

•Besides, in 2021 RA New Criminal Code was adopted inter alia setting criminal liability for legal persons for corruption crimes.

Meanwhile the elements of corruption crimes were developed considering international practice. Fight against trafficking:

Fight against trafficking is one of the priority areas of the Government's policy. In that respect the National Program on "Combating Trafficking in Human Beings and Exploitation in the Republic of Armenia and the Program Implementation Schedule for 2020-2022 was approved by the decision No. 909-L of the Government of the Republic of Armenia on June 4, 2020. The implementation of

Government's policy vis a vis the fight against trafficking is being effectively monitored by a two layered mechanism: a Council on trafficking in persons and exploitation headed by the Prime Minister with the engagement of all relevant stakeholders and a working group on a technical level. The activities envisaged by the Program are aimed at the effective organization of the fight against human trafficking and exploitation and are divided into 6 main sections:

Improving the legislation on combating human trafficking and exploitation,

Prevention of human trafficking and exploitation,

Prevention of child trafficking and exploitation

Detection, protection and support of victims of trafficking and exploitation International cooperation

Research, monitoring and evaluation.

Based on the findings of U.S. Department of State 2019 TIP report the Ministry of Justice of Armenia has worked to identify the main challenges, and research and assessment was conducted. Based on the findings of the researches and assessments the Deputy Minister of Justice led series of consultations/discussions with high-ranking officials from stakeholder agencies. A draft interim action plan was developed to address the issues identified by the Department of State TIP report. The AP identified some activities aimed at providing adequate government funding for combating TIP, ensuring effective investigation and prosecution of TIP cases, employing victim-centered procedures by law enforcement, assisting Armenian migrants working abroad, inclusion of a definition of forced labor in the

labor code, as well as improving education and awareness on these issues. The schedule of implementation was discussed with the representatives of stakeholder agencies, including: Ministry of Labor and Social Affairs, Ministry of Education, Science, Culture and Sports, Investigative Committee, Police, Office of Prosecutor General, National Security Service, Office of Human Rights Defender, Office for Coordination of Inspection Bodies in the Office of Prime Minister, Health and Labor Inspection Body. Based on the results of the meeting the Prime Minister assigned to complete those interim activities by the end of December 2020 and a status report was due in November. The interim action plan was developed and implemented in close and effective partnership with U.S. Embassy Yerevan, including with the INL office and USAID Armenia. A handbook for law enforcement officers entitled: “Indicators of Trafficking in Persons for Law Enforcement Officers”. The handbook starts with the definition and description of human trafficking and exploitation and continues into collection of TIP-related data, issues of identifying and uncovering cases of human trafficking and exploitation and offers some indicators to differentiate the cases. The handbook in its appendices presents indicators of potential cases of human trafficking and exploitation for law enforcement officers, a checklist for assessing the risk criteria of human trafficking and exploitation, list of TIP-related crimes, as well as the principles of working with potential victims of TIP. The Ministry of Justice discussed the draft handbook with the representatives of the Police. By February 25, 2021 instruction of the Police chief the handbook was also circulated within relevant sections of the Police. It should also be noted that the Ministry of Justice presented this handbook to the Office of the Prime Minister recommending its use by other law enforcement agencies. In addition, a handbook for detecting and identifying TIP was developed for front-line officers: migration service, health-workers, and consular offices. This handbook provides for the indicators which should be considered for identifying and detecting TIP issues. Another guideline was developed for the inspectors of Labor and Health Inspection, the indicators provided for in this guideline will lead the identification process of forced labor cases. These guidelines are in the finalization process.

## 208-12. Prison system

Yes (planned)

Yes (adopted)

Yes (implemented during year of reference +1)

No

NA

Comments - If yes, please specify: PENITENTIARY AND PROBATION REFORMS

- The Draft of the new Penitentiary Code has been developed and circulated. The Draft of the new Penitentiary Code is currently being revised.
- The Law on Making an Amendment to the Criminal Code of the Republic of Armenia was approved by the RA National Assembly in the second hearing on April 15, 2020. Due to this amendment public calls for violence, publicly justifying or propagating violence is criminalised.
- The Government of Armenia has approved “On approving the 2019-2023 strategy of the penitentiary and probation field of the Republic of Armenia, the 2019-2023 plan of actions for its implementation, and the procedure of formation and organization of the activities of the council coordinating the implementation of the plan” on November 27, 2019. The goal of the strategy is to shift from punitive policy to restorative justice, to the rooting of the principles of restorative justice in the field of criminal punishment, to the effective realization of the purposes of punishment, to the overcoming of the criminal subculture, to the prevention of corruption in the penitentiary and probation system, to the reduction of re-offending and ensuring public safety.
- Taking into consideration and accepting as a basis the social need for elimination of the negative impact of criminal subculture, especially relevant for the post-Soviet countries, the fight against criminal subculture must be one of the key directions of the criminal policy of each state. In this context our Government makes the necessary steps to fight the tolerance towards criminal subculture both in legislation and in practice. In this context it is worth mentioning that since the beginning of the previous year the Criminal Code of the Republic of Armenia provides criminal liability for the following acts:
  - a. granting or obtaining or maintaining the highest status of criminal hierarchy;
  - b. creating or managing a group bearing criminal subculture;
  - c. participating in or becoming involved in a group bearing criminal subculture, while envisaging an incentive norm that the person having voluntarily informed criminal prosecution bodies about participation or involvement in the group bearing criminal subculture and having contributed to disruption of activities of the group shall be relieved of criminal liability, if his or her actions do not contain other corpus delicti;
  - d. contacting a participant of a group bearing criminal subculture or a person with the highest status of criminal hierarchy for the purpose

of obtaining material or non-material benefit or other advantage by using the unlawful influence of the group or person or exercising real or alleged rights.

•On May 5, 2021, the new Criminal Code was adopted by the National Assembly of the Republic of Armenia. The new Code plans on a total shift from the soviet-style criminal justice system to a modernized one, which:

provides for the criminal liability of legal persons (current code prescribes criminal liability only for natural persons);

ensures more sophisticated cybercrime definitions, many of the offenses, including the economic, corruption offenses and provisions criminalizing various forms of cybercrime, were drafted in accordance with the international standards, such as requirements of UN and CoE conventions, as well as various recommendations of international institutions and experts;

suggests new regulations concerning various key questions. In this context it is worth mentioning that it provides a new penalty such as the limitation of freedom, which gives the opportunity to keep the sentenced person under control at home without keeping him/her away from studies or work.

•On June 30, 2021, the new Criminal Procedure Code was adopted by the National Assembly of the Republic of Armenia. The Code suggests new regulations concerning various key questions. Moreover, new types of measures of restraint, such as house arrest and administrative oversight, have been envisaged.

The mentioned changes made in both Codes will be beneficial not only for the persons to whom it is applied, but also for the State as it provides alternatives to keeping people in prison.

•Taking into account the proposals submitted by the international expert, the draft law "On Legal Aid in Criminal Cases" is being revised.

•The package of amendments to the RA "Law on Probation" is currently being revised, which is aimed at increasing the efficiency of the probation institute.

•The risk and needs assessment tool of probation beneficiaries has been transformed, which will allow the idea of individual planning to be rooted in the process of punishment or control. The tool has been digitized and is being piloted.

•Within the CoE Project "Enhancing health care and human rights protection in prisons in Armenia" the CoE and The Ministry of Justice of the Republic of Armenia pay a huge attention on mental health care issues. Based on this approach, the Order N 513-L of the Minister of Justice "On approving the 2021-2022 strategy for the prevention suicides, self-harms in penitentiary institutions and the action plan for its implementation" was developed and approved on the 10th of December, 2020. The strategy envisages a number of measures which are focused on providing screening tools for mental disorders or disabilities. In the framework of the mentioned Project the screening tools on revealing suicide and self-harm risk as well as the mental health screening tools are being piloted.

•In order to reduce paperwork in the penitentiary system, to make the activities of the system transparent and accountable, the necessary technical equipment has already been acquired for the introduction of the e-penitentiary electronic system, and the employees of the penitentiary system have been trained. E-penitentiary platform has been launched in August, 2021.

•The evaluation report of the e-probation electronic system has been developed, which will provide an opportunity to digitize the activities of the Probation Service, which will ensure the accountability and transparency of the Probation Service. For these purposes, it is planned to announce a competition in the nearest future.

•It is planned to conduct optimization of penitentiary institutions, as well as improve their conditions. In particular, it is intended to close the "Goris" penitentiary institution of the Ministry of Justice of the RA, and to build a new penitentiary institution with 350 staff instead, to close the "Nubarashen" and "Hospital of Convicts" penitentiaries as a result of which the new penitentiary institution with about 1200 staff will be built in Yerevan. Furthermore, it is planned to move the "Yerevan-Kentron" penitentiary institution from the administrative building of National Security Service of the RA to "Erebuni" penitentiary institution. Based on the penitentiary sphere strategy "Hrazdan" prison should be closed, as well. The abovementioned plans will ensure proper living conditions for the detainees and inmates.

•The Strategy envisages introduction of new vocational education programs for persons deprived of their liberty, for which an assessment of education needs was carried out. It is planned to set verifiable criteria that will allow evaluating the effectiveness of educational programs. Educational programs will be implemented in all penitentiary institutions.

•It is intended to implement measures aimed at providing affordable conditions for persons with disabilities who are deprived of their liberty, as well as to ensure access to health services and professional care for these people.

## 208-13. Child friendly justice

Yes (planned)

Yes (adopted)

Yes (implemented during year of reference +1)



No

NA

Comments - If yes, please specify: he 2020-2022 Strategy for human rights protection in Armenia sets the following actions:

- To adopt legislation setting forth the protection of the right of the child in the criminal justice system in compliance with international standards,
- To improve child adoption procedures,
- To establish a single statistical system for registration of issues related to the rights of the child,
- To pass legislation setting forth the principles and procedures for the establishment of child custody and welfare agencies in compliance with international standards,
- To establish legislation on procedures securing a child's right to visit his/her parent as part of legal enforcement proceedings,
- 

## 208-14. Domestic violence

Yes (planned)

Yes (adopted)

Yes (implemented during year of reference +1)

No

NA

Comments - If yes, please specify: •On 5 May 2021 the New Criminal Code was adopted and will enter into force on July 2022. In addition to the information provided within the answers to the List of Issues, based on the recommendations enshrined in the "Gap analysis of Armenian criminal law in light of the standards established by the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence" relevant provisions to prevent and combat violence against women and domestic violence are included in the New Criminal Code. In particular the New CC envisages committing of a criminal offense by a close relative as an aggravating circumstance. Within the New Code the close relative include, regardless of the circumstances of cohabitation, spouse (including a person who is in an actual marital relationship), parent, including foster parent, adoptive parent, foster parent, child (also adopted, stepfather, foster child), spouse of the adoptive parent, parents, brothers, sisters (also stepmother), grandfather, grandmother, grandchildren, as well as for parents, sister and brother of the husband-the bride or groom, sister of the spouse, brother of the spouse. The New Criminal Code also introduces criminal liability in line with the Istanbul Convention for the following offences: Abortion or Artificial Termination of Pregnancy and Sterilization and Forced Abortion or Artificial Termination of Pregnancy and Sterilization (Articles 175-176), Mental Influence (Article 194), Physical Influence (Article 195) and Forced Marriage, Divorce or Pregnancy (Article 197). •Awareness raising activities

It should also be mentioned that "Violence in silence" campaign was conducted under the auspices of Armenia's Ministry of Justice. It raised awareness about the prevention of domestic violence and support available to victims and survivors. The campaign was titled "Violence in silence" because silence from neighbours, colleagues, friends or family allows domestic violence to continue. Thus, the campaign encouraged victims, survivors and witnesses of domestic violence not to remain silent but call for help to stop the violence. The campaign was launched on March 8, 2021 the International Women's Day, a global day to celebrate women's rights and a call for action to achieve gender equality and to end violence against women. The campaign included two PSA videos shown on TV. The first video showcased domestic violence as a global shadow pandemic, drawing parallels between domestic violence and COVID-19. The second PSA was a silent video which urged the viewers to detach from the everyday noise, pay attention to their surroundings and call for help when witnessing domestic violence. Two social experiments were conducted in Yerevan. The first one showed people's reactions to witnessing domestic violence at a cafe. While most clients were visibly upset about the situation, they hesitated to get involved. Within two hours, only one witness intervened to help the victim.

The second experiment included a door installed on one of the busiest streets of Yerevan. The door played sounds of domestic violence. These sounds paused when someone rang the doorbell. Every 10th witness stopped to ring it. The door informed passers-by to call for help when witnessing domestic violence. Next, an interactive video was played on social media where the viewer could select how to react to the sounds of domestic violence coming from a neighbour's home. They could choose to intervene and call the police or keep silent and allow the violence to continue. The video closed with an encouragement to call to the police when witnessing domestic violence. 20 eye-catching digital and out-of-home posters took over streets and bus stops in Yerevan. They showcased wrong beliefs that people use to justify domestic violence. The posters called for people not to remain silent because nothing can justify domestic violence.

The campaign included a Facebook page and website [www.violenceinsilence.org](http://www.violenceinsilence.org) with detailed information about domestic violence and its manifestations, the obligations of the authorities to protect and prevent domestic violence, and support services available to victims and survivors, such as helplines, support centers, shelters, etc. The campaign was very successful on social media as well, cumulating a reach of over 4.2 million.

The 2020-2022 Strategy for human rights protection in Armenia sets the following actions:

- To increase the number of institutions offering psychiatric and rehabilitation services to children,
- To criminalize the domestic violence and the violence against women in accordance with international standards,
- To establish legislation on procedural guarantees of remedy for survivors of domestic violence and violence against women in accordance with international standards,
- To create support centers and shelters for survivors of domestic violence,

## 208-15. New information and communication technologies

Yes (planned)

Yes (adopted)

Yes (implemented during year of reference +1)

No

NA

Comments - If yes, please specify: In order to increase the transparency and accountability of the implementation process of National Human Rights Protection Strategy and Deriving Action Plan for 2020-2022, as well as to ensure public monitoring of the process of implementation the Ministry of Justice in cooperation with international organizations an electronic tool- [www.e-rights.am](http://www.e-rights.am) platform was launched in 2020 which is currently operational.

The platform provides for an opportunity to follow the implementation of actions, publish the implementation reports, and make comments on actions. In order to make the actions more targeted and accessible, they have been divided into types of rights and the United Nations Sustainable Development Goals. The platform has a special mode for persons with vision impairment. The mobile version is also available .

## 208-16. Other

Yes (planned)

Yes (adopted)

Yes (implemented during year of reference +1)

No

NA

Comments - If yes, please specify: 1. Mandatory integrity check requirements are envisaged for the candidates/nominees of candidates of judges, judges, members of Supreme Judicial Council, prosecutors, as well as for investigators (the latter in cases prescribe by law). 2. National Human Rights Strategy and Deriving Action Plan: The National Strategy on Human Rights Protection and Deriving Action Plan for 2020-2022: comprehensive policy documents in the field of human rights protection have been developed and adopted in December 2019 by the Government of RA. The Strategy reflects the Government's main policy regarding human rights protection, gives targeted solutions to various human rights protection issues in order to ensure continuity of the policy, supplementary safeguards have been created to protect the rights of citizens and vulnerable groups, institutional system for coordinating, monitoring and evaluating the process of implementation of the actions have been improved, inclusivity and public accountability of the process have been ensured.