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PART 2

## EUROPEAN COMMISSION FOR THE EFFICIENCY OF JUSTICE (CEPEJ)

### Support for a better evaluation of the results of judicial reform efforts in the Eastern Partnership "Justice Dashboard EaP" Action

Data collection: 2023

Report prepared by the CEPEJ for the attention of the European Commission

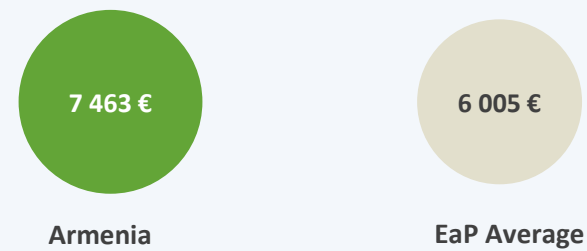
## Part 2 (A) - Beneficiary profile - Armenia

## Executive Summary - Armenia in 2023

### Population in 2023



### GDP per capita in 2023



### Average annual salary in 2023



### Judicial Organisation

Armenia has a **three-tier judicial system** which includes courts of general and specialised jurisdiction. Courts of **general jurisdiction** deal with all matters outside of the jurisdiction of **specialised courts**, which are assigned competence over specific subjects. Specialised courts cover administrative cases, insolvency and anti-corruption cases. The Supreme Court is the single highest instance court in the country.

### Budget

In 2023, Armenia spent **60 087 422€** on the implemented judicial system budget. This means that Armenia spent **20,2€ per inhabitant**, which is more than the EaP Average of **18.4€**.

**63.8% was spent for all courts, 34% for prosecution services, 2.3% for legal aid.** Compared to 2022, Armenia has spent, per inhabitant, 11,5% more for courts, 34,6% more for prosecution services, and 27,5% more for legal aid. The budgets spent per inhabitant for courts (12,9€) was higher than EaP Average (10.8) while prosecution services (6.9€) and legal aid (0,5€) were lower than the EaP Averages (7.0€ and 0,8€ respectively).

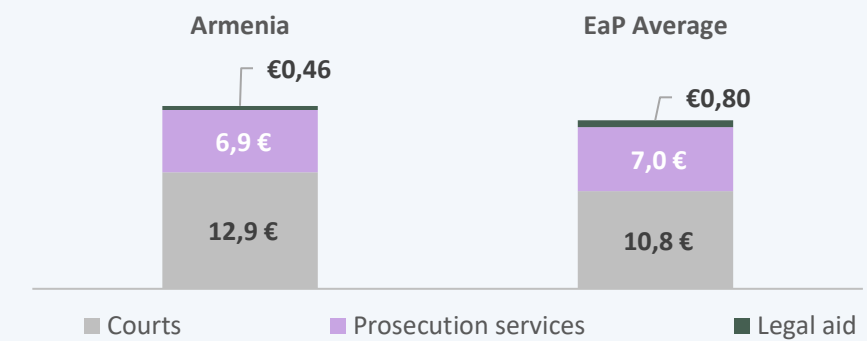
### Legal Aid

In Armenia legal aid is provided through the Public Defender's Office which is a structural unit of the Chamber of Advocates.

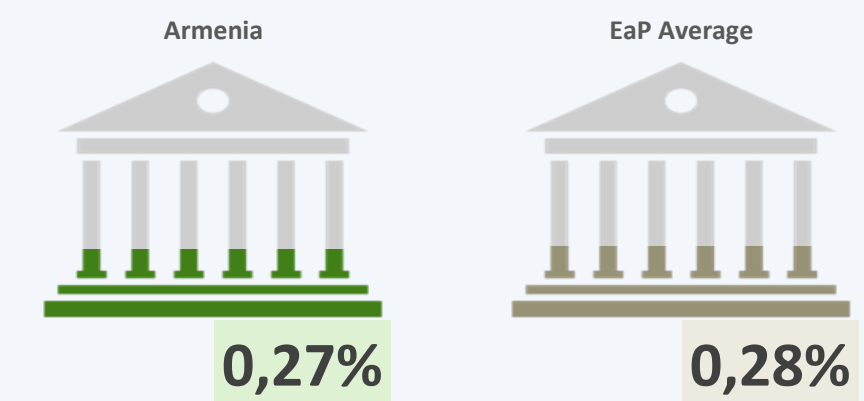
In 2023, **legal aid was granted in 21 551 cases (0,72 per 100 inhabitants)**. The number of criminal cases was 15 518, and other than criminal cases was 6 033. In 2023 total number of legal aid cases per 100 inhabitants was on par with the EaP median of 0.72 while in criminal cases it exceeded the EaP median of 0.39 and reached 0.52. On average, Armenia spent **63,1€ per case**.

### Budget of the Judicial System

#### Implemented Judicial System Budget per inhabitant in 2023



#### Implemented Judicial System Budget as % of GDP in 2023



For the purpose of this profile, the data of only 1st and 2nd instance is analysed. In 2023 the **Clearance Rate was 111% in civil cases and below 100% in Administrative and Criminal cases**. Subsequently, the number of cases pending at the end of the year decreased for civil cases and increased in Administrative and Criminal cases. In the first instance, the number of pending cases at the end of the year reduced by 17% in Civil litigious cases while they increased by 29.4% in Administrative and by 60.1% in Criminal cases, which might lead to the formation of a backlog. In the first instance, by far the highest Disposition time (417) was observed in Criminal cases, over a double of the EaP average (176). DT was lower for Civil litigious (135) and Administrative cases (341), still below the EaP averages (172 and 359 respectively).

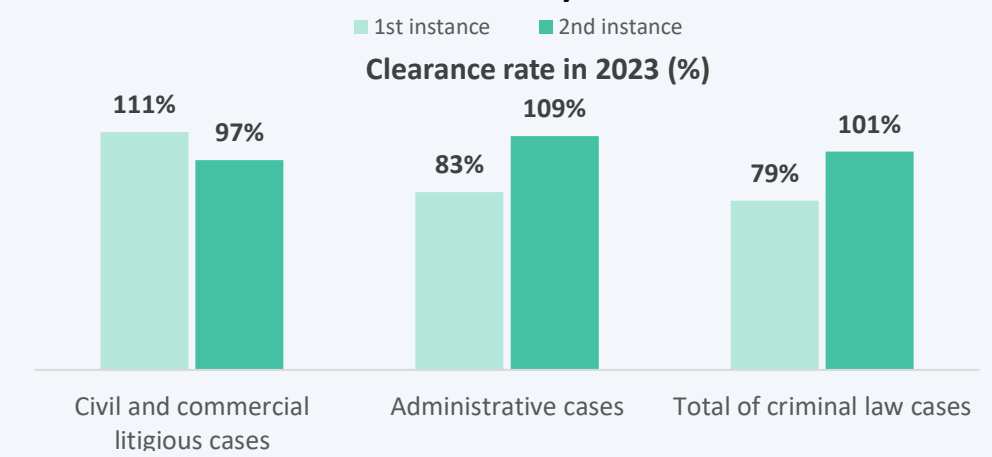
According to CEPEJ indicators, **second instance courts dealt better with Administrative and Criminal cases** with the Clearance rate of 109% and 102% respectively. Clearance rate for Civil litigious cases was slightly below 100 at 97%. The lowest disposition time in the second instance was observed in Criminal cases at 33 days, significantly lower than the EaP average of 77. DT for Civil litigious cases was at 65, also below the EaP average (101). Armenia was not able to deal with Administrative cases efficiently in the second instance where the highest DT for second instance was observed (302) in comparison to the EaP average (226).

\*\*The CEPEJ has developed two indicators to measure court's performance: clearance rate and disposition time.

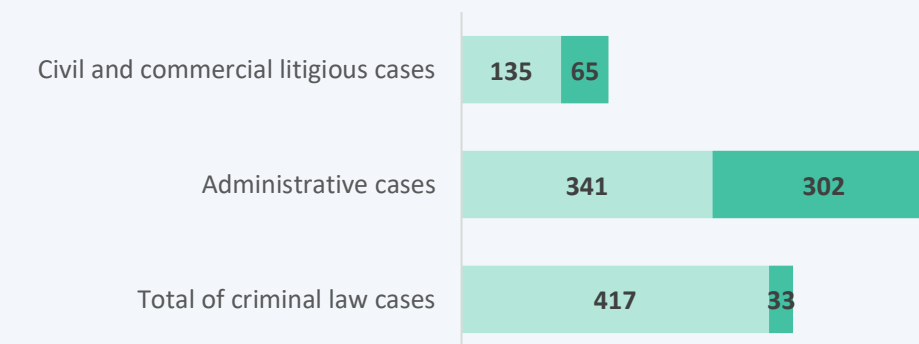
**Clearance Rate (CR)** is the ratio obtained by dividing the number of resolved cases by the number of incoming cases in a given period, expressed as a percentage. It demonstrates how the court or the judicial system is coping with the in-flow of cases and allows comparison between systems regardless of their differences and individual characteristics. Its key value is 100%. A value below 100% means that the courts were not able to solve all the cases they received and, as a consequence, the number of pending cases increases. A CR above 100% means that the courts have resolved more cases than they received (they have resolved all the incoming cases and part of the pending cases) and, as a consequence, the number of pending cases decreases.

**Disposition Time (DT)** is the indicator that calculates time necessary for a pending case to be resolved and estimates the lengths of proceedings in days. It is a ratio between the pending cases at the end of the period and the resolved cases within the same period, multiplied by 365 days. More pending than resolved cases will lead to a DT higher than 365 days (one year) and vice versa.

### Efficiency



### Disposition time in 2023 (days)



### ICT Deployment indices (scale 0-10)

The three ICT deployment indices (CMS, Courts decisions DB and Statistical tools) range from 0 to 10 points. Their calculation is based on the features and deployment rates of each beneficiary. The methodology for calculation provides points for each feature in each case matter. They are summarised and multiplied by the deployment rate as a weight. In this way, if the system is not fully deployed, the value is decreased even if all features are existing.



### Electronic case management system and court related activity statistics

In Armenia, there is a **case management system (CMS)**, eg software used for registering judicial proceedings and their management, which has been developed more than 10 years ago. There are plans for a significant change in the present IT system to be implemented in the Strategy of Judicial and Legal Reforms of 2022-2026. The CMS is developed in all courts (**100% deployment rate**) and there is a centralised or interoperable database and a connection to a statistical tool for all types of cases.

The court decisions are published online (ie. on a public website). Functionalities of the database do not include "automatic anonymisation" of court decisions but have "free public online access" for all matters. Advanced search engine is available for all categories of cases. There is no links with ECHR case law (hyperlinks which reference the ECHR judgments in HUDOC database).

### Trainings

In Armenia the training institution does not have a separate budget. In 2023 the amount of the overall budget named "Special training services for judges and prosecutors included in the list of candidates and bailiffs" was **673 955 Euros**.

Both judges and prosecutors are required to attend a minimum of 2 in-service compulsory trainings but there is no requirement to attend a minimum number of in-service training days for judges and prosecutors. In 2023, **835 participants** (of which 277 judges and 360 prosecutors) were trained in **102 live trainings** (in-person, hybrid or video conferences). There were **163 participants in internet-based trainings**. This shows that the participation on live trainings is higher than the participation in internet-based trainings. **20 trainings provided on the e-learning platform** of the national training institution which were completed by **163 participants**. 10 of those trainings were for judges with 57 participants and 10 were for prosecutors with 106 participants.

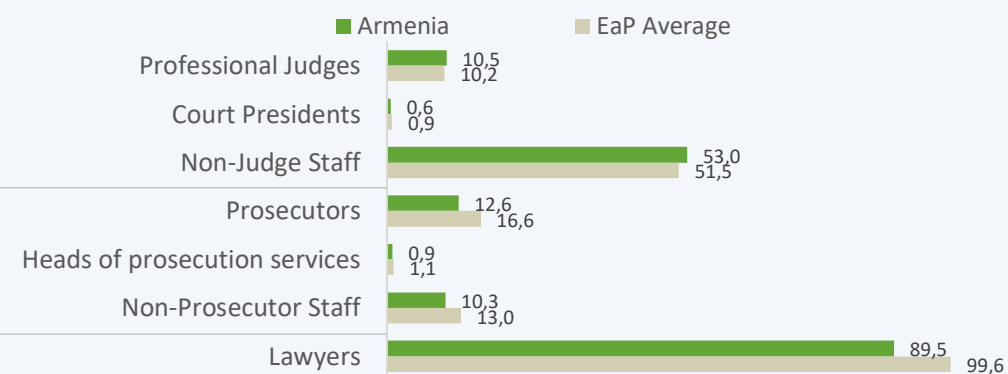
### ADR (Alternative Dispute Resolution)

In Armenia, Alternative Dispute Resolution (ADR) procedures are available. Based on the law on mediation, there are three types of mediation. 1. mediation based on mutual agreement of parties regulated by the same law; 2. mediation based on court decision, regulated by the Civil Procedure Code; 3. Financial mediation regulated by the Law on Financial Mediation System.

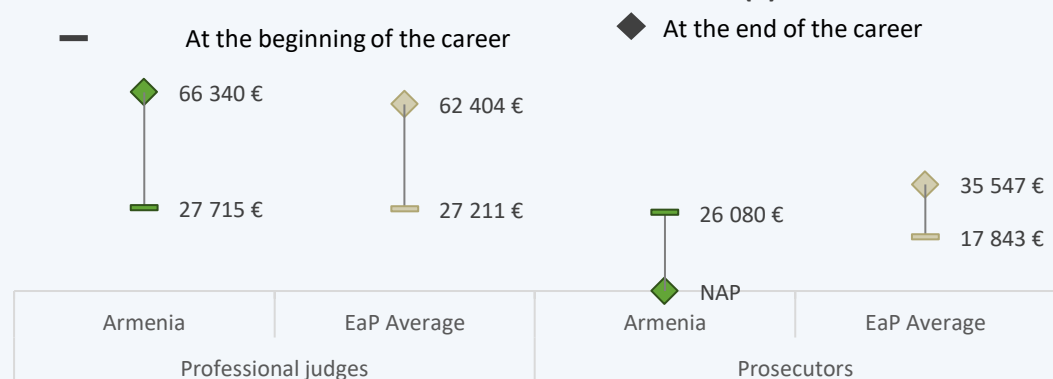
Court related mediation procedures are available and free legal aid for court-related mediation could be granted. The judicial system does not provide for mandatory mediation. Also, there are no mandatory informative sessions with a mediator. In 2023, the number of mediators was 1,2 per 100 000 inhabitants, which was below the EaP Average (13,2 per 100 000 inhabitants). Qualification of a licensed mediator can be obtained by a person who has reached the age of 25 and has higher education.

### Professionals of Justice

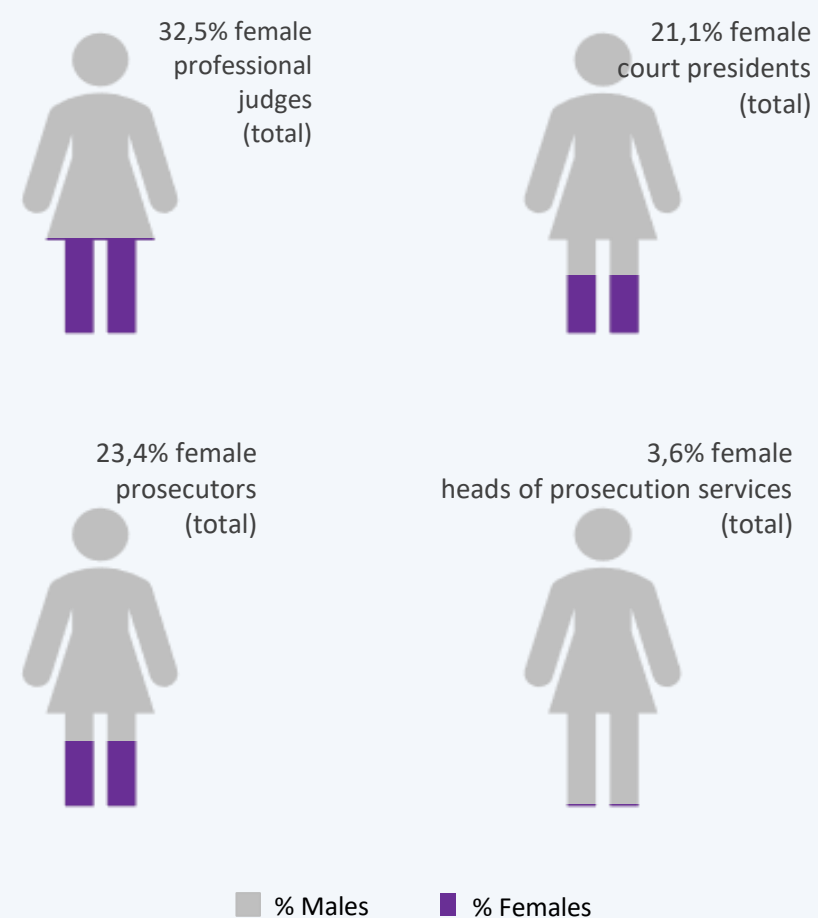
Total number of professionals per 100 000 inhabitants in 2023



Gross annual salaries of professional judges and prosecutors at the beginning and the end of the career in 2023 (€)



### Gender Balance



### Professionals and Gender Balance

In 2023, Armenia had **10,5 professional judges and 12.6 prosecutors per 100 000 inhabitants**. The figure for judges was above the EaP average (10.2) while the figure for prosecutors was below the EaP average (16.6).

Regarding gender balance, professional judges (32.5%), court presidents (21.1%), prosecutors (23.4%), heads of prosecution services (3.6%) and lawyers (44.2%) had less than 50% of female presence. The profession with the lowest percentage of females was head of prosecution service (3.6%), while the one with the highest was non-judge staff (73%).

### ECHR

In 2023 for Armenia, **147 applications were allocated to a judicial formation** of the European Court of Human Rights (36 more than the previous year). **23 judgements** by the ECHR found at least one violation for Armenia. 15 cases were considered as closed after a judgement of the ECtHR.

In Armenia, there is a monitoring system for violations related to Article 6 of ECHR in civil (non-enforcement and timeframe) and in criminal procedures (timeframe) and a possibility to review a case after a decision on violation of human rights by the ECtHR.

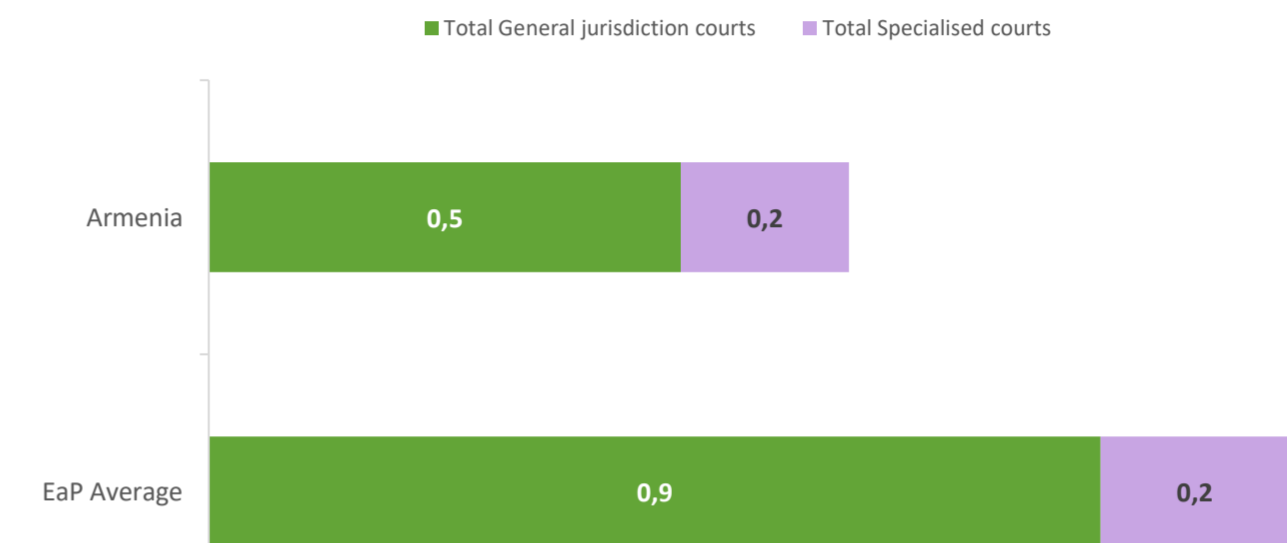
## Judicial organisation in Armenia in 2023 (Indicator 2.0)

Armenia has a three-tier judicial system which includes courts of general and specialised jurisdiction. Courts of general jurisdiction deal with all matters outside of the jurisdiction of specialised courts, which are assigned competence over specific subjects. Specialised courts cover administrative cases, insolvency and anti-corruption cases. The Supreme Court is the single highest instance court in the country.

### • Number of courts - legal entities

		Number of courts - legal entities in 2023		
		Absolute number	Per 100 000 inhabitants	EaP Average per 100 000 inhabitants
Total number of all courts - legal entities (1 + 2)		19	0,6	1,0
General jurisdiction	Total General jurisdiction courts (1)	14	0,5	0,9
	1st instance	11	0,4	0,8
	2nd instance	2	0,1	0,1
	Highest instance	1	0,0	0,0
Specialised courts	Total Specialised courts (2)	5	0,2	0,2
	1st instance	3	0,1	0,2
	Higher instance	2	0,1	-

Number of all courts - legal entities per 100 000 inhabitants in 2023



Armenia has total of 19 general jurisdiction courts, 0.6 per 100 000 inhabitants, which is lower than the EaP Average of 1.0. The court on Fight against Terrorism, Organised Crime and Corruption (also referred to as the Anti-Corruption Court) was created in 2022. In 2023 a new anti-corruption chamber was created in the Court of Cassation, thus the entire three-tier system of hearing of anti-corruption cases is now in place.

## • Specialised courts

Specialised courts in 2023	First instance	Higher instances
Total number of specialised courts - legal entities	3	2
Commercial courts (excluded insolvency courts)	NAP	NAP
Insolvency courts	1	NAP
Labour courts	NAP	NAP
Family courts	NAP	NAP
Rent and tenancies courts	NAP	NAP
Enforcement of criminal sanctions courts	NAP	NAP
Fight against terrorism, organised crime and corruption	1	1
Internet related disputes	NAP	NAP
Administrative courts	1	1
Insurance and / or social welfare courts	NAP	NAP
Military courts	NAP	NAP
Juvenile courts	NAP	NAP
Other specialised courts	NAP	NAP

There are 3 specialised courts of the first instance: Insolvency, Administrative and the Anti-Corruption Court. However, only Administrative and Anti-Corruption courts have specialised higher instance courts. Insolvency cases at the appeal level are heard at courts of general jurisdiction.

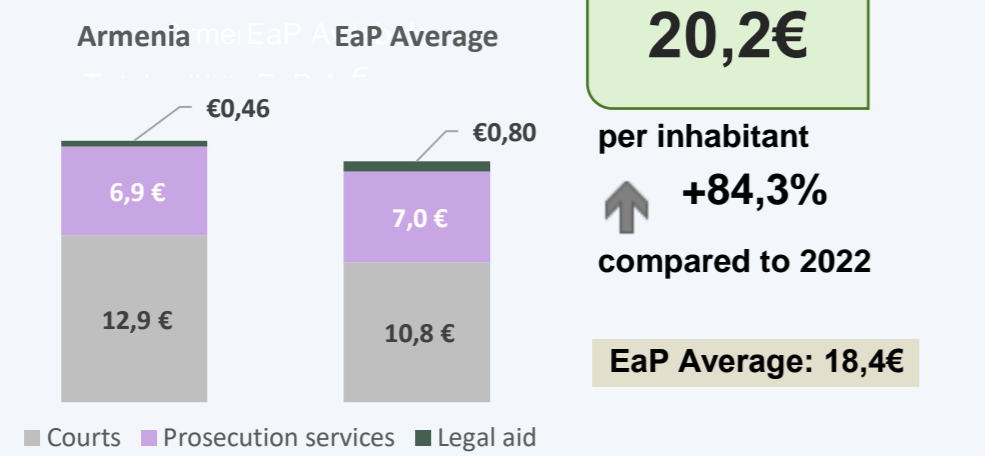
## • Number of courts - geographic locations

Number of courts - geographic locations in 2023	Absolute number	Per 100 000 inhabitants	EaP Average per 100 000 inhabitants
Total number	47	1,6	1,4
1st instance courts	44	1,5	1,3

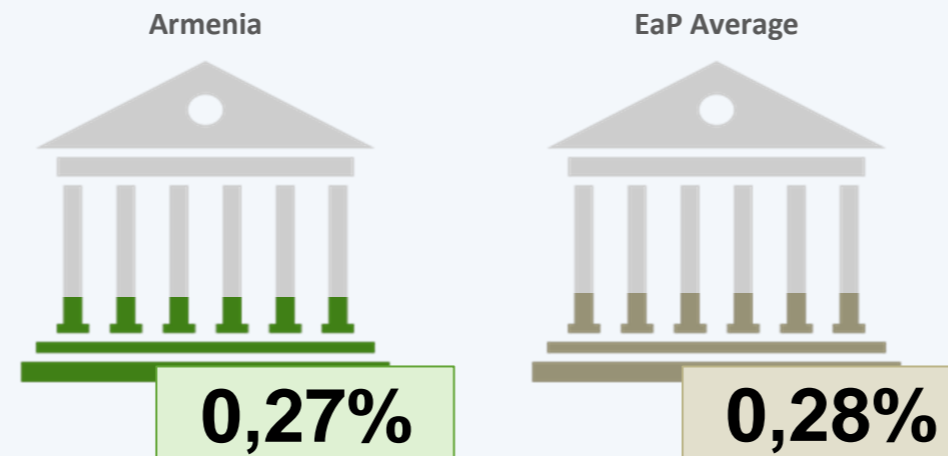
Armenia has a total of 47 courts (geographic locations) while 44 of those are 1st instance courts. Number of 1st instance and all courts per 100 000 inhabitants (1.5 and 1.6) is higher than the EaP Average (1.3 and 1.4).

## Budget of the judicial system in Armenia in 2023 (Indicator 1)

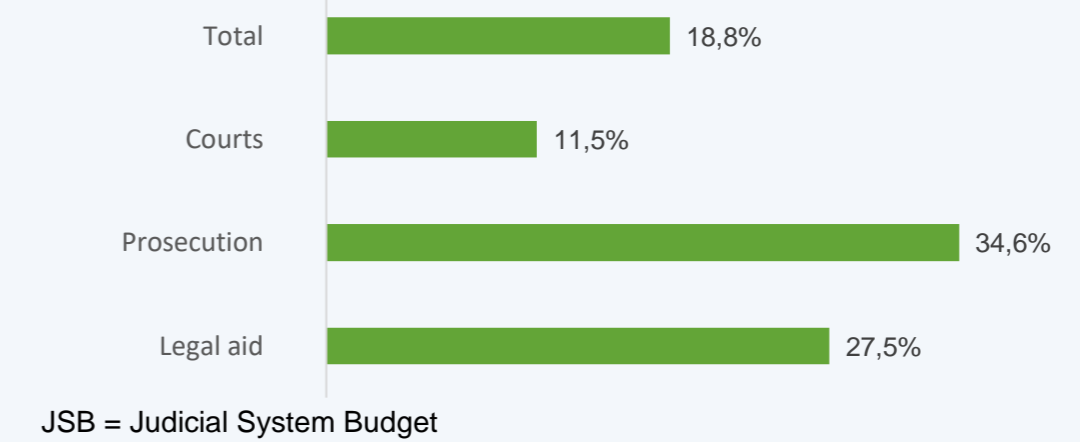
### Implemented Judicial System Budget per inhabitant



### Implemented Judicial System Budget as % of GDP



### Variation of the JSB per inhabitant between 2022 - 2023



The Judicial System Budget (JSB) is composed by the budget for courts, public prosecution services and legal aid. In 2023, the implemented JSB for Armenia was 20,2€ per inhabitant (+84,3% compared to 2022). It was higher than the EaP Average of 18,4€. The expenditure on JSB represented 0,27% of the GDP of Armenia (the EaP Average was 0,28%).

### Budget allocated to the judicial system (courts, prosecution services and legal aid)

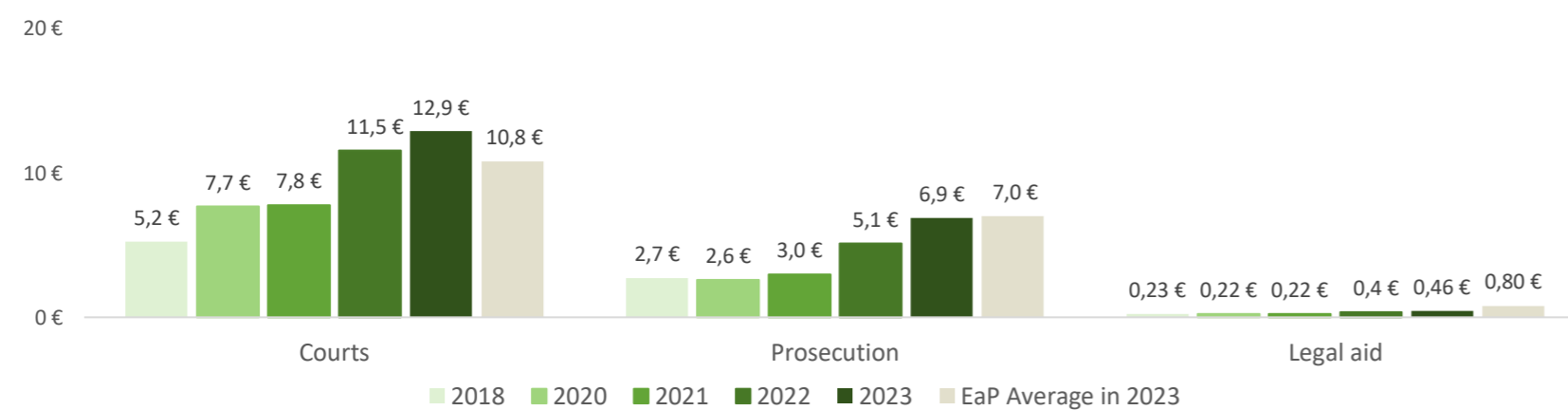
In 2023, Armenia spent 60 087 422€ on the implemented judicial system budget. This means that Armenia spent 20,2€ per inhabitant, which is more than the EaP Average of 18,4€. 63,8% was spent for courts, 34% for prosecution services, 2,3% for legal aid.

Compared to 2022, Armenia has spent, per inhabitant, 65,7% more for courts, 131,2% more for prosecution services, and 107,6% more for legal aid.

Judicial System Budget	Judicial System Budget in 2023		Implemented Judicial System Budget per inhabitant				Implemented Judicial System Budget as % of GDP			
	Approved	Implemented	Per inhabitant in 2023	EaP Average in 2023	% Variation between 2018 - 2023	% Variation between 2022 - 2023	As % of GDP	EaP Average in 2023	Variation (in ppt) 2018 -2023	Variation (in ppt) 2022 - 2023
<b>Total</b>	60 257 812 €	60 087 422 €	20,2 €	18,4 €	147,6%	18,8%	0,27%	0,28%	0,04	-0,003
<b>Courts</b>	38 444 441 €	38 320 716 €	12,9 €	10,8 €	146,4%	11,5%	0,17%	0,16%	0,03	-0,013
<b>Prosecution</b>	20 452 496 €	20 407 736 €	6,9 €	7,0 €	154,1%	34,6%	0,09%	0,13%	0,02	0,010
<b>Legal aid</b>	1 360 875 €	1 358 970 €	0,5 €	0,8 €	98,9%	27,5%	0,006%	0,01%	-0,0004	0,0004

PPT = Percentage points

### Evolution of the implemented judicial system budget per inhabitant between 2018 and 2023 (€)



Implemented per inhabitant budget for all components of the JSB has been increasing in Armenia since 2018. As per 2023 data implemented per inhabitant budget for courts (12.9€) is above the EaP Average (10.8€) while budgets for prosecution (6.9€) and legal aid (0.46€) are below the EaP average (7.0€ and 0.80€ respectively).

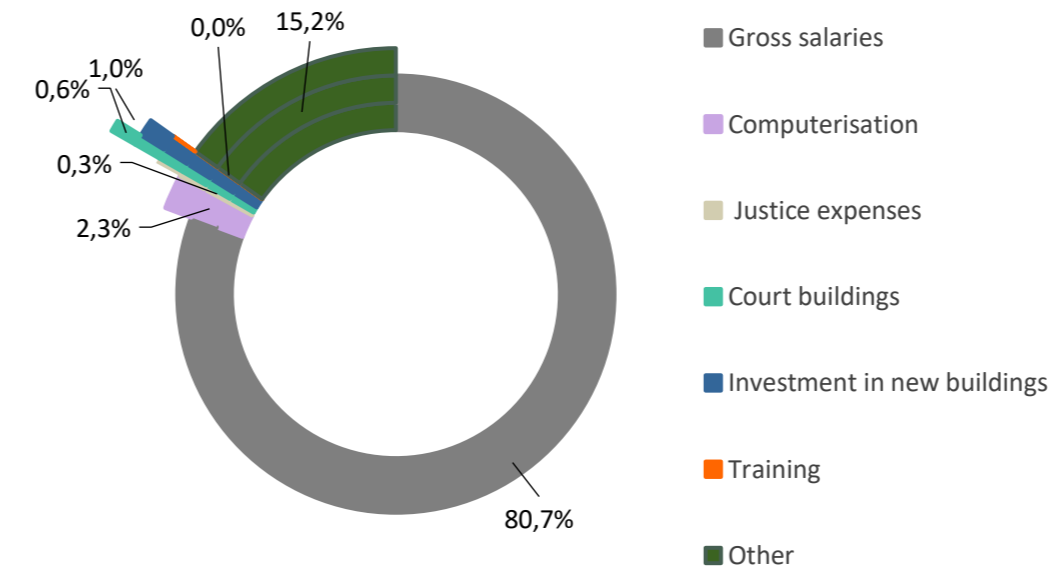
## Budget allocated to the functioning of the courts - Categories

In 2023, Armenia spent 38 320 716€ on the implemented budget for courts. 80,7% was spent on gross salaries, 2,3% for computerisation, 0,3% for justice expenses, 0,6% for court buildings, 1% for investment in new buildings, 15,2% for other. The category "other" includes the reserve fund of courts (574 809€), social packages of employees of state institutions and organisations (384 440€), annual public budget allocated to other equipment (227 746€), maintenance of courts (4 624 294€).

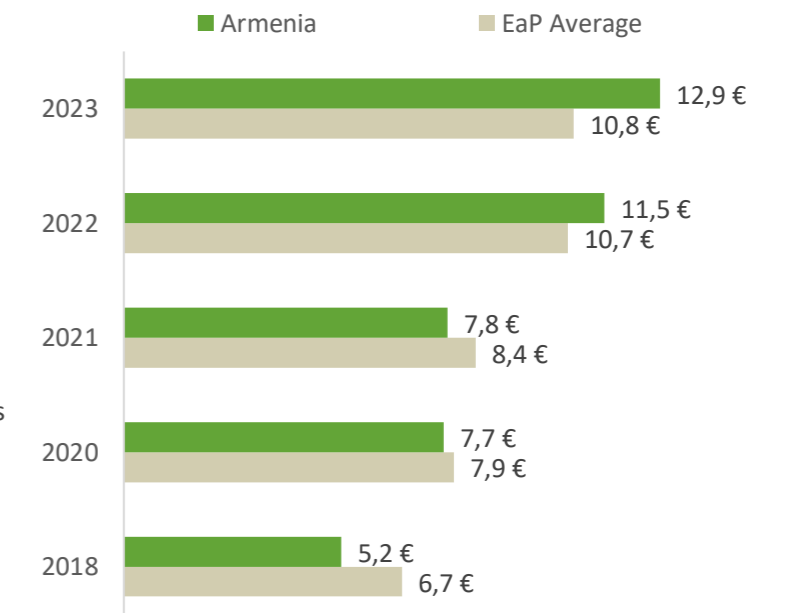
Between 2022 and 2023, the implemented budget for courts has increased by 11,5%.

	2023		% Variation between 2018 and 2023		% Variation between 2022 and 2023	
	Approved budget	Implemented budget	Approved budget	Implemented budget	Approved budget	Implemented budget
<b>Total (1 + 2 + 3 + 4 + 5 + 6 + 7)</b>	38 444 441 €	38 320 716 €	137,5%	147,7%	8,5%	11,5%
<b>1. Gross salaries</b>	30 933 052 €	30 928 652 €	139,9%	143,0%	10,3%	11,5%
<b>2. Computerisation (2.1 + 2.2)</b>	863 887 €	863 663 €	593,2%	864,4%	10,6%	34,5%
2.1 Investment in computerisation	736 974 €	736 751 €			13,7%	37,8%
2.2 Maintenance of the IT equipment of courts	126 913 €	126 912 €			-4,5%	18,0%
<b>3. Justice expenses</b>	124 753 €	123 880 €	333,8%	331,1%	-38,2%	-0,3%
<b>4. Court buildings</b>	222 315 €	222 287 €	1658,4%	68296,0%	-58,1%	-55,2%
<b>5. Investment in new buildings</b>	368 609 €	367 046 €	NA	NA	4738,7%	4718,1%
<b>6. Training</b>	5 104 €	5 102 €	NAP	NAP	-94,3%	-38,9%
<b>7. Other</b>	5 926 721 €	5 810 085 €	NAP	NAP	2,4%	8,6%

Distribution of the Implemented budget allocated to the courts in 2023 (%)



Implemented budget allocated to the courts per inhabitant between 2018 and 2023 (€)



• Budget received from external donors

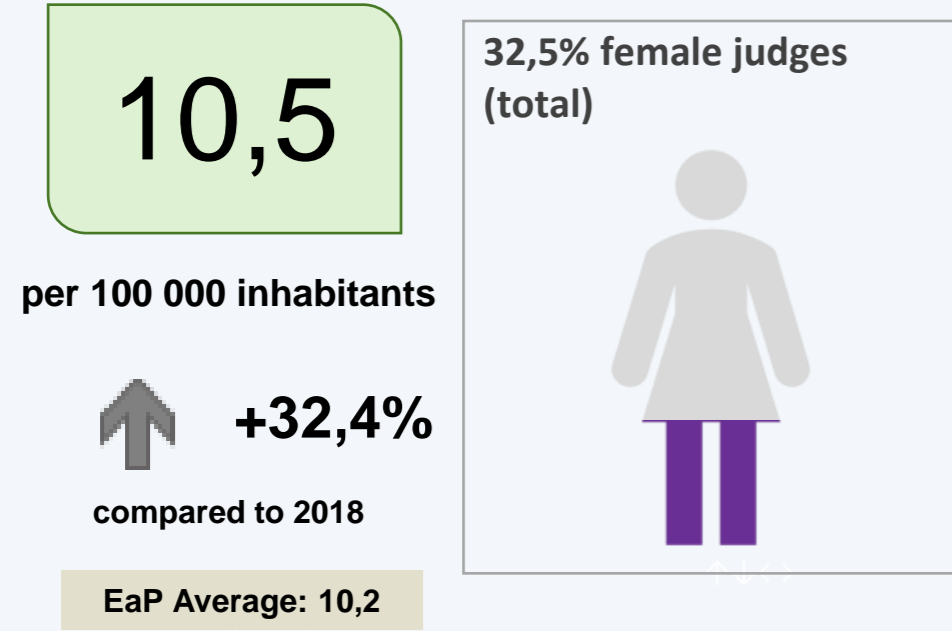
	Absolute value	Calculated as %
Courts	NA	NA
Prosecution services	NA	NA
Legal aid	NA	NA
Whole justice system	NA	NA

Information on budget received from external donors was not available. Armenia receives significant international assistance in the form of direct budgetary support and technical cooperation projects. Nevertheless, specific numbers and subsequently their percentages in relation to the domestic JSB budget are not available.

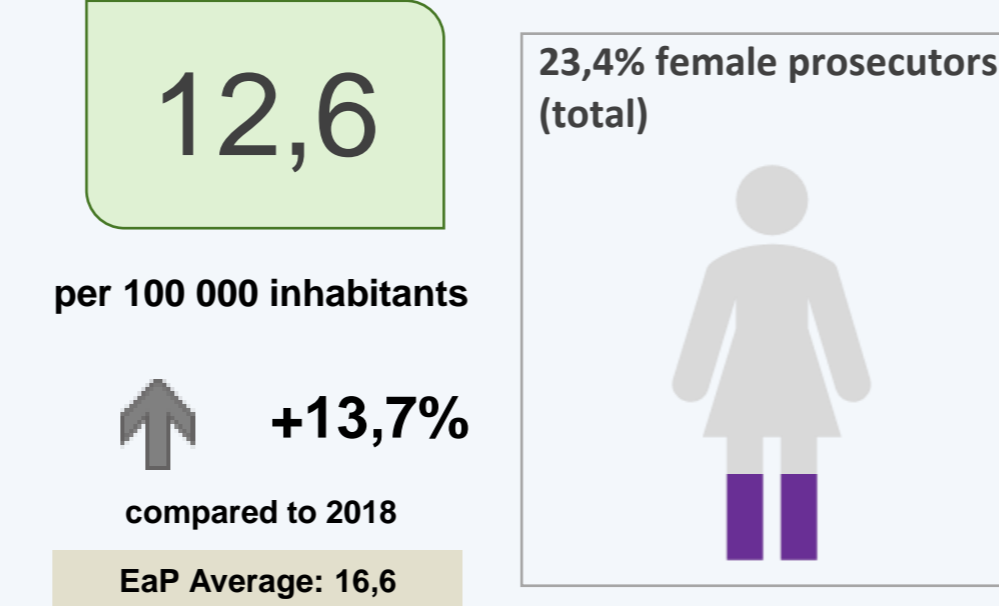


## Professionals and Gender Balance in judiciary in Armenia in 2023 (Indicators 2 and 12)

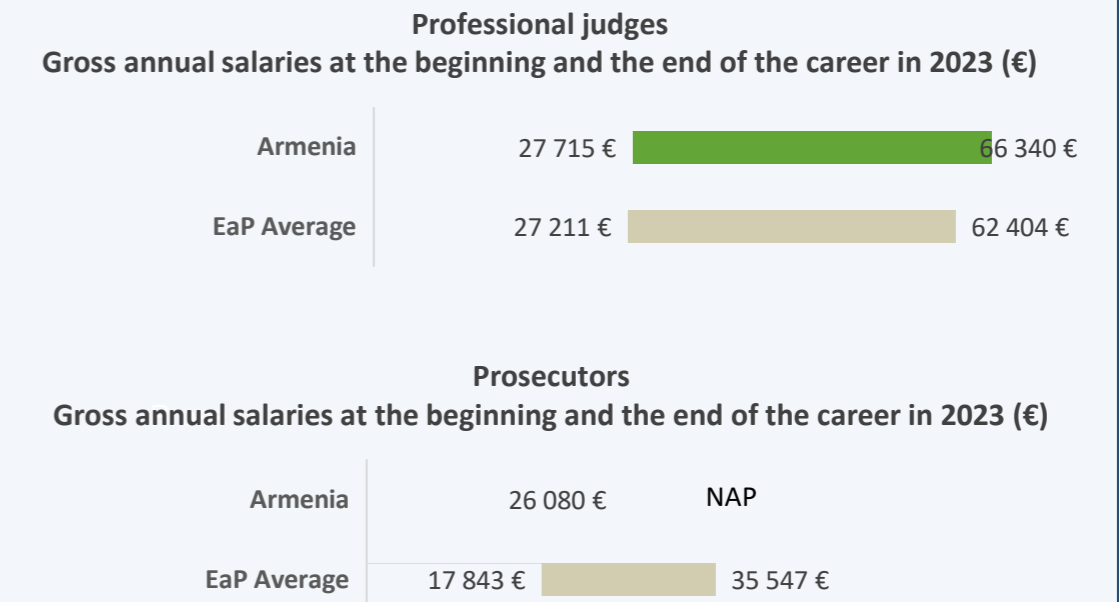
### Professional Judges



### Prosecutors



### Salaries of judges and prosecutors



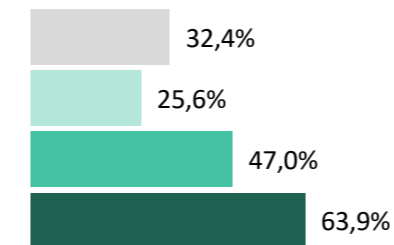
In 2023, Armenia had 10,5 professional judges per 100 000 (close to the EaP Average of 10,2); whereas prosecutors were 12,6 per 100 000 inhabitants, which is significantly lower than the EaP Average (16,6). Less than half of professional judges (32,5%) and prosecutors (23,4%) were women (the EaP Average was 43,1% and 27,5%, respectively).

### Professional Judges

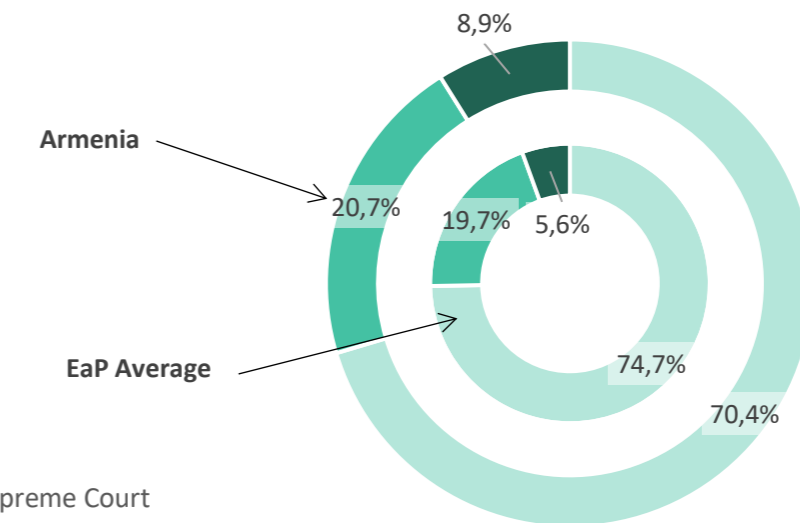
	Professional judges in 2023			
	Absolute number	% of the total	Per 100 000 inhabitants	EaP Average per 100 000 inhabitants
<b>Total</b>	314	100,0%	10,5	10,2
1st instance courts	221	70,4%	7,4	7,6
2nd instance courts	65	20,7%	2,2	2,0
Supreme Court	28	8,9%	0,9	0,6

For reference only: the 2022 EU median is 22,9 judges per 100 000 inhabitants.

### % Variation of no. of professional judges per 100 000 inh. 2018 - 2023



### Distribution of professional judges by instance in 2023 (%)



In 2023, the absolute number of professional judges in Armenia was 314 (i.e. 10,5 per 100 000 inhabitants, which was close to the EaP Average of 10,2).

Compared to 2022, the total number of professional judges per 100 000 inhabitants increased by 5.7% while compared to 2018 the increase is 32.4%.

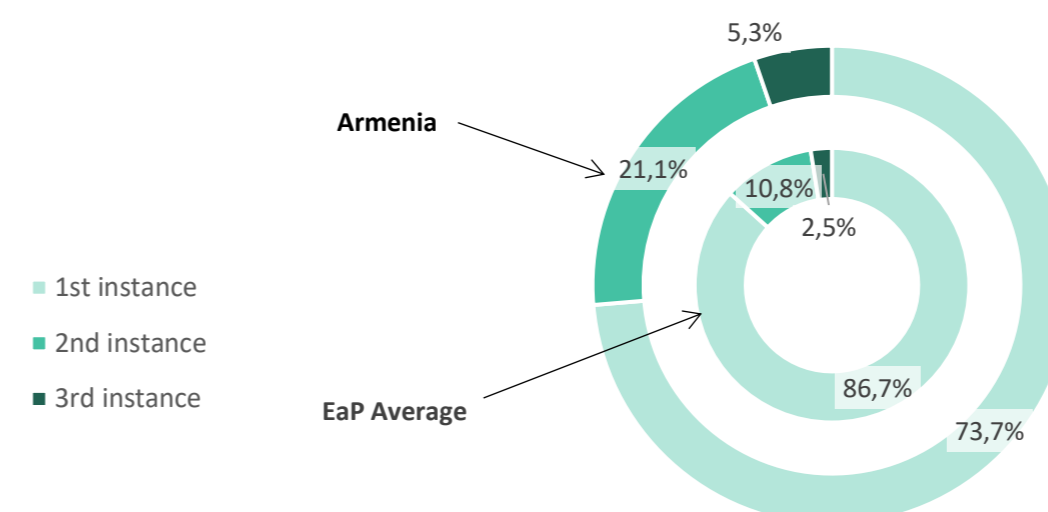
The figures show a difference of 4,3 percentage points between the percentage of judges in the first instance (70,38%) and the EaP Average (74,7%).

## • Court presidents

	Court presidents in 2023			
	Absolute number	% of the total	Per 100 000 inhabitants	EaP Average per 100 000 inhabitants
<b>Total</b>	19	100,0%	0,6	0,9
1st instance courts	14	73,7%	0,5	0,8
2nd instance courts	4	21,1%	0,1	0,1
Supreme Court	1	5,3%	0,03	0,02

The absolute number of court presidents in Armenia in 2023 was 19 ( i.e. 0,6 per 100 000 inhabitants, which was below the EaP Average of 0,9).

Distribution of court presidents by instance in 2023 (%)



## • Non-judge staff

The absolute total number of non-judge staff in Armenia was 1 578, which decreased by -20,1% between 2018 and 2023. The number of non-judge staff per 100 000 inhabitants was 53, which was above the EaP Average of 51,5.

The figures show a difference of 2 percentage points between the percentage of non-judge staff in the first instance (77%) and the EaP Average (75%)

The highest number of non-judge staff were in charge of administrative tasks and represented 50.4% of the total.

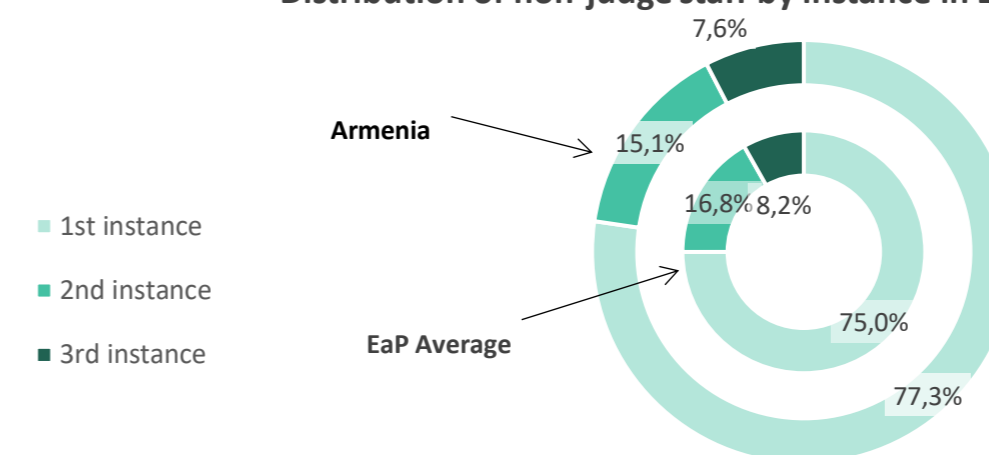
	Number of non-judge staff by instance in 2023			
	Absolute number	% of the total	Per 100 000 inhabitants	EaP Average per 100 000 inhabitants
<b>Total</b>	1 578	100,0%	53	51,5
1st instance courts	1 220	77%	41	38,6
2nd instance courts	238	15%	8	8,7
Supreme Court	120	8%	4	4,2

For reference only: the 2022 EU median is 59,4 non-judge staff per 100 000 inhabitants.

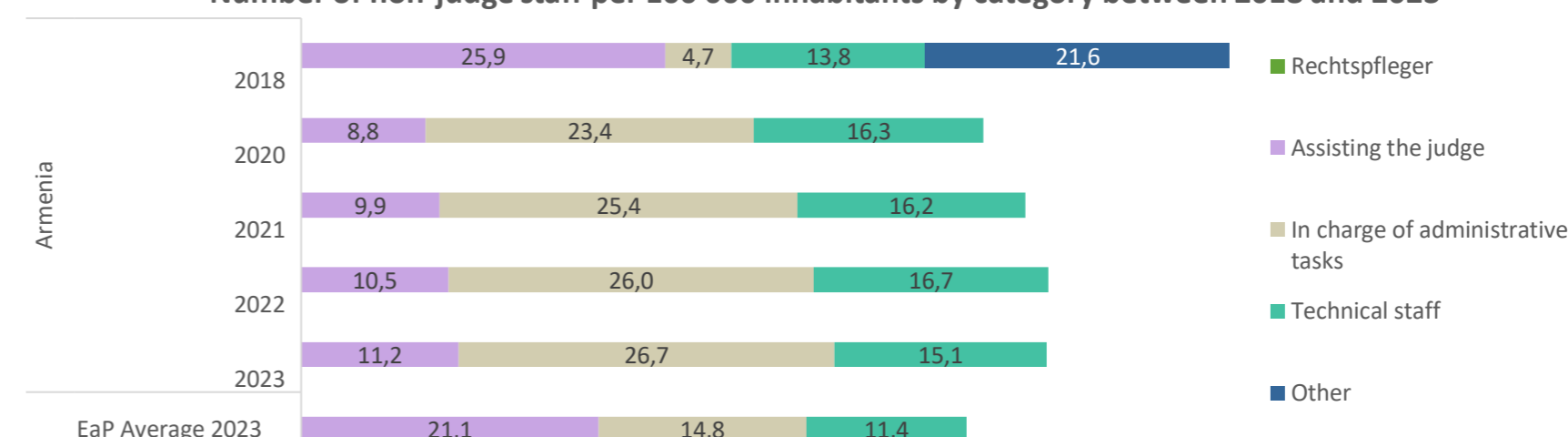
There was a significant variation in the distribution of non-judge staff by category since 2018. There is a difference of 45.7 percentage points between the percentage of non-judge staff in charge of administrative tasks.

	Number of non-judge staff by category in 2023			
	Absolute number	% of the total	Per 100 000 inhabitants	EaP Average per 100 000 inhabitants
<b>Total</b>	1 578	100,0%	53	51,5
Rechtspfleger	NAP	NAP	NAP	-
Assisting the judge	333	21,1%	11,2	21,1
In charge of administrative tasks	796	50,4%	26,7	14,8
Technical staff	449	28,5%	15,1	11,4
Other	NAP	NAP	NAP	-

Distribution of non-judge staff by instance in 2023



Number of non-judge staff per 100 000 inhabitants by category between 2018 and 2023



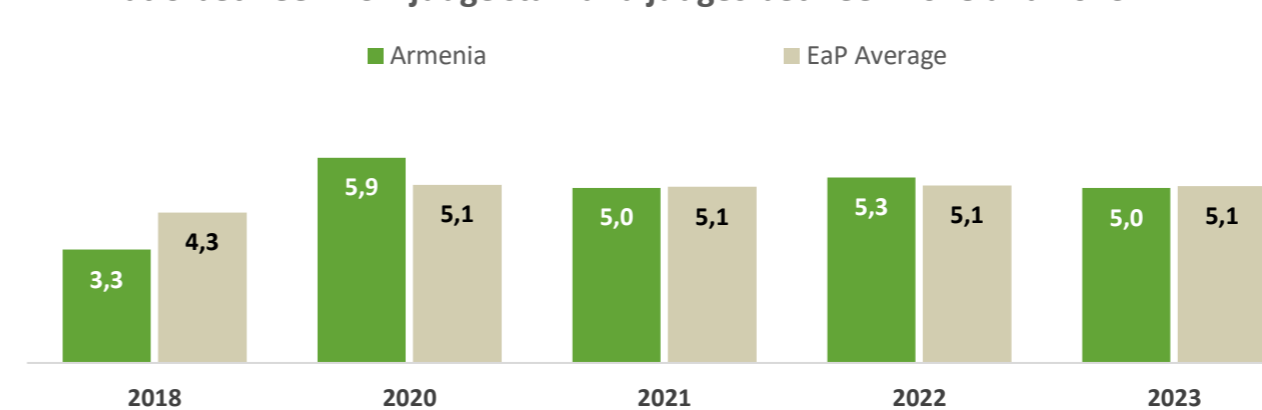
## • Ratio between non-judge staff and professional judges

In Armenia, the ratio of non-judge staff per professional judge was 5 in 2023, whereas the EaP Average was 5,1. This increased since 2018 (3,3) by 54,6% (EaP average for 2018 was 4,3).

	Ratio in 2023		% Variation between 2018 and 2023
	Armenia	EaP Average	
<b>Total</b>	5	5,1	54,6%
1st instance courts	5,5	5,2	62,1%
2nd instance courts	3,7	4,4	27,9%
Supreme Court	4,3	8,1	61,9%

For reference only: the 2022 EU median ratio of non-judge staff per judge is 3,3.

Ratio between non-judge staff and judges between 2018 and 2023



## • Prosecutors

	Number of prosecutors by instance in 2023			
	Absolute number	% of the total	Per 100 000 inhabitants	EaP Average per 100 000 inhabitants
<b>Total</b>	376	100,0%	12,6	16,6
1st instance level	NAP	NAP	NAP	-
2nd instance level	NAP	NAP	NAP	-
Supreme Court level	NAP	NAP	NAP	-

% Variation of no. of prosecutors per 100 000 inh. 2018 - 2023

13,7%

For reference only: the 2022 EU median is 11,1 prosecutors per 100 000 inhabitants.

In 2023, the absolute number of prosecutors in Armenia was 376 (i.e. 12,6 per 100 000 inhabitants, which was significantly lower than the EaP Average of 16,6).

The total number of prosecutors per 100 000 inhabitants increased by 13,7% between 2018 and 2023.

In Armenia prosecutors are not separated by instances.

## • Heads of prosecution services

	Heads of prosecution services in 2023			
	Absolute number	% of the total	Per 100 000 inhabitants	EaP Average per 100 000 inhabitants
<b>Total</b>	28	100,0%	0,9	1,1
1st instance level	NAP	NAP	NAP	-
2nd instance level	NAP	NAP	NAP	-
Supreme Court level	NAP	NAP	NAP	-

In 2023, the absolute number of heads of prosecution services in Armenia was 28 (i.e. 0,9 per 100 000 inhabitants, which was significantly lower than the EaP Average of 1,1). In Armenia prosecutors are not separated by instances.

• **Non-prosecutor staff and Ratio between non-prosecutor staff and prosecutors**

	Non-prosecutor staff in 2023			Ratio between non-prosecutor staff and prosecutors		
	Absolute number	Per 100 000 inhabitants		2023		% Variation 2018 - 2023
	Armenia	Armenia	EaP Average	Armenia	EaP Average	Armenia
<b>Total</b>	307	10,3	13,0	0,8	0,8	-14,5%

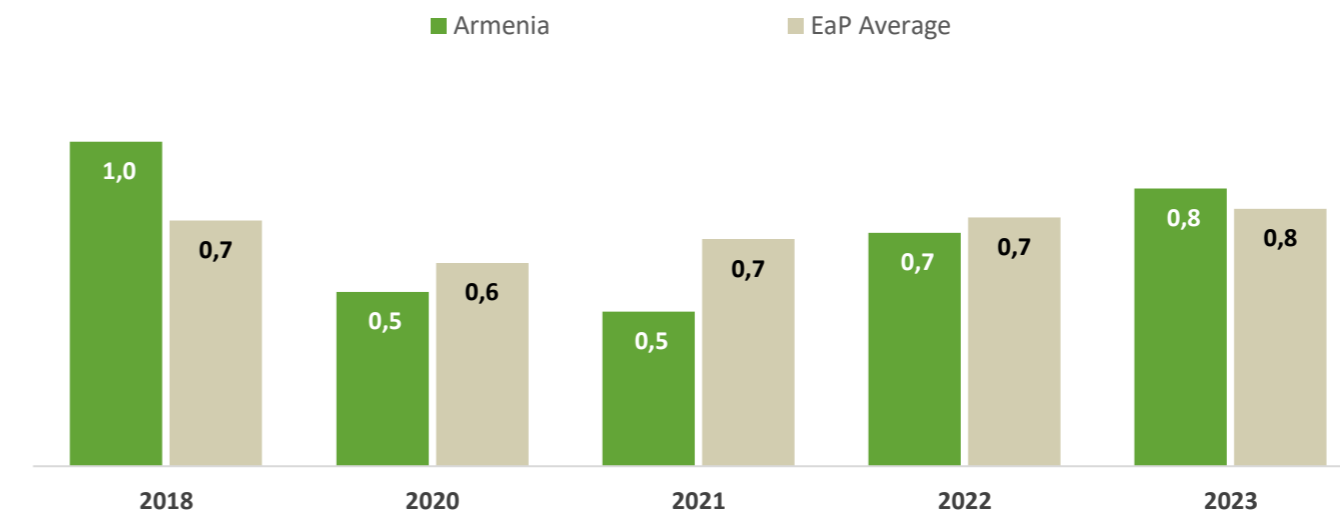
For reference only: the 2022 EU median is 14,4 non-prosecutors staff per 100 000 inhabitants.

In 2023, the total number of non-prosecutor staff in Armenia was 307. Their number decreased by -2,2% compared to 2018.

The number of non-prosecutor staff per 100 000 inhabitants was 10,3, which was below the EaP Average of 13.

The ratio of non-prosecutor staff per prosecutor was 0,8 (slightly higher than the EaP Average of 0,8).

Ratio between non-prosecutor staff and prosecutors between 2018 and 2023



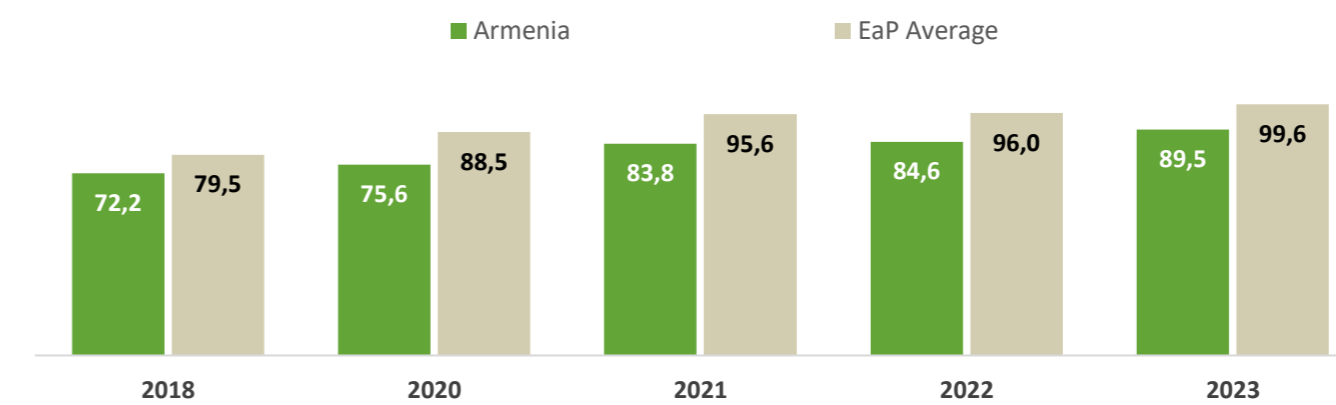
• **Lawyers**

	Number of lawyers in 2023			% Variation 2018 - 2023
	Absolute number	Per 100 000 inhabitants	EaP Average per 100 000 inhabitants	Armenia
<b>Total</b>	2 664	89,5	99,6	24,0%

For reference only: the 2022 EU median is 132,1 lawyers per 100 000 inhabitants.

In 2023, the number of lawyers was 89,5 per 100 000 inhabitants, which was slightly lower than the EaP Average (99,6). The number of lawyers per 100 000 inhabitants increased by 24% between 2018 and 2023.

Number of lawyers per 100 000 inhabitants between 2018 and 2023



## Salaries of professional judges and prosecutors

In 2023, the ratio between the salary of professional judges at the beginning of career with the annual gross average salary in Armenia was 3,6, which was less than the EaP Average (4,1).

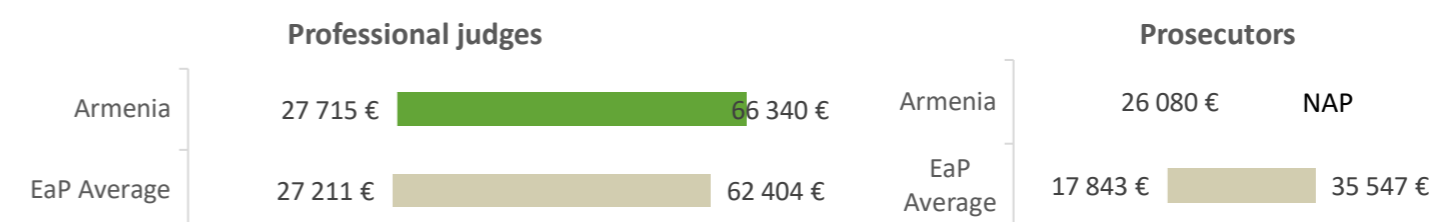
At the end of career, judges were paid more than at the beginning of career by 139,4%, which was less than the variation noted for the EaP Average (143%).

In 2023, the ratio between the salary of prosecutors at the beginning of career with the annual gross average salary in Armenia was 3,4, which was more than the EaP Average (2,7).

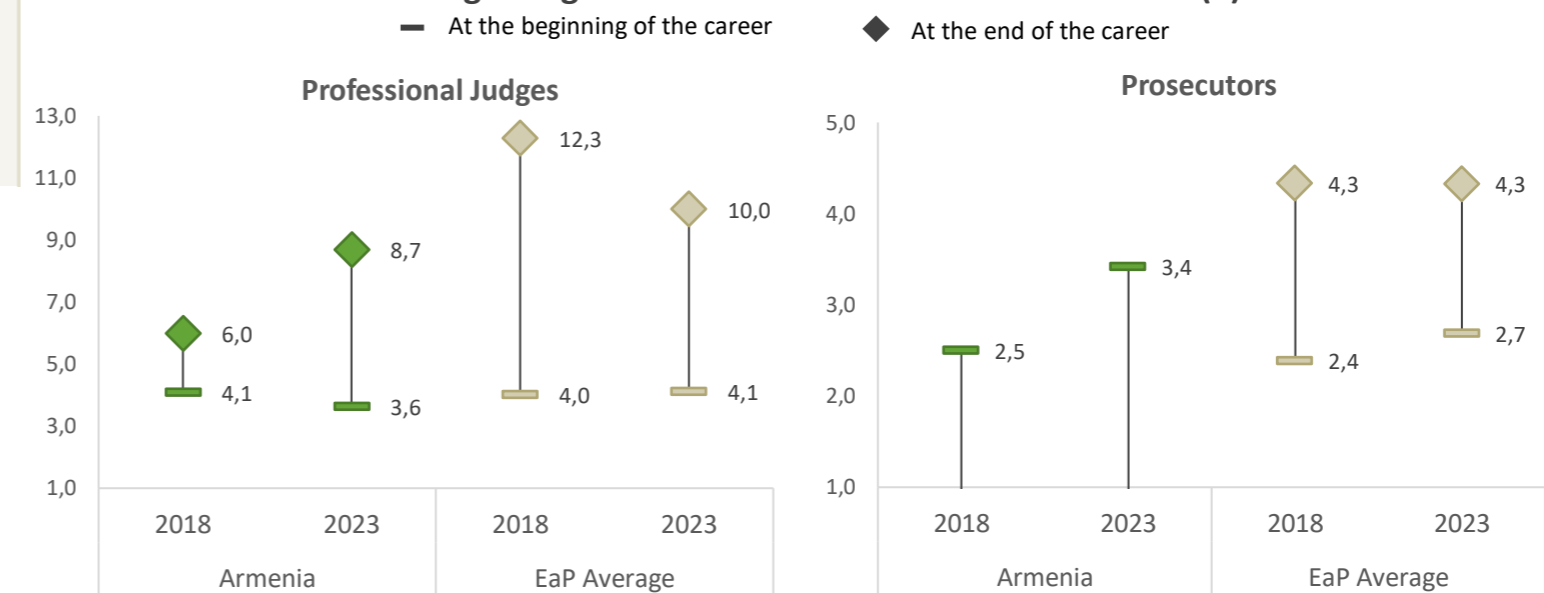
No data was available on salaries of prosecutors at the highest instance. In Armenia, prosecutors are not separated by instances and therefore it is not possible to provide the salaries of prosecutors at the Supreme Court.

		Salaries in 2023 (absolute values)			Ratio with the average gross annual salary	
		Gross annual salary in €	% Variation 2018 - 2023	Net annual salary in €	Armenia	EaP Average ratio
Professional judge	At the beginning of his/her career	27 715	▲ 76,7%	22 172	3,6	4,1
	Of the Supreme Court or the Highest Appellate Court	66 340	■ 0,0%	53 072	8,7	
Public prosecutor	At the beginning of his/her career	26 080	▲ 172,3%	18 698	3,4	2,7
	Of the Supreme Court or the Highest Appellate Court	NAP	-	NAP	NAP	

Gross annual salaries of professional judges and prosecutors at the beginning and the end of the career in 2023 (€)



Ratio of the gross annual salaries of judges and prosecutors with the average gross annual salary at the beginning and the end of career in 2018 and 2023 (€)



For reference only: the 2022 EU median for the ratio of judges and prosecutors' salaries with average gross annual national salary is:

- professional judges' salary at the beginning of career: 1,9
- professional judges' salary at the end of career: 4,3
- prosecutors' salary at the beginning of career: 1,7
- prosecutors' salary at the end of career: 3,3

Judges also receive a special fee which is 16% of their salary. The special fee is an additional remuneration which is not based on performance and is mostly the same for all judges.

### Additional benefits and bonuses for professional judges and prosecutors

	Reduced taxation	Special pension	Housing	Other financial benefit	Productivity bonuses for judges
Judges	✗	✓	✗	✗	✗
Prosecutors	✗	✓	✗	✓	

According to the Article 65 of the "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. According to the Article 66 of the same law, "property damage caused to the prosecutor or his/her family members due to the fulfilment of obligations shall be compensated by the state in the manner prescribed by law". Moreover, the state provides free examination and treatment of prosecutors. The examination and treatment of 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 Defence of the Republic of Armenia. The complete list of social guarantees of prosecutors is fixed in the Article 66.

The complete list of social guarantees of judge's is fixed in the Article 57 of the Judicial Code. In particular, judge's salary and increments added thereon, and the amount of pension can not be reduced, except for cases when an equal reduction is made for all high-ranking officials. A judge shall be entitled to health insurance and casualty insurance at state expenses, under the conditions and in the amount prescribed by the Government. In cases prescribed by the Supreme Judicial Council, a judge appointed to a position outside of the place of his/her permanent residence shall, based on his/her application, be provided with compensation equal to the rent of an apartment in the given location. The procedure for providing compensation, maximum amount and periods thereof shall be prescribed by the Government. A judge shall also enjoy social guarantees prescribed for the public servant.

**Gender Balance**

	% Female in 2023		Variation of the % females between 2018 - 2023 (in ppt)
	Armenia	EaP Average	Armenia
Professional Judges	32,5%	43,1%	▲ 7,1
Court Presidents	21,1%	22,4%	▲ 1,3
Non-Judge Staff	76,6%	69,4%	▼ -8,1
Prosecutors	23,4%	27,5%	▲ 11,6
Heads of Prosecution Services	3,6%	7,3%	▲ 3,7
Non-Prosecutor Staff	73,0%	64,0%	▲ 7,0
Lawyers	44,2%	36,1%	▲ 1,6

PPT= Percentage points

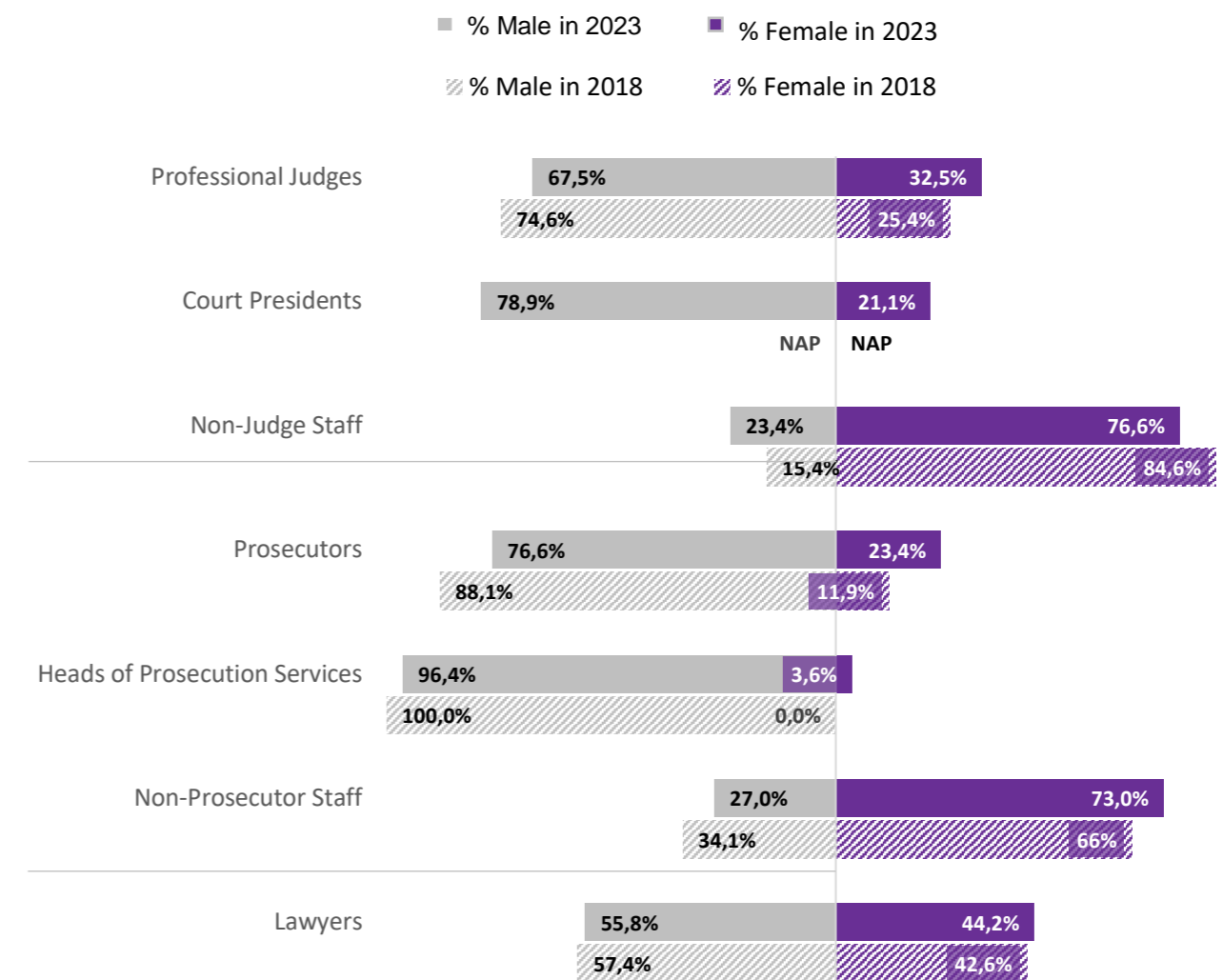
For reference only: the 2022 EU medians on gender are among professionals are as follows: 62% women judges; 76% women non-judge staff; 60% women prosecutors; 77% women non-prosecutor staff; and 49% women lawyers.

In 2023, the percentage of female professional judges was 32,5%, which was lower than EaP Average (43,1%). With a presence of 21,1%, the number of female court presidents in Armenia was slightly lower than the EaP Average of 22,4%. Moreover, the percentage of female non-judge staff was 76,6%.

Also, the percentage of female prosecutors was 23,4% (lower than the EaP Average of 27,5%). The number of female heads of prosecution services (3,6%) was lower than the EaP Average (7,3%). Moreover, the percentage of female non-prosecutor staff was 73%.

Finally, the percentage of female lawyers was 44,2%, which was higher than EaP Average (36,1%).

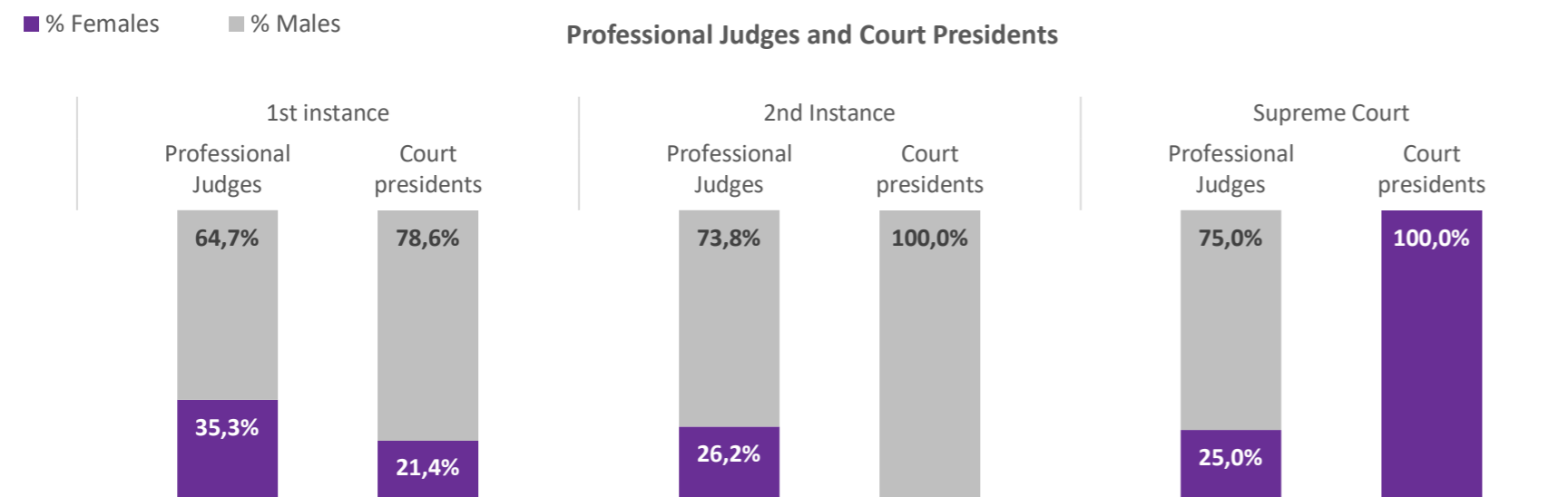
**Gender Balance in Armenia in 2018 and 2023**



For judges a diminution of the percentage of female can be observed from first to third instance. In the first instance there are 45.4% of women judges; in the second instance - 37.5% of women judges. In the Supreme Court only 32.4% are women. There are 4 female court presidents, 3 in the first instance and 1 President of the Supreme Court.

	Professional Judges % Female		Court presidents % Female		Prosecutors % Female		Heads of Prosecution Services % Female	
	Armenia	EaP Average	Armenia	EaP Average	Armenia	EaP Average	Armenia	EaP Average
1st instance	35,3%	45,4%	21,4%	21,8%	NAP	-	NAP	-
2nd instance	26,2%	37,5%	0,0%	11,9%	NAP	-	NAP	-
Supreme Court	25,0%	32,4%	100,0%	60,0%	NAP	-	NAP	-

**Gender Balance by instance in 2023**



• Gender Equality Policies

	Recruitment		Appointment	Promotion		Person / institution specifically dedicated to ensure the respect of gender equality on institution level
	Specific provisions for facilitating gender equality	Person / institution dealing with gender issues on national level	Specific provisions for facilitating gender equality	Specific provisions for facilitating gender equality	Person / institution dealing with gender issues on national level	
Court Presidents			✗			
Heads of Prosecution Services			✗			
Judges	✓	✗		✗	✗	✗
Prosecutors	✗	✗		✗	✗	✗
Non-judge staff	✗	✗		✗	✗	✗
Lawyers	✗			✗		
Notaries	✗			✗		
Enforcement agents	✗			✗		

In Armenia there is no overarching document (e.g. policy/strategy/action plan/program) on gender equality that applies specifically to the judiciary but the Gender Policy Strategy adopted in 2019 aims at promoting women's representation in decision-making positions and eliminating gender bias regarding certain professions, which may include also judiciary.

There are no specific provisions to facilitate gender equality in the recruitment and promotion for judicial professionals, with the exception of the recruitment of judges. According to Article 109 (5) of the Judicial Code, if the number of judges of either sex is less than 25 percent of the total number of judges, up to fifty per cent of the places in the list of contenders for 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.

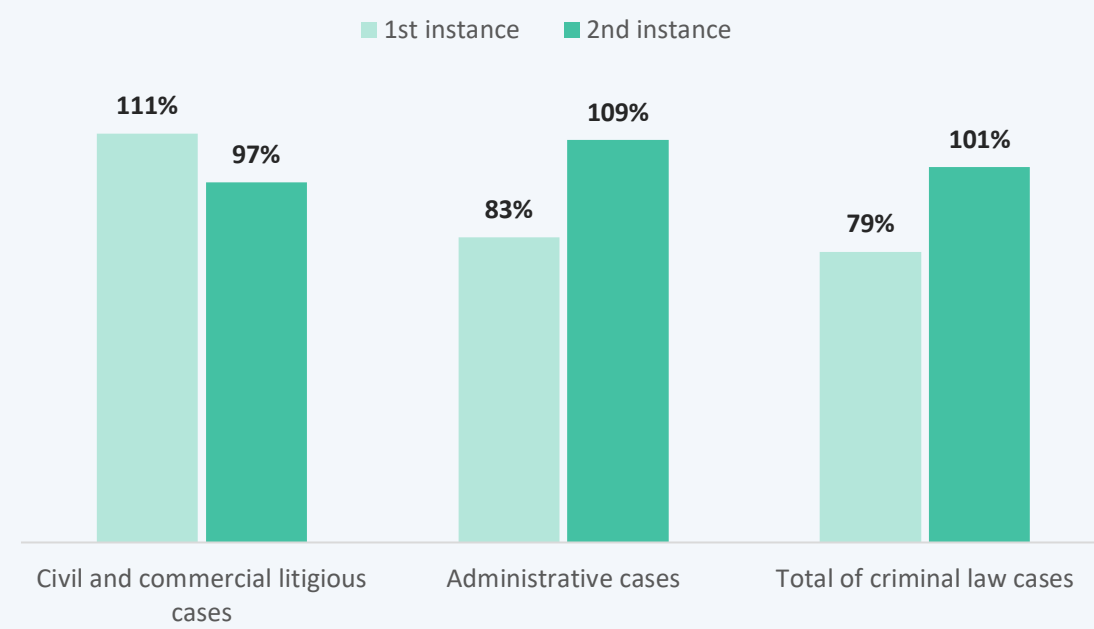
There is no specific person or institution dealing with gender issues at the national level regarding the recruitment or promotion of judges, prosecutors and non judge staff.

There is no specific person or institution specifically dedicated to ensure the respect of gender equality on institution level in courts and public prosecution services. The authorities have indicated that if a problem arises it will be solved internally, for example by the head of staff in courts.

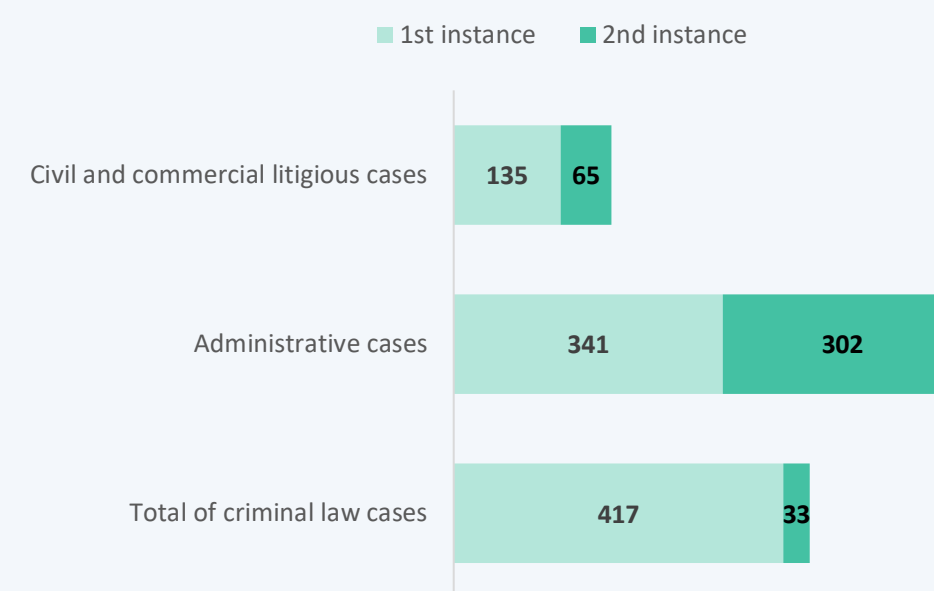


## Efficiency in Armenia in 2023 (Indicators 3.1 and 3.2)

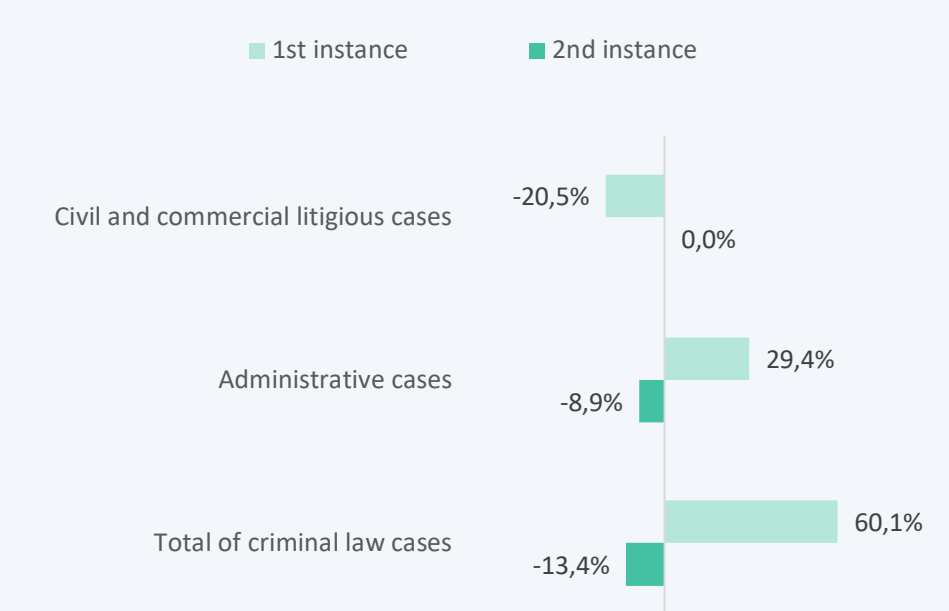
### Clearance Rate in 2023



### Disposition Time in 2023 (in days)



### % Variation of pending cases at the end of year between 2022 and 2023



In 2023, the highest Clearance rate (CR) for Armenia was calculated for the first instance Civil and commercial litigious cases, with a CR of 111%. However, it seems that Armenia was not able to deal as efficiently with the first instance total of Criminal law cases (CR of 79%). With a Disposition Time of approximately 33 days, the second instance total Criminal law cases were resolved faster than any other type of cases.

Compared to 2022, the pending cases at the end of year increased for the first instance total of Criminal law cases (60,1%), whereas they decreased for the first instance Civil and commercial litigious cases by -20,5%.

### First instance cases

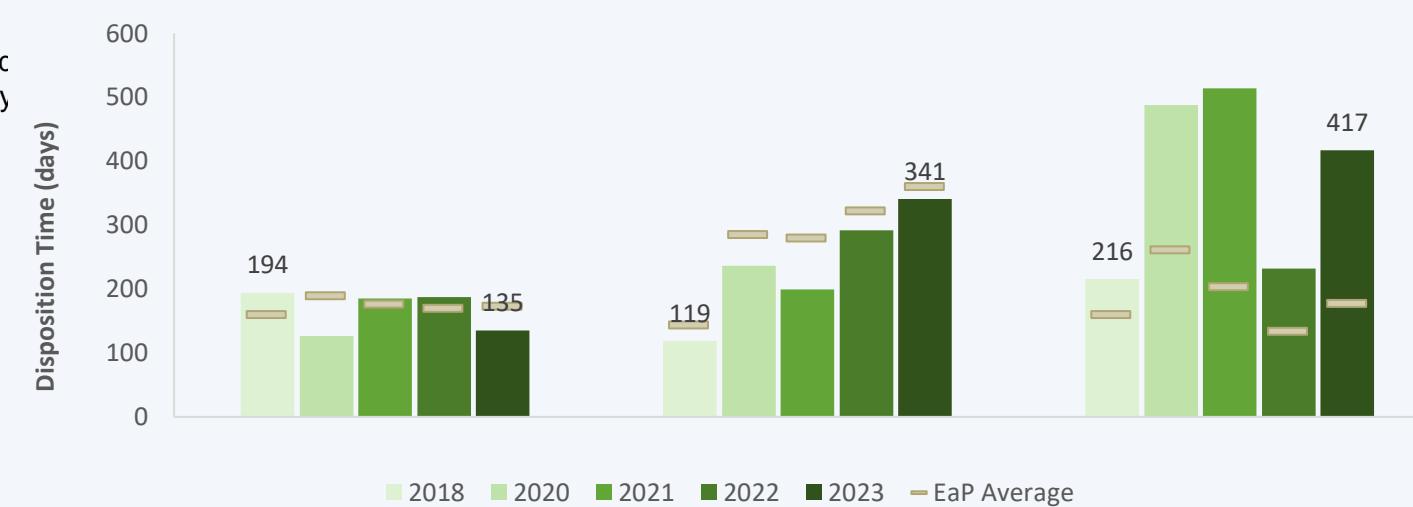
#### Clearance rate (%) and Disposition Time (days) for first instance cases from 2018 to 2023



For the last 5 years the clearance rates were inconsistent in Armenia. For the 3-year period the clearance rate in civil and commercial litigious cases has been increasing. It has reached 111% in 2023. Clearance rate for administrative and criminal law cases remained below 100 at 83% and 79% respectively for 2023.

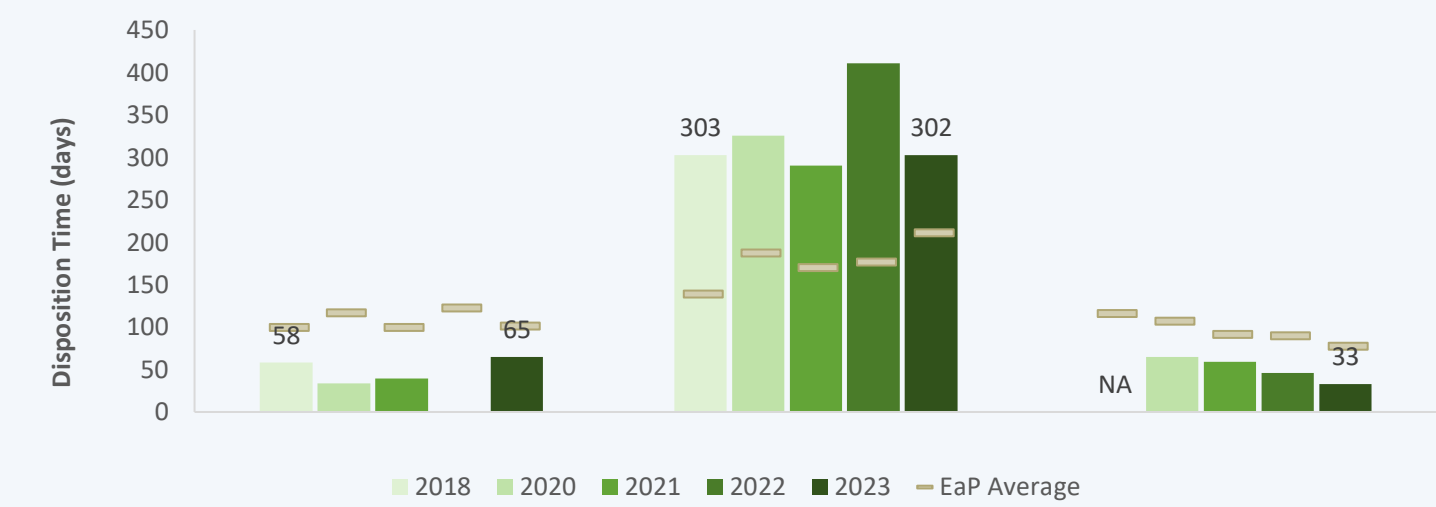
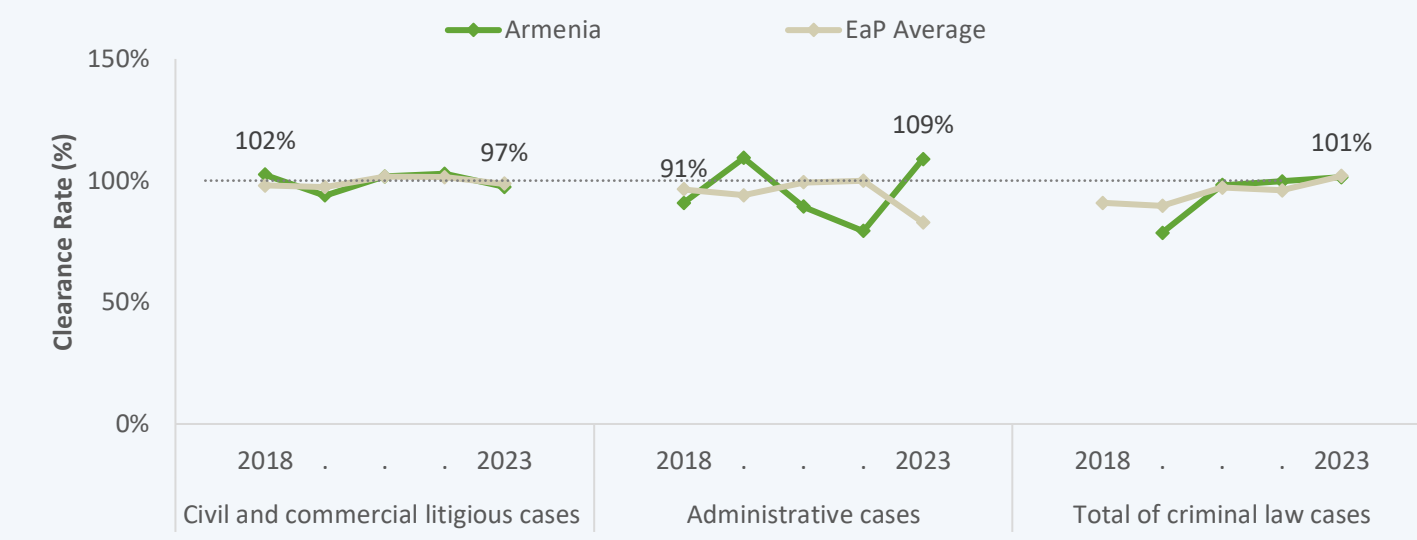
Over the past 5-year period trends in disposition time were inconsistent overall. Nevertheless, in administrative cases upward trend is observed since 2021, increasing from 199 to 341 in 2023. Subsequently the number of days increased by 142 during the 3-year period.

Disposition time in Armenia in 2023 is lower than the EaP Average in civil and commercial litigious cases as well as administrative cases, but it is significantly higher than the EaP average in criminal law cases.



### Second instance cases

#### Clearance rate (%) and Disposition Time (days) for second instance cases from 2018 to 2023



**First instance cases - Other than criminal law cases**

1st instance cases in 2023 (absolute values)	Armenia (2023)				% Variation between 2022 and 2023			
	Incoming cases	Resolved cases	Pending cases 31 Dec	Pending cases over 2 years	Incoming cases	Resolved cases	Pending cases 31 Dec	Pending cases over 2 years
Total of other than criminal law cases (1+2+3+4)	210 851	227 243	79 569	NA	-3,8%	7,2%	-17,0%	NA
1 Civil and commercial litigious cases	165 096	182 472	67 574	NA	-6,5%	10,1%	-20,5%	NA
2 Non-litigious cases**	32 450	33 794	1 740	NA	-0,9%	-7,3%	-42,8%	NA
3 Administrative cases	13 305	10 977	10 255	NA	34,6%	10,7%	29,4%	NA
4 Other cases	NAP	NAP	NAP	NA	NAP	NAP	NAP	NA

\*\* Non-litigious cases include: General civil (and commercial) non-litigious cases, Registry cases and Other non-litigious cases.

In 2023, the incoming civil and commercial litigious cases were 165 096 (5,55 per 100 inhabitants vs the EaP Average of 3,08). They decreased by -6,5% between 2022 and 2023. The resolved cases were 182 472 (6,13 per 100 inhabitants) and they increased by 10,1%. In 2023. The number of resolved cases was higher than the incoming cases. As a consequence, the civil and commercial litigious pending cases at the end of 2023 were less than in 2022. Indeed, the 2023 Clearance rate for this type of cases was 111% (above the EaP Average of 98%). This increased by 16,7 percentage points compared to 2022.

The Disposition Time for civil and commercial litigious cases was approximately 135 days in 2023 (below the EaP Average of 172 days). This decreased by -27,8% compared to 2022.

The incoming administrative cases were 13 305 in 2023 (ie 0,45 per 100 inhabitants vs the EaP Average of 0,59). They increased by 34,6% compared to the previous year. In 2023, the resolved cases were 10 977 (0,37 per 100 inhabitants, below of the EaP Average of 0,51). Between 2022 and 2023, the number of resolved administrative cases increased by 10,7%. The number of incoming cases was higher than the number of resolved cases. As a consequence, the administrative pending cases at the end of 2023 were more than in 2022 and the Clearance rate for this type of cases was 83% (below the EaP Average (84%). The CR decreased by -17,8 percentage points compared to the previous year.

Finally, the Disposition Time for administrative cases was approximately 341 days in 2023. This has increased by 16,9% compared to 2022 and it was below the EaP Average (359 days).

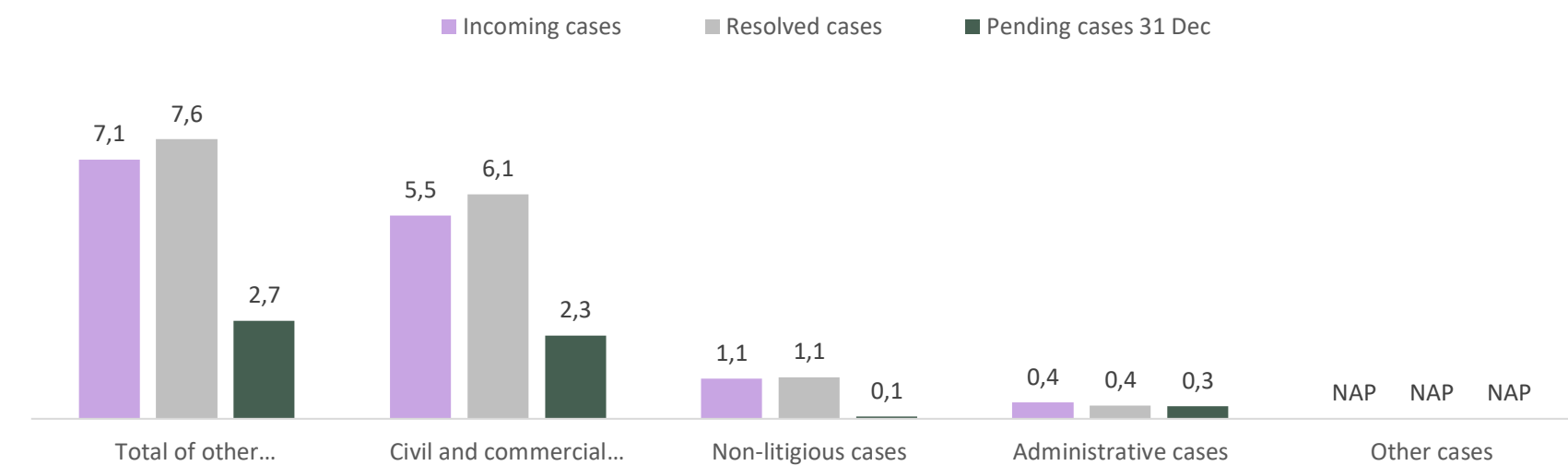
1st instance cases in 2023 (per 100 inhabitants)	Incoming cases		Resolved cases		Pending cases 31 Dec		Pending cases over 2 years	
	Armenia	EaP Average	Armenia	EaP Average	Armenia	EaP Average	Armenia	EaP Average
Total of other than criminal law cases (1+2+3+4)	7,1	> 4,8	7,6	> 4,7	2,7	> 1,8	NA	0,27
1 Civil and commercial litigious cases	5,5	> 3,1	6,1	> 3,1	2,3	> 1,4	NA	0,22
2 Non-litigious cases**	1,1	> 0,8	1,1	> 0,8	0,1	< 0,1	NA	-
3 Administrative cases	0,4	< 0,6	0,4	< 0,5	0,3	> 0,3	NA	0,05
4 Other cases	NAP	-	NAP	-	NAP	-	NA	-

For reference only: the 2022 EU Median was as follows:

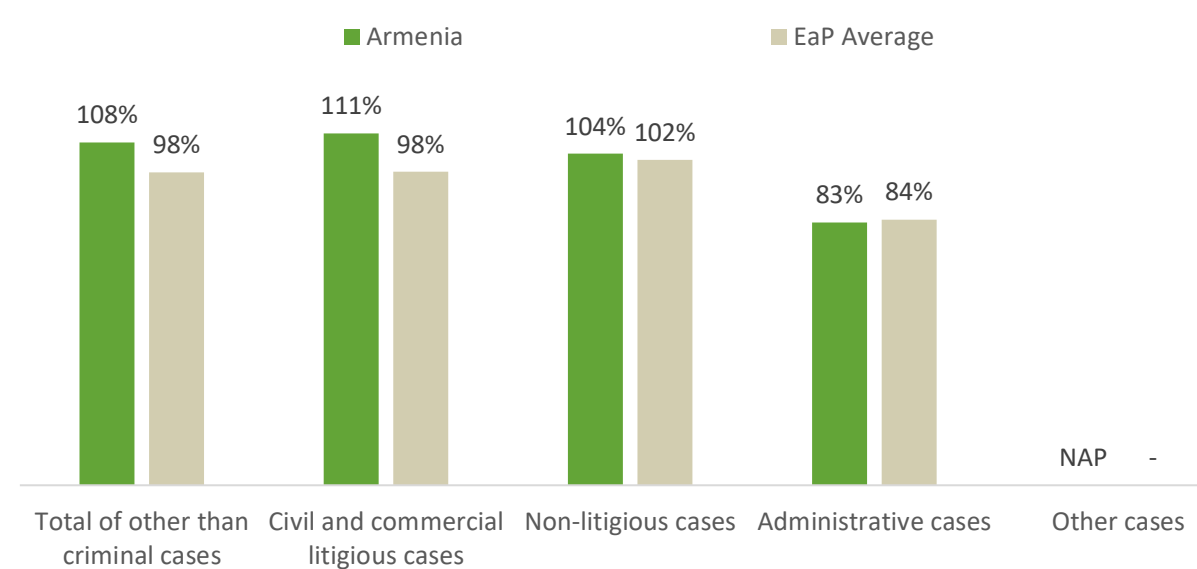
- Incoming first instance Civil and Commercial litigious cases per 100 inhabitants: 1,9;
- incoming first instance Administrative cases per 100 inhabitants: 0,3.

Key: > Higher than the EaP Average  
= Equal to the EaP Average  
< Lower than the EaP Average

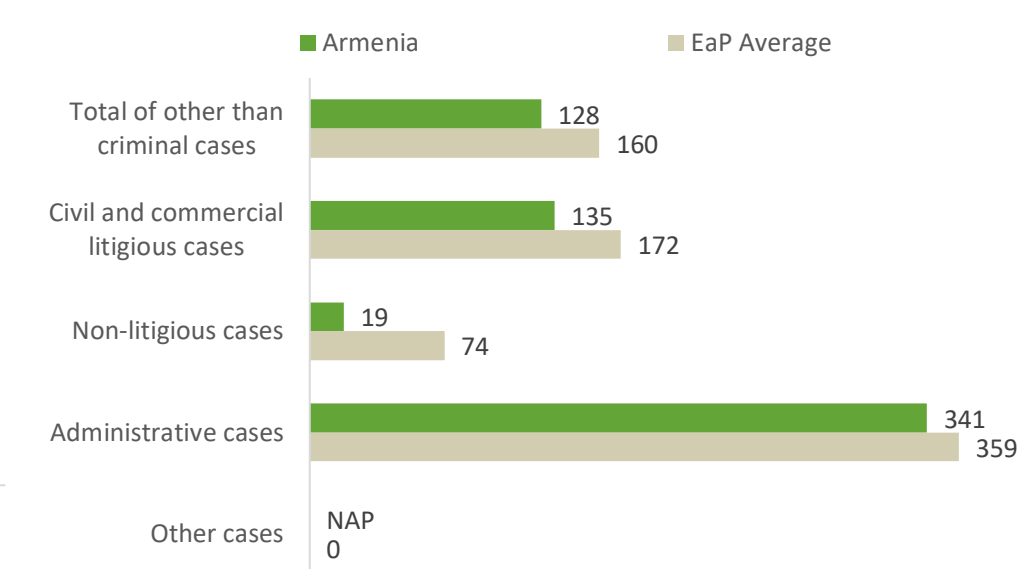
First instance Other than criminal cases per 100 inhabitants in 2023



Clearance Rate for first instance Other than criminal cases in 2023 (%)



Disposition Time for first instance Other than criminal cases in 2023 (in days)



1st instance cases Clearance Rate (CR) and Disposition Time (DT) in 2023	CR (%)		DT (days)		% Variation 2022 - 2023	
	Armenia	EaP Average	Armenia	EaP Average	CR (PPT)	DT (%)
Total of other than criminal law cases (1+2+3+4)	108%	98%	128	160	11,0	-22,6%
1 Civil and commercial litigious cases	111%	98%	135	172	16,7	-27,8%
2 Non-litigious cases**	104%	102%	19	74	-7,2	-38,3%
3 Administrative cases	83%	84%	341	359	-17,8	16,9%
4 Other cases	NAP	-	NAP	-	NAP	NAP

PPT = Percentage points

For reference only: the 2022 EU Median for the first instance Civil and Commercial litigious cases was as follows:

- Clearance rate: 100,5%;
- Disposition time: 239 days.

For reference only: the 2022 EU Median for the first instance Administrative cases was as follows:

- Clearance rate: 98,8%;
- Disposition time: 288 days.

**First instance cases - Criminal law cases**

1st instance cases in 2023 (absolute values)	Armenia (2023)				% Variation between 2022 and 2023			
	Incoming cases	Resolved cases	Pending cases 31 Dec	Pending cases over 2 years	Incoming cases	Resolved cases	Pending cases 31 Dec	Pending cases over 2 years
<b>Total of criminal law cases (1+2+3)</b>	7 813	6 137	7 019	NA	21,0%	-11,1%	60,1%	NA
1 Severe criminal cases	NA	NA	NA	NA	NA	NA	NA	NA
2 Misdemeanour and / or minor criminal cases	NA	NA	NA	NA	NA	NA	NA	NA
3 Other cases	NA	NA	NA	NA	NA	NA	NA	NA

In 2023, the incoming total criminal cases were 7 813 (0,26 per 100 inhabitants vs the EaP Average of 0,99). They increased by 21% between 2022 and 2023. The resolved cases were 6 137 (0,21 per 100 inhabitants). Between 2022 and 2023, they decreased by -11,1%. The number of resolved cases was thus lower than the incoming cases. As a consequence, the total number of pending criminal cases at the end of 2023 were more than in 2022. Indeed, the 2023 Clearance rate for this type of cases was 79% (below the EaP Average of 93,8%). It decreased by -28,3 percentage points compared to 2022.

The Disposition Time for total criminal cases was approximately 417 days in 2023 (above the EaP Average of 176 days). This increased by 80,1% over the 2022-2023 period.

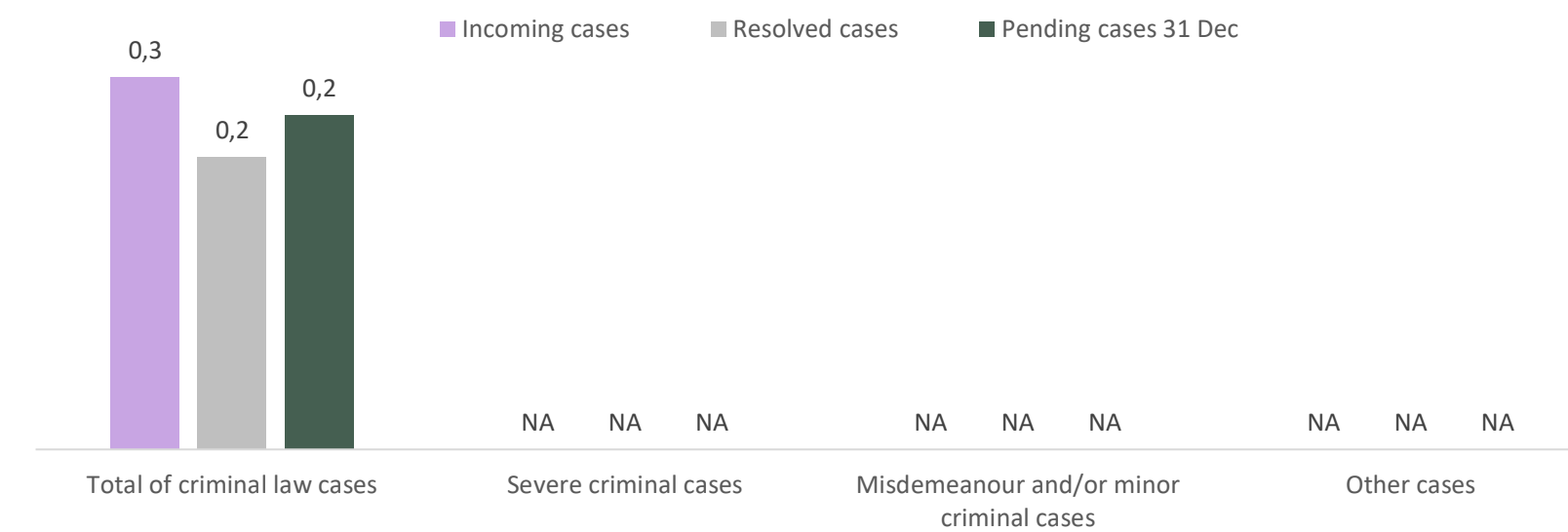
There is no data available regarding the sub-categories of criminal cases as in Armenia the criminal cases are divided differently than in the CEPEJ methodology.

1st instance cases in 2023 (per 100 inhabitants)	Incoming cases		Resolved cases		Pending cases 31 Dec		Pending cases over 2 years	
	Armenia	EaP Average	Armenia	EaP Average	Armenia	EaP Average	Armenia	EaP Average
<b>Total of criminal law cases (1+2+3)</b>	0,3	< 1,0	0,2	< 1,0	0,2	< 0,3	NA	0,03
1 Severe criminal cases	NA	0,1	NA	0,1	NA	0,1	NA	-
2 Misdemeanour and / or minor criminal cases	NA	-	NA	-	NA	-	NA	-
3 Other cases	NA	-	NA	-	NA	-	NA	-

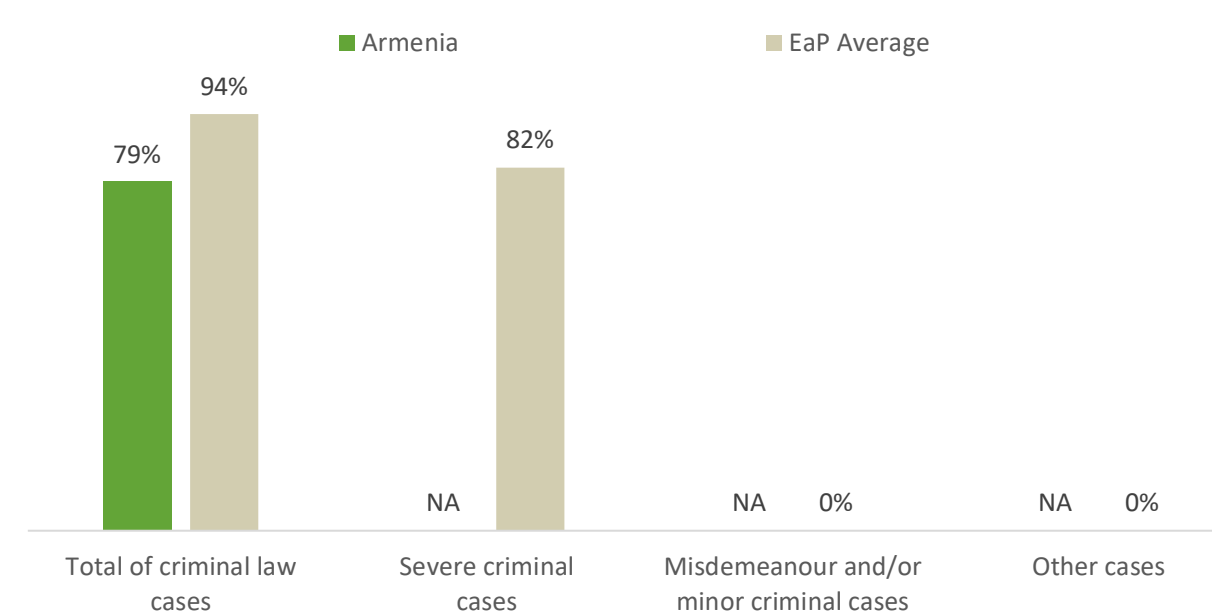
For reference only: for the first instance Total Criminal law cases, the 2022 EU Median was as follows:  
 - Incoming cases per 100 inhabitants: 1,7.

Key:  
 > Higher than the EaP Average  
 = Equal to the EaP Average  
 < Lower than the EaP Average

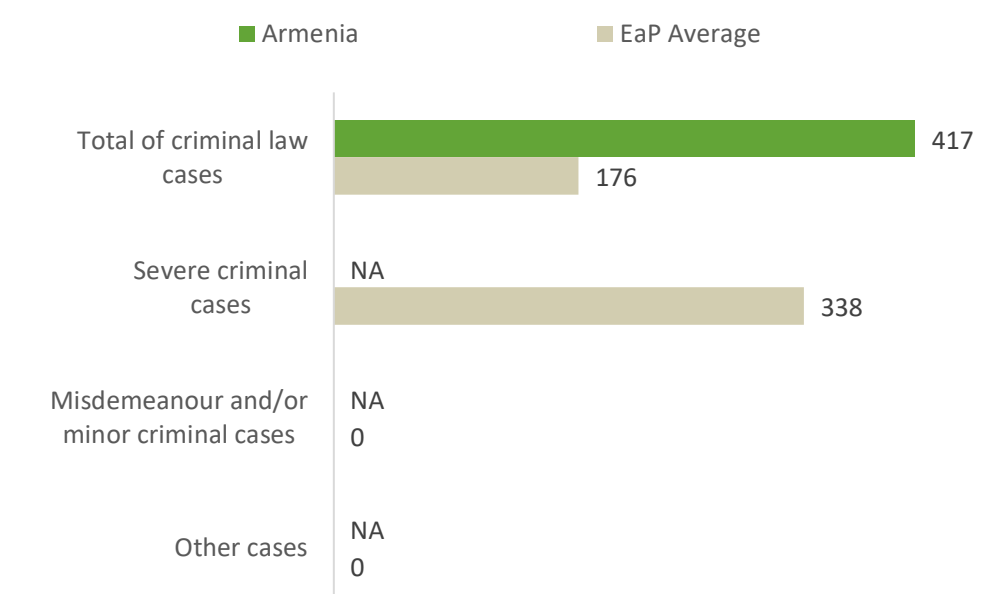
First instance Criminal law cases per 100 inhabitants in 2023



Clearance Rate for first instance Criminal Law cases in 2023 (%)



Disposition Time for first instance Criminal Law cases in 2023 (in days)



1st instance cases Clearance Rate (CR) and Disposition Time (DT) in 2023	CR (%)		DT (days)		% Variation 2022 - 2023	
	Armenia	EaP Average	Armenia	EaP Average	CR (PPT)	DT (%)
<b>Total of criminal law cases (1+2+3)</b>	79%	94%	417	176	-28,3	80,1%
1 Severe criminal cases	NA	82%	NA	338	NA	NA
2 Misdemeanour and / or minor criminal cases	NA	-	NA	-	NA	NA
3 Other cases	NA	-	NA	-	NA	NA

PPT = Percentage points

For reference only: for the first instance Total Criminal law cases, the 2022 EU Median was as follows:  
 - Clearance rate: 100%;  
 - Disposition time: 136 days.

**Second instance cases - Other than criminal law cases**

2nd instance cases in 2023 (absolute values)	Armenia (2023)				% Variation between 2022 and 2023			
	Incoming cases	Resolved cases	Pending cases 31 Dec	Pending cases over 2 years	Incoming cases	Resolved cases	Pending cases 31 Dec	Pending cases over 2 years
Total of other than criminal law cases (1+2+3+4)	NA	NA	NA	NA	NA	NA	NA	NA
1 Civil and commercial litigious cases	8 044	7 837	1 390	NA	6,5%	0,9%	NA	NA
2 Non-litigious cases**	NA	NA	NA	NA	NA	NA	NA	NA
3 Administrative cases	4 517	4 914	4 071	NA	-9,9%	23,7%	-8,9%	NA
4 Other cases	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP

\*\* Non-litigious cases include: General civil (and commercial) non-litigious cases, Registry cases and Other non-litigious cases.

In 2023, the incoming civil and commercial litigious cases were 8 044 (0,27 per 100 inhabitants vs the EaP Average of 0,27). They increased by 6,5% between 2022 and 2023. The resolved cases were 7 837 (0,26 per 100 inhabitants). Between 2022 and 2023, they increased by 0,9%. The number of resolved cases was thus lower than the incoming cases. This decreased by -5,4 percentage points compared to 2022.

The Disposition Time for civil and commercial litigious cases was approximately 65 days in 2023 (below the EaP Average of 101 days).

The incoming administrative cases were 4 517 in 2023 (ie 0,15 per 100 inhabitants vs the EaP Average of 0,41). They decreased by -9,9% compared to the previous year. The resolved cases were 4 914 (0,17 per 100 inhabitants, above of the EaP Average of 0,16). Between 2022 and 2023, the number of resolved administrative increased by 23,7%. The number of incoming cases was thus lower than the resolved cases. As a consequence, the administrative pending cases at the end of 2023 were less than in 2022 and the Clearance rate for this type of cases was 109% (above the EaP Average (83%). The CR increased by 29,6 percentage points compared to the previous year.

Finally, the Disposition Time for administrative cases was approximately 302 days in 2023. This has decreased by -26,3% compared to 2022 and it was above the EaP Average (210 days).

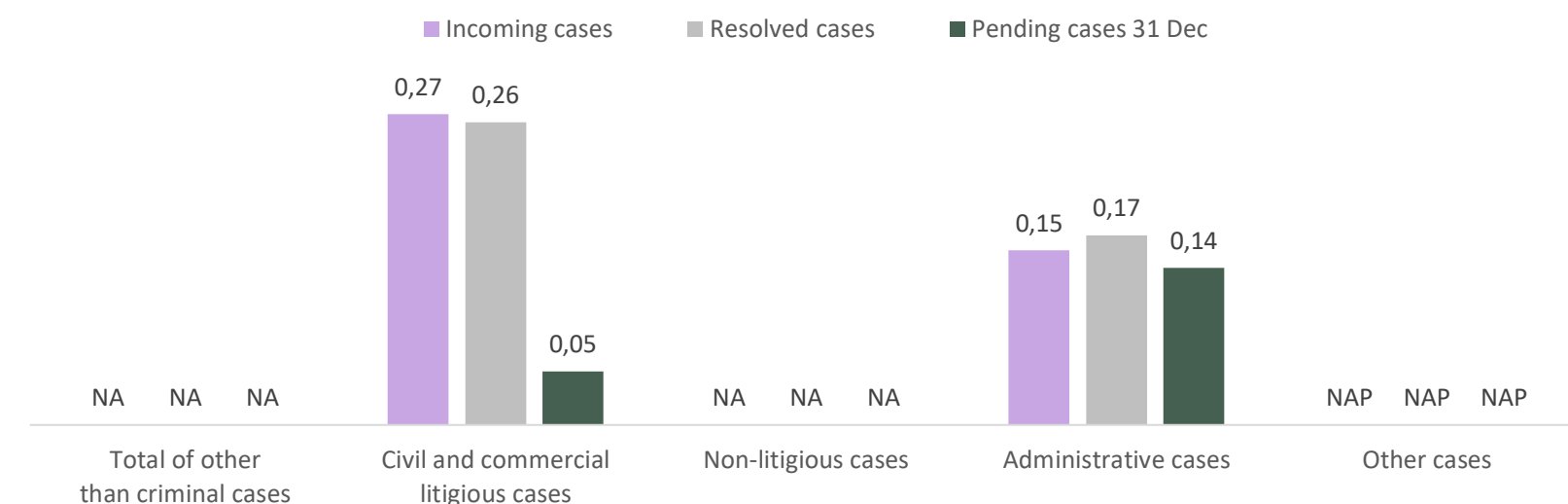
2nd instance cases in 2023 (per 100 inhabitants)	Incoming cases		Resolved cases		Pending cases 31 Dec		Pending cases over 2 years	
	Armenia	EaP Average	Armenia	EaP Average	Armenia	EaP Average	Armenia	EaP Average
Total of other than criminal law cases (1+2+3+4)	NA	0,37	NA	0,36	NA	0,12	NA	0,00
1 Civil and commercial litigious cases	0,27	=	0,26	<	0,05	<	0,07	0,00
2 Non-litigious cases**	NA	-	NA	-	NA	-	NA	-
3 Administrative cases	0,15	<	0,17	>	0,14	>	0,12	0,00
4 Other cases	NAP	-	NAP	-	NAP	-	NAP	-

For reference only: the 2022 EU Median was as follows:

- Incoming Second instance Civil and Commercial litigious cases per 100 inhabitants: 0,2;
- incoming Second instance Administrative cases per 100 inhabitants: 0,1.

Key: > Higher than the EaP Average  
= Equal to the EaP Average  
< Lower than the EaP Average

Second instance Other than criminal cases per 100 inhabitants in 2023



2nd instance cases Clearance Rate (CR) and Disposition Time (DT) in 2023	CR (%)		DT (days)		% Variation 2022 - 2023	
	Armenia	EaP Average	Armenia	EaP Average	CR (PPT)	DT (%)
Total of other than criminal law cases (1+2+3+4)	NA	97%	NA	122	NA	NA
1 Civil and commercial litigious cases	97%	99%	65	101	-5,4	NA
2 Non-litigious cases**	NA	-	NA	-	NA	NA
3 Administrative cases	109%	83%	302	210	29,6	-26,3%
4 Other cases	NAP	-	NAP	-	NAP	NAP

PPT = Percentage points

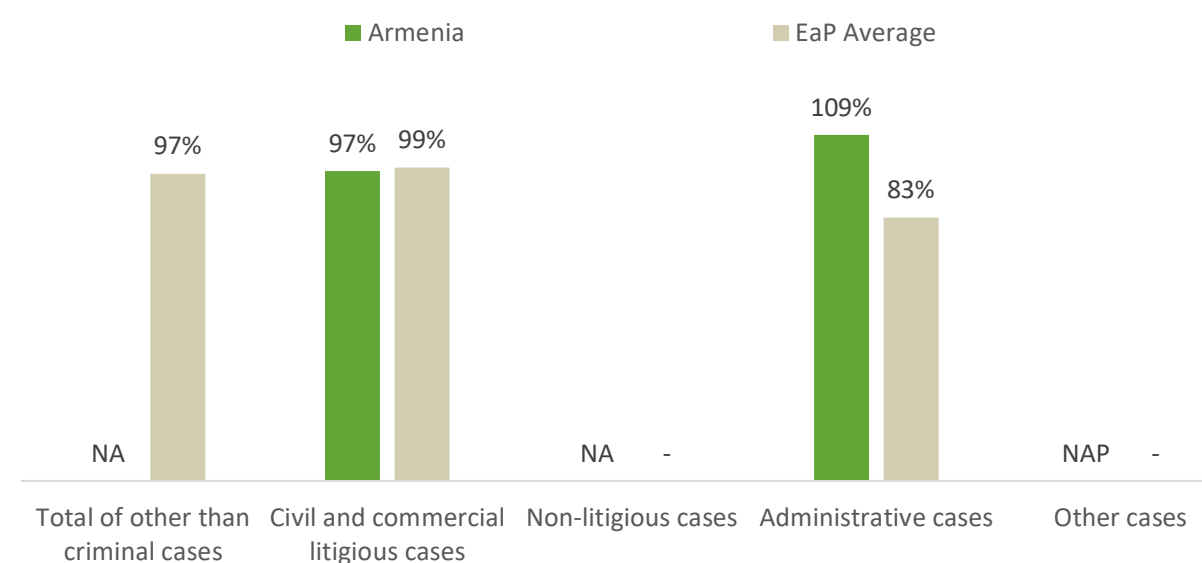
For reference only: the 2022 EU Median for the Second instance Civil and Commercial litigious cases was as follows:

- Clearance rate: 97,1%;
- Disposition time: 207 days.

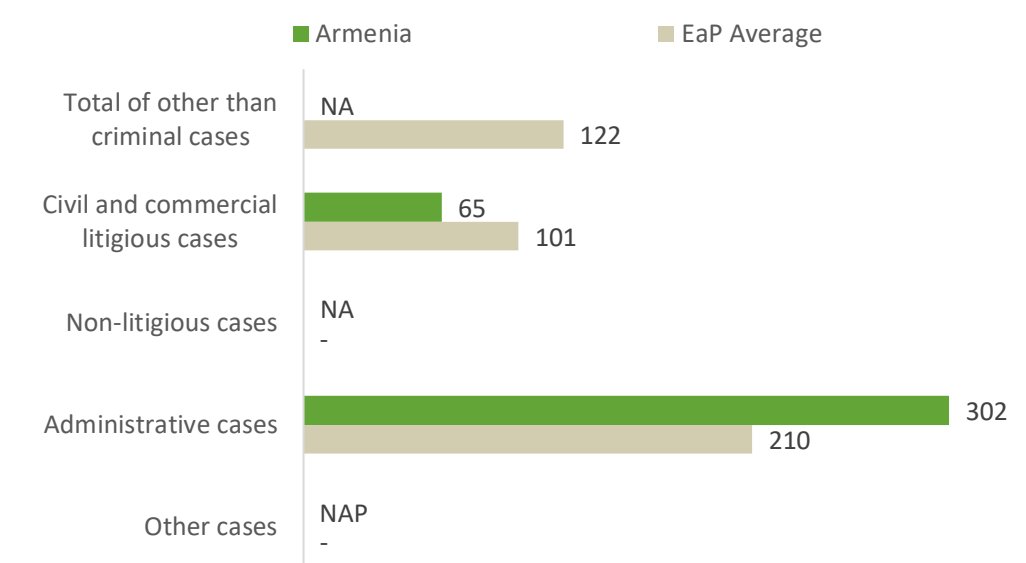
For reference only: the 2022 EU Median for the Second instance Administrative cases was as follows:

- Clearance rate: 102,6%;
- Disposition time: 277 days.

Clearance Rate for Second instance Other than criminal cases in (%)



Disposition Time for Second instance Other than criminal cases in (in days)



**Second instance cases - Criminal law cases**

2nd instance cases in 2023 (absolute values)		Armenia (2023)				% Variation between 2022 and 2023			
		Incoming cases	Resolved cases	Pending cases 31 Dec	Pending cases over 2 years	Incoming cases	Resolved cases	Pending cases 31 Dec	Pending cases over 2 years
Total of criminal law cases (1+2+3)		6 806	6 903	626	NA	17,2%	19,3%	-13,4%	NA
1	Severe criminal cases	NA	NA	NA	NA	NA	NA	NA	NA
2	Misdemeanour and / or minor criminal cases	NA	NA	NA	NA	NA	NA	NA	NA
3	Other cases	NA	NA	NA	NA	NA	NA	NA	NA

In 2023, the incoming total criminal cases were 6 806 (0,23 per 100 inhabitants vs the EaP Average of 0,28), and they increased by 17,2%, compared to the previous year. The resolved cases were 6 903 (0,23 per 100 inhabitants). Between 2022 and 2023, they increased by 19,3%. In 2023, the number of resolved cases was thus higher than the incoming cases. As a consequence, the total number of pending criminal cases at the end of 2023 were less than in 2022. Indeed, the 2023 Clearance rate for this type of cases was 101% (below the EaP Average of 102%). This increased by 1,8 percentage points compared to 2022.

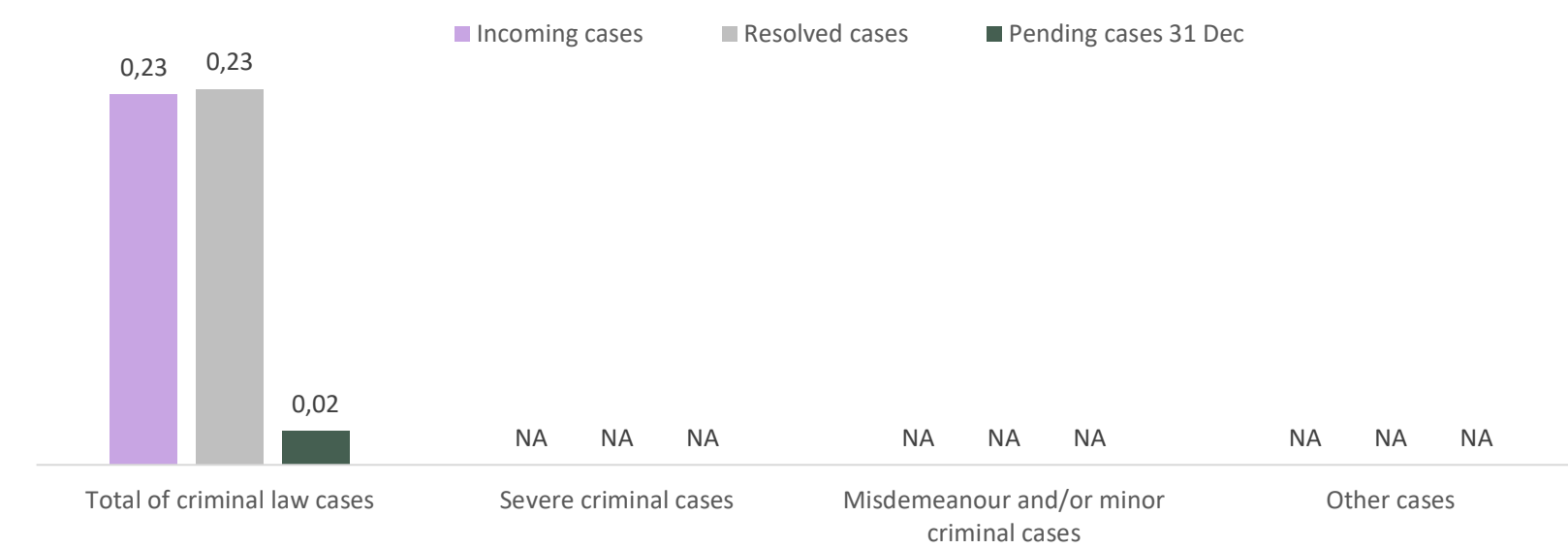
The Disposition Time for total criminal cases was approximately 33 days in 2023 (below the EaP Average of 77 days). This decreased by - 27,4% compared to 2022.

2nd instance cases in 2023 (per 100 inhabitants)		Incoming cases		Resolved cases		Pending cases 31 Dec		Pending cases over 2 years	
		Armenia	EaP Average	Armenia	EaP Average	Armenia	EaP Average	Armenia	EaP Average
Total of criminal law cases (1+2+3)		0,23	< 0,28	0,23	< 0,28	0,02	< 0,07	NA	0,01
1	Severe criminal cases	NA	-	NA	-	NA	-	NA	-
2	Misdemeanour and / or minor criminal cases	NA	-	NA	-	NA	-	NA	-
3	Other cases	NA	-	NA	-	NA	-	NA	-

For reference only: for the second instance Total Criminal law cases, the 2022 EU Median was as follows:  
 - Incoming cases per 100 inhabitants: 0,1.

Key:  
 > Higher than the EaP Average  
 = Equal to the EaP Average  
 < Lower than the EaP Average

Second instance Criminal law cases per 100 inhabitants in 2023

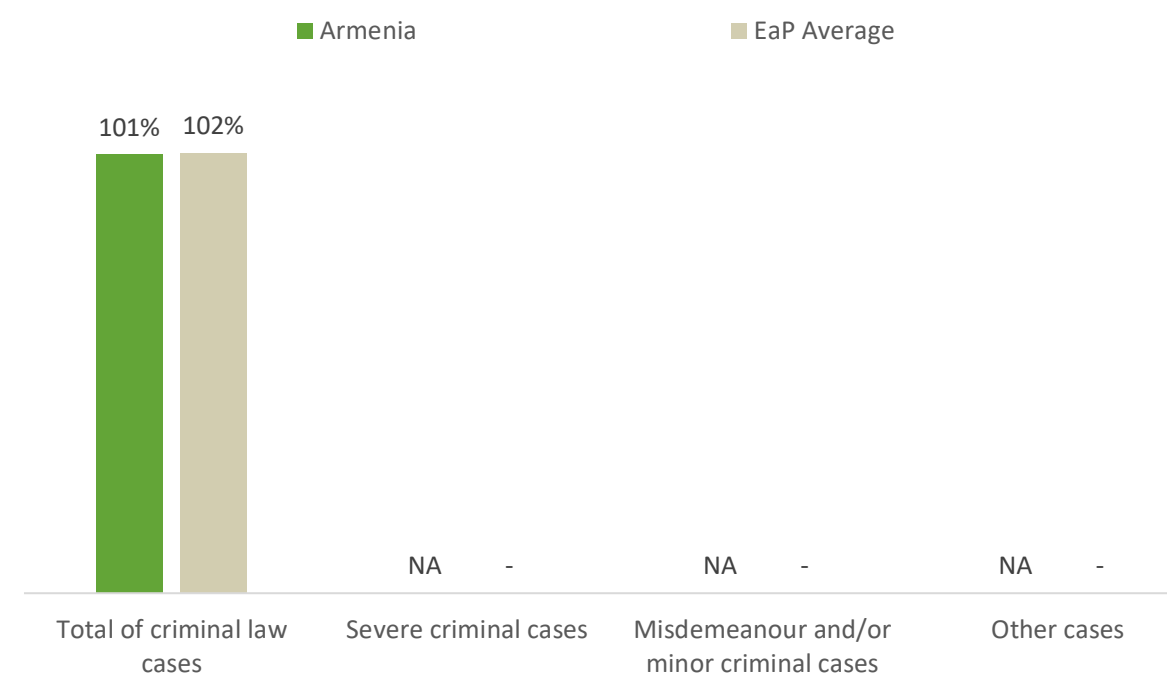


2nd instance cases Clearance Rate (CR) and Disposition Time (DT) in 2023		CR (%)		DT (days)		% Variation 2022 - 2023	
		Armenia	EaP Average	Armenia	EaP Average	CR (PPT)	DT (%)
Total of criminal law cases (1+2+3)		101%	102%	33	77	1,8	-27,4%
1	Severe criminal cases	NA	-	NA	-	NA	NA
2	Misdemeanour and / or minor criminal cases	NA	-	NA	-	NA	NA
3	Other cases	NA	-	NA	-	NA	NA

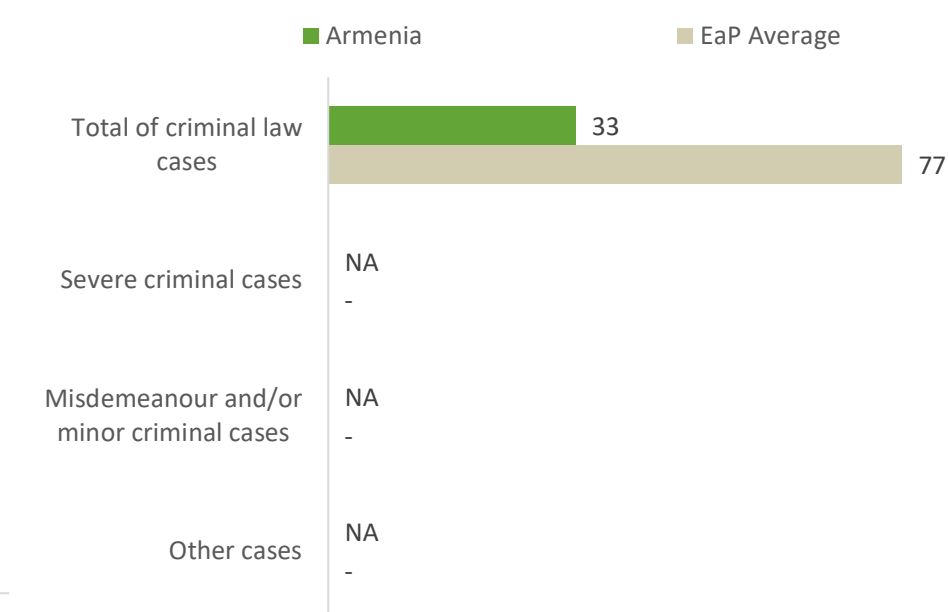
PPT = Percentage points

For reference only: for the second instance Total Criminal law cases, the 2022 EU Median was as follows:  
 - Clearance rate: 99%;  
 - Disposition time: 135 days.

Clearance Rate for second instance Criminal Law cases in 2023 (%)



Disposition Time for second instance Criminal Law cases in 2023 (in days)



• Specific category cases

	Armenia (2023)						% Variation between 2022 and 2023					
	Decisions subject to appeal (%)	Average length of proceedings (in days)				% of cases pending for more than 3 years for all instances	Decisions subject to appeal (PPT)	Average length of proceedings (in days)				Cases pending for more than 3 years for all instances (PPT)
		First instance	Second instance	Third instance	Total			First instance	Second instance	Third instance	Total	
Civil and commercial litigious cases	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
Litigious divorce cases	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
Employment dismissal cases	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
Insolvency cases	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
Robbery cases	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
Intentional homicide cases	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
Bribery cases	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
Trading in influence	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA

In 2023, there was no data in Armenia on the average lengths of proceedings; decisions subject to appeal and % of cases pending for more than 3 years for the concerned categories.

**• Quality standards and performance indicators in the judicial system**

In Armenia there are no quality standards determined for the judicial system at national level.

**• Regular monitoring of courts and prosecution offices' activities**

In Armenia the courts and prosecutions offices are regularly monitored using the criteria selected below.

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, including statistical data, analyses and conclusions.

	Regular assessment	
	Courts	Prosecution offices
Number of incoming cases	✓	✓
Length of proceedings (timeframes)	✓	✓
Number of resolved cases	✓	✓
Number of pending cases	✓	✓
Backlogs	✓	✓
Productivity of judges and court staff / prosecutors and prosecution staff	✓	✗
Satisfaction of court / prosecution staff	✗	✗
Satisfaction of users (regarding the services delivered by the courts / the public prosecutors)	✗	✗
Costs of the judicial procedures	✓	✗
Number of appeals	✓	
Appeal ratio	✗	
Clearance rate	✗	✗
Disposition time	✗	✗
Percentage of convictions and acquittals		✓
Other	✗	✓

Monitoring of the number of pending cases and backlogs	
Civil law cases	No
Criminal law cases	No
Administrative law cases	No






Monitoring of the waiting time during judicial proceedings	
Within the courts	No
Within the public prosecution services	No

Units of the Prosecutor's office submit semi-annual and annual reports on their work. This report among other data also includes quantitative data on the investigation of criminal cases, the results of the investigation, as well as recommendations and other data aimed at improving the activity of the structural unit of the Prosecutor's office. On the basis of the aforementioned reports, the report on the annual activity of the Prosecutor's Office is prepared. In addition, on the basis of the RA Prosecutor's Office work plan, target sectors are selected on a semi-annual and annual basis and a study is carried out by the relevant responsible departments in order to highlight the problems recorded in specific sectors and take measures to solve them. The mentioned studies are discussed in the collegium of the Prosecutor's Office of the Republic of Armenia. As a result, by the order of the Prosecutor General, the units of the Prosecutor's Office of the Republic of Armenia are instructed to take measures to correct the recorded violations and avoid them in the future. Another mechanism of monitoring is the implementation of complex inspections in the units of the Prosecutor's Office conducted by the Department of Organization, Supervision and Legal assistance of the General Prosecutor's Office, as a result of which the problems in the units are revealed and appropriate measures are taken to correct them.





• Quantitative targets for each judge and prosecutor

Existence of quantitative targets for: **Judges**  **Prosecutors** 

The responsibility for setting up quantitative targets for judges lies on:

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:	

The responsibility for setting up quantitative targets for public prosecutors lies on:

Executive power (for example the Ministry of Justice)	
Prosecutor General /State public prosecutor	
Public prosecutorial Council	
Head of the organisational unit or hierarchical superior public prosecutor	
Other	

Consequences for not meeting the targets		For judges	For public prosecutors
Without disciplinary procedure	Warning by court's president/ head of prosecution	NAP	NAP
	Temporary salary reduction	NAP	NAP
	Reflected in the individual assessment	NAP	NAP
	Other	NAP	NAP
With disciplinary procedure	Warning by court's president/ head of prosecution	NAP	NAP
	Temporary salary reduction	NAP	NAP
	Reflected in the individual assessment	NAP	NAP
	Other	NAP	NAP
No consequences		NAP	NAP

In Armenia, there are no quantitative targets for judges and prosecutors. Regarding judges, the cases are distributed electronically and the judge is expected to resolve the cases assigned to him/her in time limits set by the relevant legislation. Regarding prosecutors, process is currently underway to introduce quantitative and qualitative criteria for evaluating the individual performance of prosecutors.



• System of individual evaluation of the judges and public prosecutors' work

	Judges	Prosecutors
Existence of a system of individual evaluation	✓	✓
Quantitative work	✓	✓
Qualitative work	✓	✓

Responsibility for setting up the criteria qualitative targets for judges	
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	✗

Responsibility for setting up the criteria for the qualitative assessment of the public prosecutors' work	
Executive power (for example the Ministry of Justice)	✗
Prosecutor General /State public prosecutor	✓
Public prosecutorial Council	✗
Head of the organisational unit or hierarchical superior public prosecutor	✗
Other	✓

Frequency of this assessment	For judges	For public prosecutors
Annual	✗	✗
Less frequent	✓	✓
More frequent	✗	✗

Evaluation of judges is conducted by the Commission for the Evaluation of the Activity of Judges during the general meeting of judges. Chapter 8 of the Constitutional Law "Judicial Code of the Republic of Armenia" defines the purpose, criteria, types and procedures for evaluating judges' activities, as well as generalisation of results and consequences of evaluation.

According to Article 136 of the Law objectives of evaluating the activities of judges, among others, include the identification of areas for re-training of judges, identifying ways to enhance the efficiency of a judges' work and enhancing the efficiency of court activities. As per Article 138 of the same law the criteria for evaluating the quality and professionalism of judges include:

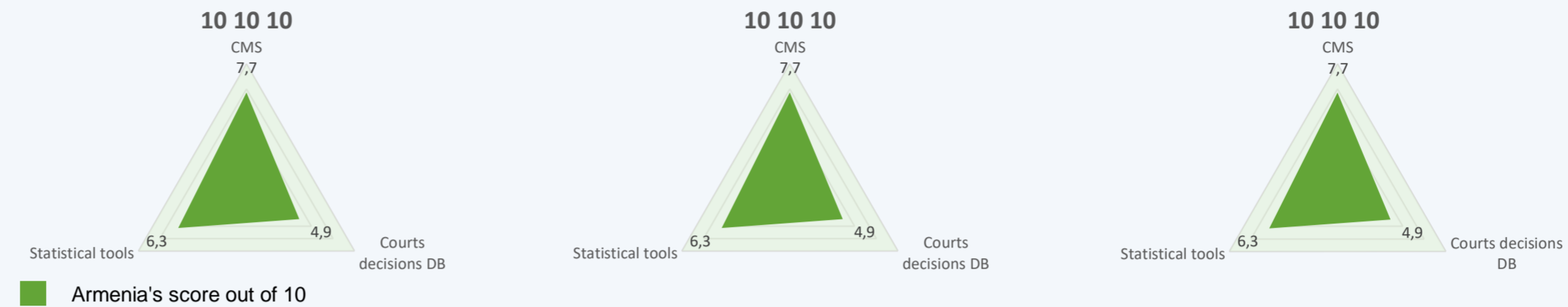
- The ability to substantiate a judicial act;
- Proficiency in leading and conducting court sessions in accordance with established legal procedures;
- Efficient workload management and scheduling;
- Timely consideration of cases and issuing of judicial acts;
- Compliance with legal deadlines for procedural actions;
- The ability to maintain an efficient working environment;
- Adherence to rules of conduct and ethics;
- Promotion of public perception and trust in the court, as well as the attitude towards other judges and court staff.

Prosecutors are evaluated (attestation) every three years. A person holding the position of a prosecutor for the first time passes the attestation three years after being appointed to the position. The attestation of prosecutors is carried out by the Qualification Commission. The evaluation concerns professional and personal qualities of the prosecutor and the results of his/her professional activities.

The procedure of evaluation of prosecutors is regulated by the Law "On Prosecutor's Office". Article 50, Part 10 and 11 stipulate that the immediate superior prosecutor shall submit the appraisal of the prosecutor at least two weeks before the competency evaluation. The appraisal must contain data on the prosecutor, on his or her practical and personal qualities and a justified evaluation of the results of his/her official activities. The evaluation must be based on the conclusions of the immediate superior prosecutor with respect to the reports submitted to him/her by the prosecutor once a year, on activities carried out by the latter during the period following the previous competency evaluation. The data on the number of motions submitted in criminal cases under the supervision of the prosecutor as a measure of restraint, as well as the number of satisfied and rejected motions must be attached to the assessment. The process is currently underway to introduce quantitative and qualitative criteria for evaluating the individual performance of prosecutors.

## Information and communication technology tools in Armenia in 2023 (Indicator 3.3)

The three ICT deployment indices (CMS, Courts decisions DB and Statistical tools) range from 0 to 10 points. Their calculation is based on the features and deployment rates of each beneficiary. The methodology for calculation provides points for each feature in each case matter. They are summarised and multiplied by the deployment rate as a weight. In this way, if the system is not fully deployed, the value is decreased even if all features are existing.



In Armenia, the overall maximum score among the three ICT indexes is achieved by the CMS index (7,7); while overall lowest score was calculated for the Courts decisions DB index (4,9). The civil and administrative and criminal matters have a similar CMS index score (7,7). Regarding the Court decisions database, all three matters scored 4.3, whereas they scored 6.3 out of 10 for the Statistical tools index.

In Armenia, there exists an overall Information and Communication Technology (ICT) strategy in the judicial system which is integrated into the 2022-2026 Strategy on Legal and Judicial Reforms. There is 1 case management system (CMS), software used for registering judicial proceedings and their management which has been developed more than 10 years ago. There are plans for a significant change in the present IT system in the judiciary in 2023. Beginning on February 1, 2024, new civil cases entering the courts of Armenia will be exclusively processed in electronic form through the electronic system.

### • Electronic case management system

The CMS is developed in all courts (95-100% deployment rate) and the data is stored on a database consolidated at national level.

	Deployment rate	Usage rate	Centralised and/or interoperable CMS databases	Active case management dashboard	Random allocation of cases	Case weighting	Identification of a case between instances	Electronic transfer of a case to another instance/ court	Anonymisation of decisions to be published	Interoperability with prosecution system	Interoperability with other systems	Access to closed/ resolved cases	Advanced search engine	Protected log files	Electronic signature	Other
Civil	95-100 %	95-100 %	✓	✓	✓	✓	✓	✓	✗	NAP	✓	✓	✓	✓	✗	✗
Administrative	95-100 %	95-100 %	✓	✓	✓	✓	✓	✓	✗	NAP	✗	✓	✓	✓	✗	✗
Criminal	95-100 %	95-100 %	✓	✓	✓	✓	✓	✓	✗	✗	✗	✓	✓	✓	✗	✗

## • Database of court decisions

The database of court decisions is available for all instances and matters and its deployment rate is 95-100%. The court decisions are published online (ie. on a public website). Functionalities of the database do not include "automatic anonymisation" of court decisions but have "free public online access" for all matters. Advanced search engine is available for all categories of cases.

	1st instance		2nd instance		Supreme court		Functionalities										
	Deployment rate	Modalities of publication	Deployment rate	Modalities of publication	Deployment rate	Modalities of publication	Automatic anonymisation	Manual anonymisation	Free public online access	Link to the case law of the European Court of Human Rights (ECHR)	Open data	Advanced search engine	Machine-readable content	Structured content	Metadata	European Case Law Identifier (ECLI)	Other
Civil	95-100 %	Published online (public website) and on an internal database	95-100 %	Published online (public website) and on an internal database	95-100 %	Published online (public website) and on an internal database	✗	✗	✓	✗	✓	✓	✓	✗	✗	✗	✗
Administrative	95-100 %	Published online (public website) and on an internal database	95-100 %	Published online (public website) and on an internal database	95-100 %	Published online (public website) and on an internal database	✗	✗	✓	✗	✓	✓	✓	✗	✗	✗	✗
Criminal	95-100 %	Published online (public website) and on an internal database	95-100 %	Published online (public website) and on an internal database	95-100 %	Published online (public website) and on an internal database	✗	✗	✓	✗	✓	✓	✓	✗	✗	✗	✗

Anonymisation of decisions to be published in civil cases is possible, considering the confidentiality and request of the applicant.

## • Statistical tools

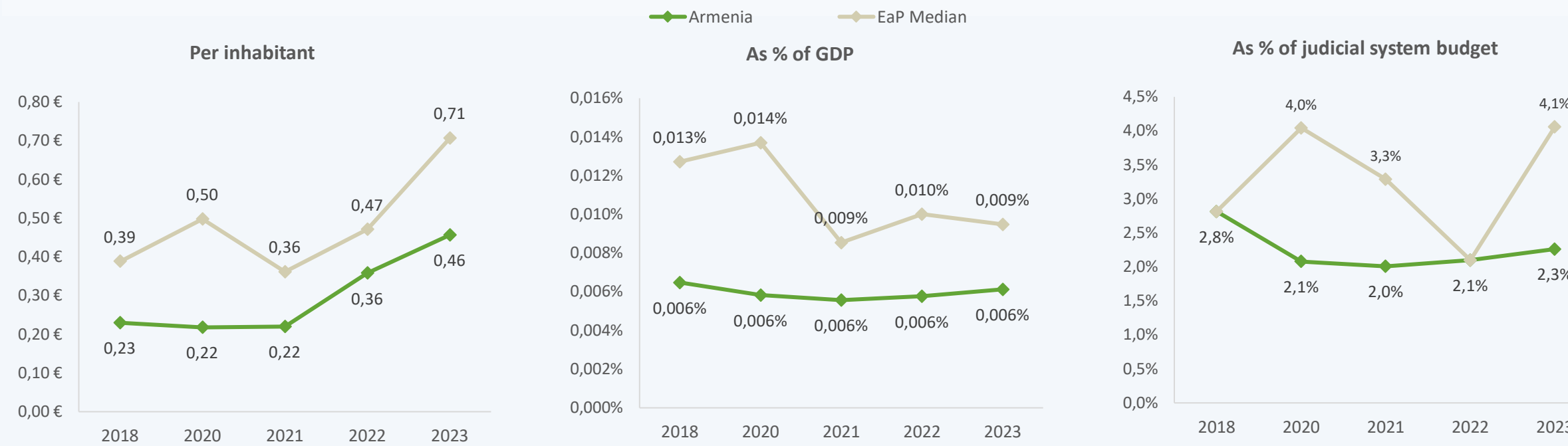
The statistical tools are developed in all courts (deployment rate is 95-100% for all matters). Among their functionalities are integration with the CMS and the business intelligence software. Statistical tools for all three categories have an internal page/dashboard and real-time data is available. Case flow data is available for all matters, while some statistical tools are unavailable for all matters, e.g. the length of proceedings and case weights.

	Deployment rate	Functionalities									Data available for statistical analysis								
		Integration/ connection with the CMS	Business intelligence software	Generation of predefined statistical reports	Generation of customised statistical reports	Internal page and/or dashboard	External page with statistics (public website)	Real-time data availability	Automatic consolidation of data at the national level	Other special functionality	Case flow data (number of incoming, resolved, pending)	Age of a pending case	Length of proceedings	Number of hearings	Cases per judge	Case weights	Number of parties in a case	Indicator of appeal	Result of the appeal
Civil	95-100 %	✓	✓	✗	✗	✓	✓	✓	✓	✗	✓	✓	✗	✓	✓	✗	✓	✓	✓
Administrative	95-100 %	✓	✓	✗	✗	✓	✓	✓	✓	✗	✓	✗	✓	✓	✗	✓	✓	✓	✓
Criminal	95-100 %	✓	✓	✗	✗	✓	✓	✓	✓	✗	✓	✗	✓	✓	✗	✓	✓	✓	✓

## Legal Aid in Armenia in 2023 (Indicator 4)

Total implemented budget for Legal Aid between 2018 and 2023

Number of cases for which LA has been granted in 2023



**0,72**

per 100 inhabitants

EaP Median: 0,72

**EaP Median: 0,72**

In 2023, the implemented budget for legal aid spent by Armenia was 1 358 970€ (2,3% of the judicial system budget). This means that an amount of 0,46€ was spent per inhabitant (below the EaP Median of 0,71€). The budget for legal aid was equal to 0,006% of the GDP, whereas the EaP Median was 0,009%.

### • Organisation of the legal aid system

#### Legal aid is applied to:

	Criminal cases	Other than criminal cases
Representation in court	✓	✓
Legal advice, ADR and other legal services	✓	✓

Free (state funded) legal aid is provided through the Public Defender's Office which is a structural unit of the Chamber of Advocates of RA.

Free (state funded) legal aid includes:

- 1) Consultation – writing of claims, applications, complaints and other procedural documents of legal nature, including provision of legal information;
- 2) Representation or defense on criminal, civil, administrative and constitutional cases.

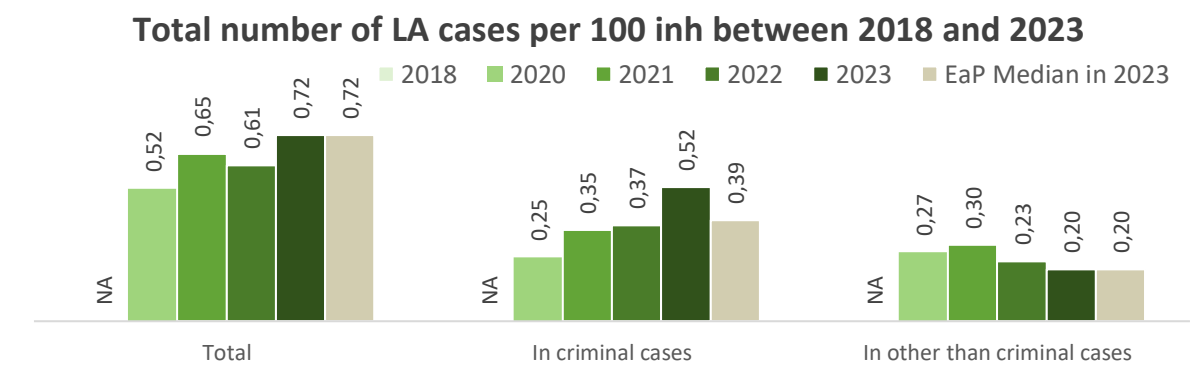
Legal aid is provided to categories of people which are defined by law. The list of eligible individuals was expanded following the amendments to the Law on Advocacy adopted in 2022.

**• Implemented budget for legal aid and number of cases for which legal aid has been granted**

	Implemented budget for legal aid in €				Total implemented budget for legal aid per inhabitant		Total implemented budget for legal aid as % of GDP		Total implemented budget for legal aid as % of the judicial system budget	
	Total (a+b)	% Variation 2018 - 2023	Cases brought to court (a)	Cases not brought to court (b)	Armenia	EaP Median	Armenia	EaP Median	Armenia	EaP Median
<b>Total (1+2)</b>	1 358 970 €	99,9%	NA	NA	0,46 €	0,71 €	0,006%	0,009%	2,3%	4,1%
<b>In criminal cases (1)</b>	NA	NA	NA	NA						
<b>In other than criminal cases (2)</b>	NA	NA	NA	NA						

In 2023, Armenia spent 1 358 970€ on the total implemented budget for legal aid, which was 99,9% more compared to 2018. Nevertheless, Armenia spent a significantly lower amount per inhabitant compared to the EaP Median (0,46€ versus 0,71€, respectively).

	Number of cases for which legal aid has been granted			Amount of LA granted per case (€)				
	Total (a+b)			Cases brought to court (a)	Cases not brought to court (b)	Total	Cases brought to court	Cases not brought to court
	Absolute number	Per 100 inh.	% Variation 2018 - 2023					
<b>Total (1+2)</b>	21 551	0,72	NA	NA	NA	63,1 €	NA	NA
<b>In criminal cases (1)</b>	15 518	0,52	NA	NA	NA	NA	NA	NA
<b>In other than criminal cases (2)</b>	6 033	0,20	NA	NA	NA	NA	NA	NA



In 2023, the number of cases for which legal aid was granted was 21 551. The number of criminal cases were 15 518, and other than criminal cases were 6 033. On average, the amount granted per legal aid case was 63,1€.

In 2023 total number of legal aid cases per 100 inhabitants was on par with the EaP median of 0.72 while in criminal cases it exceeded the EaP median of 0.39 and reached 0.52.

**• Number of recipients of legal aid**

	Number of recipients of legal aid			Amount of LA granted per recipient (€)				
	Total (a+b)			Cases brought to court (a)	Cases not brought to court (b)	Total	Cases brought to court	Cases not brought to court
	Absolute number	Per 100 inh.	EaP Median					
<b>Total (1+2)</b>	NA	NA	1,16	NA	NA	NA	NA	NA
<b>In criminal cases (1)</b>	NA	NA	0,41	NA	NA	NA	NA	NA
<b>In other than criminal cases (2)</b>	NA	NA	0,47	NA	NA	NA	NA	NA

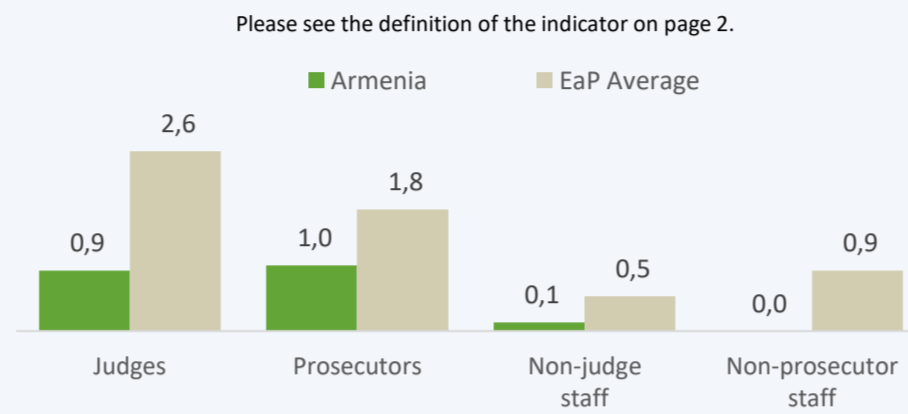
The data on the number of recipients of legal aid was reported as not available for 2023, hence no analysis thereon was possible

## Training of judges and prosecutors in Armenia in 2023 (Indicator 7)

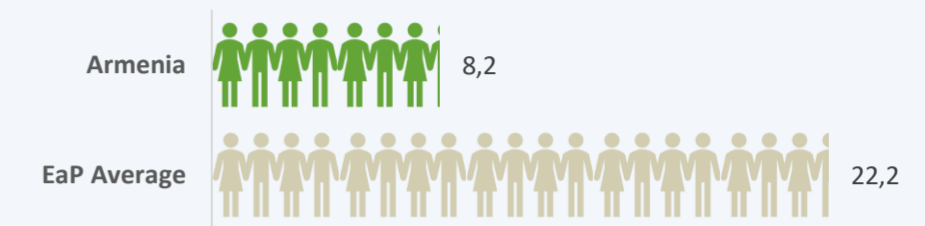
**Total budget for training per inhabitant**



**Average number of live training participations per professional**



**Average number of participants per delivered training**



The total budget for training of judges and prosecutors in Armenia was lower than the EaP Average of 0,3€ per inhabitant.

In 2023, 835 participants (of which 277 judges and 360 prosecutors) were trained in 102 live trainings (in-person, hybrid or video conferences).

There were 163 participants in internet-based trainings. This shows that the participation on live trainings is higher than the participation in internet-based trainings.

In Armenia, each judge participated, on average, to 0,9 live trainings in 2023, which was below the EaP Average (2,6) while each prosecutor participated, on average, to 1 live trainings, less than the EaP Average (1,8).

Regarding the internet-based trainings (not-live), 20 trainings in total were provided on the e-learning platform of the training institution for judges and prosecutors, whereas a total of 2 trainings was completed by justice professionals on other e-learning platforms (HELP, EJTN, UN, etc.). The total number of participants was 163 and 32, respectively.

In Armenia, both judges and prosecutors are required to attend a minimum of 2 in-service compulsory trainings but there is no requirement to attend a minimum number of in-service training days for judges and prosecutors.

### • Budget for training

This part analyses the budget of training institution/s for judges and prosecutors but also the budgets of courts and prosecutions dedicated to training (when applicable)

	Budget of the training institution(s) (1)	% of budget of the training institution(s) covered by external donors	Budget of the courts/prosecution allocated to training (2)	Absolute Number	Total (1)+(2)					% Variation 2018 - 2023	% Variation 2022 - 2023	EaP Average per inhabitant
					Evolution of training budget per inhabitant							
					2018	2020	2021	2022	2023			
<b>Total</b>	NA	NA	5 102 €	5 102 €	0,17 €	0 €	0 €	0,003 €	0,002 €	-99,0%	-38,9%	0,30 €
<b>Judges</b>	NAP	NAP	5 102 €	5 102 €								
<b>Prosecutors</b>	NAP	NAP	NAP	NAP								
<b>One single institution for both judges and prosecutors</b>	NAP	NAP		NAP								

Armenia spent in total 5 102€ for training for judges and prosecutors in 2023 which on per inhabitant bases is below the EaP average of 0,3€ per inhabitant.

The authorities explained that 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, also through the Investigative Committee of the Republic of Armenia and the Corruption Prevention Committee under the service delivery contract. The amount of the overall budget named "Special training services for judges and prosecutors included in the list of candidates and bailiffs" is equal to 673 955 euros.

**Number of in-service live trainings and participants**

**Organisation of the trainings (number, duration and average number of participants on trainings)**

	Live (in-person, hybrid, video conference) trainings (2023)							
	Number of available trainings	Number of delivered trainings	Delivered trainings in days	Number of participants	Average duration of trainings in days		Average number of participants per delivered training	
					Armenia	EaP Average	Armenia	EaP Average
<b>Total</b>	104	102	270	835	2,6 >	2,4	8,2 <	22,2
<b>Judges</b>	62	60	117	277	2,0 >	1,6	4,6 <	17,5
<b>Prosecutors</b>	37	37	110	360	3,0 <	3,3	9,7 <	33,2
<b>Non-judge staff</b>	5	5	43	198	8,6 >	2,9	39,6 >	31,4
<b>Non-prosecutor staff</b>	NAP	NAP	NAP	NAP	NAP	5,2	NAP	53,2

CEPEJ distinguishes these types of trainings:  
 "A live" training shall be understood as a training conducted in real time. This means that both trainers and participants are physically present in one location or several locations assisted with information technology (digital tools).  
 "Internet-based" trainings are all trainings that take place over internet, irrespective of the format of the training (such as trainings via specifically designed LMS - Learning Management System platforms, webinars, podcasts and other forms of downloadable lectures and self-learning digital tools). The internet-based training shall be understood as e-training that is implemented according to participant own pace and time of training.

Key:	>	Higher than the EaP Average
	=	Equal to the EaP Average
	<	Lower than the EaP Average

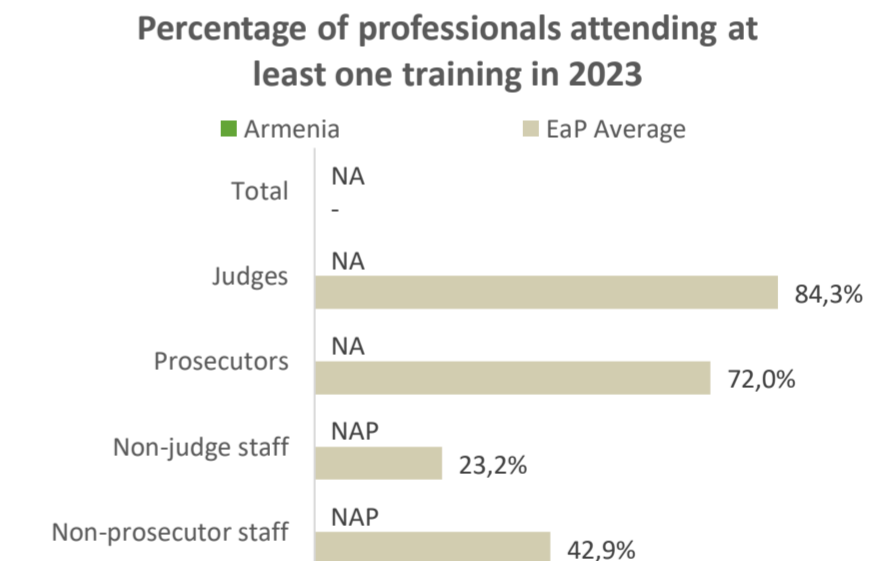
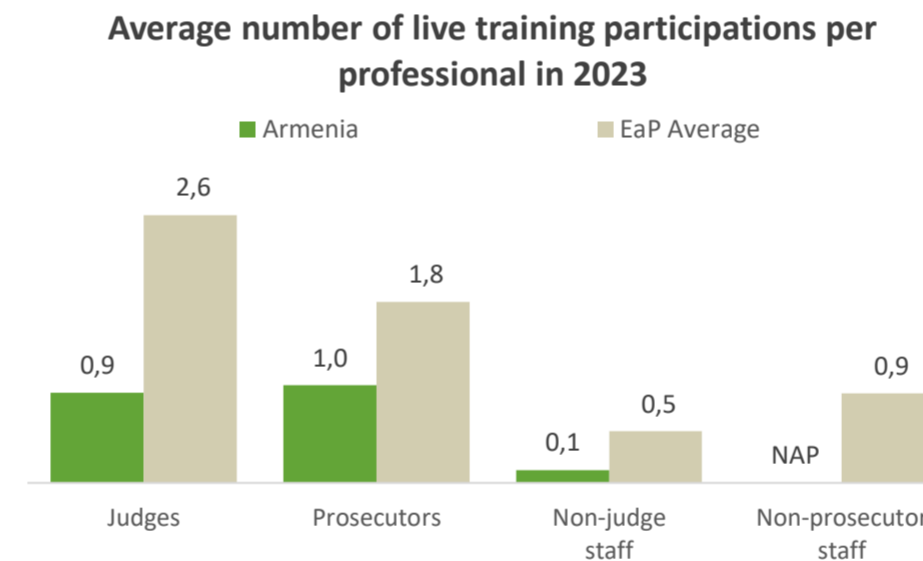
In 2023, the average duration of trainings for judges in Armenia was 2 days (above the EaP Average of 1,6). During the same period, the average duration of training for prosecutors was 3 days, which was below the EaP Average of 3,3 days.

In 2023, Armenia organised 102 trainings, over 270 days, and with a total of 835 participants. There was on average 8.2 participants per training which was significantly lower than the EaP Average (22,2).

It should be noted that non-judge staff includes only judicial bailiffs.

**Indicators on training participation: Number of training participations per professional and unique participants**

	Average number of live training participations per professional		Professionals attending at least one training (unique participants)		
	Armenia	EaP Average	Number	% of total professionals by category	
				Armenia	EaP Average
<b>Total</b>	0,3 <	1,0	NA	NA	-
<b>Judges</b>	0,9 <	2,6	NA	NA	84,3%
<b>Prosecutors</b>	1,0 <	1,8	NA	NA	72,0%
<b>Non-judge staff</b>	0,1 <	0,5	NAP	NAP	23,2%
<b>Non-prosecutor staff</b>	NAP	0,9	NAP	NAP	42,9%



**Average number of live training participations per professional**

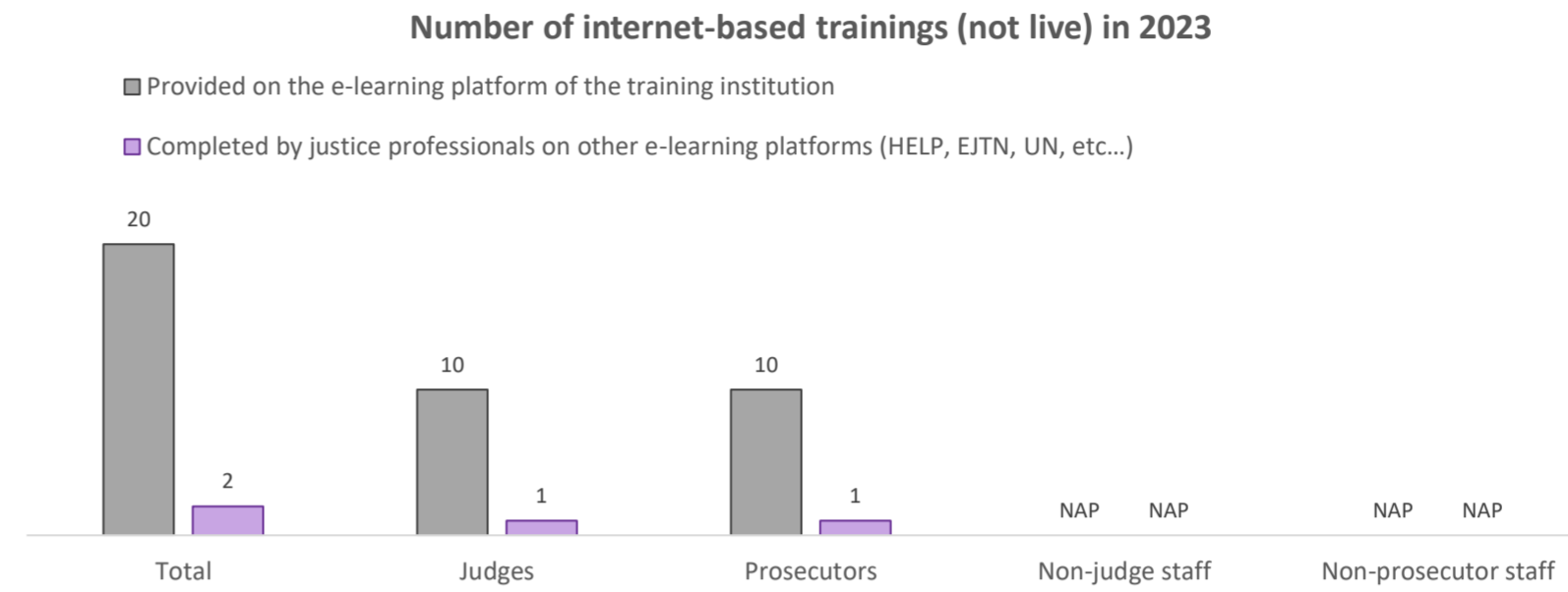
This indicator is calculated as follows: the number of participants in live trainings is divided by the number of professionals for that category. For example, the EaP Average for judges is 2,6. This means that, on average, each judge in the region participated to 2,6 live trainings. This indicator should also be analysed together with the indicator on percentage of professionals attending training, shown in the table as well. Indeed, this analysis allows to better understand how long a professional was trained on average and if all were trained.

Looking at the average participations on live trainings, the highest average was for prosecutors (1 live training participations per prosecutor). Hence, compared to the other professionals, Armenia gave priority to the trainings for prosecutors; while in the region, the highest priority was given to judges (indeed, the EaP Average number of live training participations per judge was 2,6).

In 2023 in Armenia there was no data available on the number of unique participants of trainings. It is therefore not possible to calculate the percentages of judges or prosecutors who participate in the trainings, out of the total numbers of professionals.

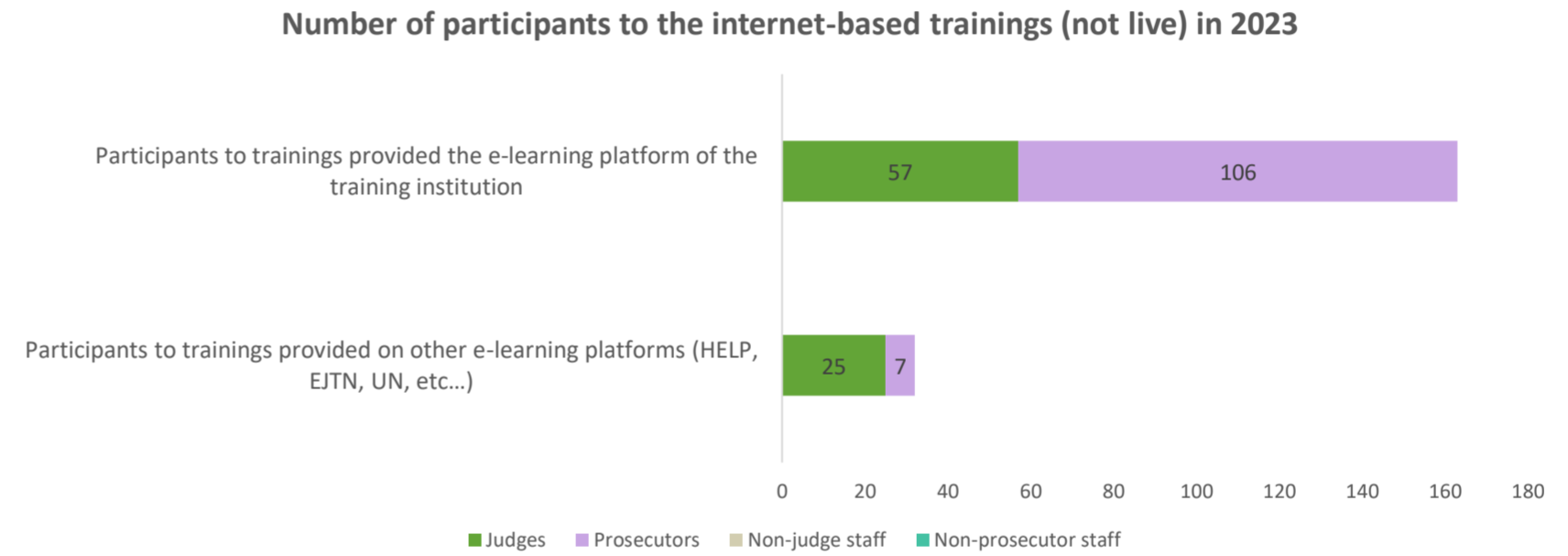
**• Number of in-service internet-based trainings and participants**

	Number of internet-based trainings (not live) in 2023			
	Provided on the e-learning platform of the training institution		Completed by justice professionals on other e-learning platforms (HELP, EJTN, UN, etc...)	
	Number of trainings	Number of participants	Number of trainings	Number of participants
<b>Total</b>	20	163	2	32
<b>Judges</b>	10	57	1	25
<b>Prosecutors</b>	10	106	1	7
<b>Non-judge staff</b>	NAP	NAP	NAP	NAP
<b>Non-prosecutor staff</b>	NAP	NAP	NAP	NAP



There were 20 trainings provided on the e-learning platform of the national training institution which were completed by 163 participants. 10 of those trainings were for judges with 57 participants and 10 were for prosecutors with 106 participants.

There were also 2 trainings which were followed by 32 judges and prosecutors on the e-learning platforms of other organisations.

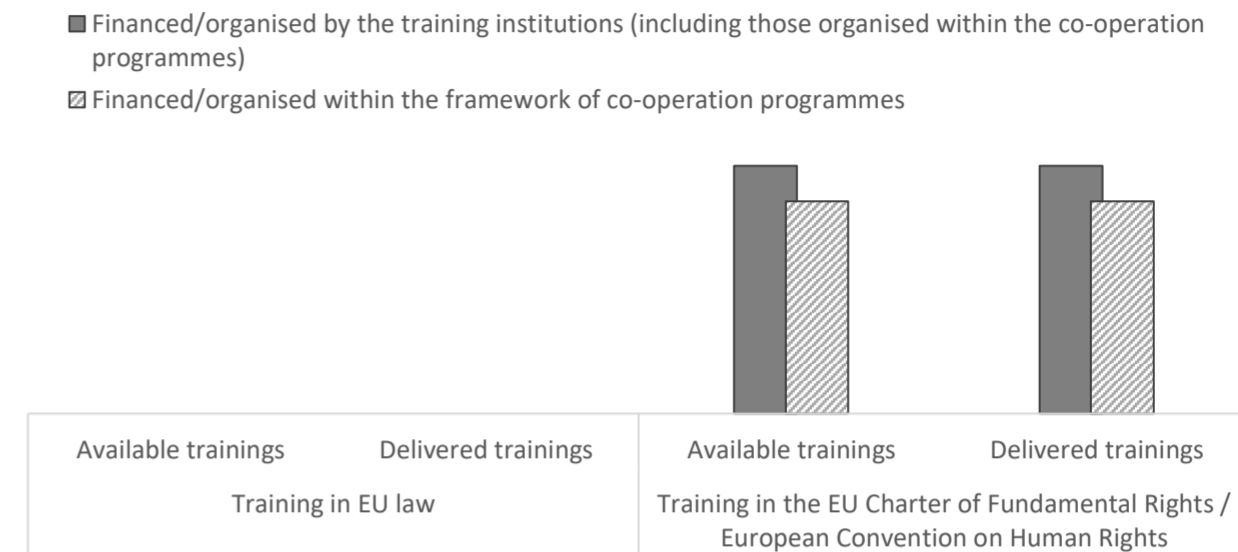




• Number of EU law training courses and participants

	Training in EU law organised/financed:		Training in the EU Charter of Fundamental Rights / European Convention on Human Rights organised/financed:	
	By the training institutions for judges and prosecutors	Within the framework of co-operation programmes	By the training institutions for judges and prosecutors	Within the framework of co-operation programmes
<b>Live trainings (2023)</b>				
Number of available live trainings	NAP	NAP	7	6
Number of delivered live trainings	NAP	NAP	7	6
Number of delivered live training in days	NAP	NAP	54	7
<b>Internet-based trainings(2023)</b>				
Provided on the e-learning platform of the training institution (not live)	NAP	NAP	1	NAP
Completed by justice professionals on other e-learning platforms (HELP, EJTN, UN, etc...)	-	NAP	-	NAP

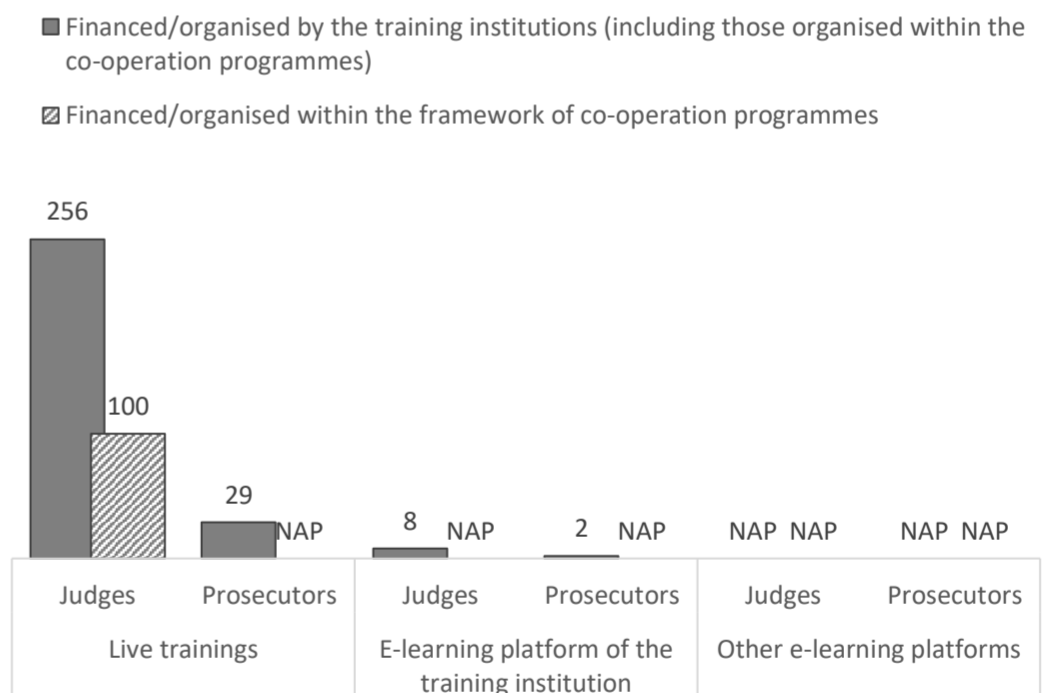
Number of live trainings in EU law and the EU Charter of Fundamental Rights / European Convention on Human Rights in 2023



In 2023, 6 trainings on EU Charter of Fundamental Rights and the European Convention on Human Rights available and delivered in Armenia were co-organised or co-financed with International partners.

Training in EU law and EU Charter of Fundamental Rights / European Convention on Human Right organised/financed:	Live (in-person, hybrid, video conference) trainings				Internet-based trainings (not live)			
	Number		Unique participants		Provided on the e-learning platform of the training institution		Completed by justice professionals on other e-learning platforms (HELP, EJTN, UN, etc...)	
	Judges	Prosecutors	Judges	Prosecutors	Judges	Prosecutors	Judges	Prosecutors
By the training institutions for judges and prosecutors	256	29	NA	NA	8	2	NAP	NAP
Within the framework of co-operation programmes	100	NAP	NAP	NAP	NAP	NAP	NAP	NAP

Number of participants to live trainings in EU law and the EU Charter of Fundamental Rights / European Convention on Human Rights in 2023



In Armenia in 2023 no trainings were organised on EU Law. However there were 7 live trainings on the EU Charter of Fundamental rights and/or the European Convention on Human Rights organised by the national training institution (Academy of Justice) over a total of 54 days. There were 256 participations amongst judges and 29 amongst prosecutors (the numbers of unique participants were not available).

Regarding internet based trainings, 1 training was also provided on the e-learning platform.

Participation shall be understood as one attendance of a person to a training.

• Type and frequency of trainings

		Judges		Prosecutors	
		Compulsory/ Optional or No training	Frequency	Compulsory/ Optional or No training	Frequency
In-service training	Initial training	Compulsory		Compulsory	
	General	Compulsory	Regularly	Compulsory	Regularly
	Specialised judicial functions	Compulsory	Regularly	Compulsory	Regularly
	Management functions of the court	Optional	Regularly	Optional	Occasional
	Use of computer facilities in courts	No training proposed	No training proposed	No training proposed	No training proposed
	On ethics	Compulsory	Regularly	Compulsory	Regularly
	On child-friendly justice	Optional	Regularly	Optional	Occasional
	On gender equality	Optional	Regularly	Optional	Occasional
	On prevention of corruption	Compulsory	Regularly	Compulsory	Regularly
	On conflicts of interest	Compulsory	Regularly	Compulsory	Regularly
Other	Optional	Regularly	Optional	Occasional	

In Armenia, initial training is mandatory for candidates to both judge and prosecutor functions.

Judge candidates must attend initial training at the Academy of Justice which is a precondition for becoming a judge.

There is a compulsory course in ethics for both judges and prosecutors and the trainings are held regularly.

Prosecution offices have prosecutors specially trained in domestic violence. Moreover, they have prosecutors specially trained in sexual violence.

Training course of management functions of the court is compulsory in a framework of the initial training. During the in-service training the mentioned course is optional and organised for all judges.

There are trainings solely dedicated to prevention of corruption and conflicts of interest and those courses are not mandatory for both judges and prosecutors.

As for other trainings, there are 71 courses for judges and more than 47 different courses for prosecutors envisaged by the educational program.

In Armenia, sanctions are foreseen if judges and prosecutors do not attend the compulsory training sessions.

**• Minimum number of compulsory trainings**



	Initial compulsory training		In-service compulsory trainings	
	Minimum number of trainings	Minimum number of days	Minimum number of trainings	Minimum number of days
Judges	NAP	30	2	NAP
Prosecutors	NAP	30	2	NAP

In Armenia, judges and prosecutors go through an initial compulsory training which has a minimum of 30 days.

In Academy of Justice the minimum amount of in-service compulsory trainings is 80 hours for judges and prosecutors

**• Quality of judicial training**

Armenia identifies (collects information about) future in-service training needs via:

Target audience itself		Relevant judicial institutions	
Previous participants in trainings		Ministry of Justice	
Trainers		Other	
Courts/prosecutor's offices			

In Armenia future in-service training needs are assessed annually. In-service trainings (seminars, workshops, round tables) are evaluated immediately after the training is delivered by using Surveys

Each year Justice Academy receives a list of proposed courses based on need assessment conducted by judges and prosecutors.

**The result of the training evaluation process is used:**

To prepare a training evaluation report with recommendations



To suppress a training course



To improve the training course which, according to the report, needed improvements



To introduce a new course



To replace the trainers that failed to meet expected learning outcomes/were negatively evaluated



Other



Evaluation of the implemented trainings are conducted for the Academy of Justice to have opinion about the events and implement improvements.

The survey consists of 9 questions. They are related to the content of the course, quality of materials, quality of trainers, satisfaction of the participants and proposals for increasing the effectiveness of the course and the activities of the Academy of Justice.

The evaluation of the activity of the Academy of justice is an internal document and does not cause legal consequences. Nevertheless, measures are taken to improve further training programs, selection of trainers and other organisational issues based on the results of the evaluation.

## Alternative Dispute Resolution in Armenia in 2023 (Indicator 9)

Legal aid for court-related mediation or related mediation provided free of charge



Court-related mediation procedures



Mandatory informative sessions with a mediator



Mandatory mediation with a mediator



### Mediators

1,2

per 100 000 inhabitants

EaP Average: 13,2

40,5% female



In Armenia, Alternative Dispute Resolution (ADR) procedures are available. Court related mediation procedures are available and free legal aid for court-related mediation could be granted.

The judicial system does not provide for mandatory mediation. Also, there are no mandatory informative sessions with a mediator.

Although there was no mandatory mediation in Armenia in 2023, The law providing for mandatory mediation for family cases was adopted in the end of 2022. It will enter into force if the special list of mediators working on mandatory mediation cases defined by the law is replenished by at least 15 licensed mediators.

In 2023, the number of mediators was 1,2 per 100 000 inhabitants, which was below the EaP Average (13,2 per 100 000 inhabitants). Only 40,5% of mediators were female. The number of cases for which the parties agreed to start mediation, as well as a number of mediation procedures which ended with a settlement agreement was reported as not available.

In 2023, orders supporting the implementation of amendments to the Law on Mediation were adopted. These orders define essential conditions for attracting new mediators, outline the procedures for their training and re-training, establish guidelines for maintaining mediators' register and prescribe criteria for the selection of mediators. Additionally, provisions were put in place for the facilitation of online mediation processes.

### • Court-related mediation procedures

*Court related mediation is the mediation which includes the intervention of a judge, a public prosecutor or other court staff who facilitates, directs, advises on or conducts the mediation process. For example, in civil disputes or divorce cases, judges may refer parties to a mediator if they believe that more satisfactory results can be achieved for both parties. In criminal law cases, a public prosecutor (or a judge) can refer a case to a mediator or propose that he/she mediates a case between an offender and a victim (for example to establish a compensation agreement). Such mediation may be mandatory either as a pre-requisite to proceedings or as a requirement of the court in the course of the proceedings.*

According to article 184 of the Civil procedure code of Armenia at any stage of the proceedings, the court of first instance or the court of appeal shall be entitled, with the consent of the parties or upon a motion filed by them, to assign a mediation process with the participation of a licensed mediator to reach reconciliation between the parties. Where there is a great possibility that the dispute may end in reconciliation, the court may, on its own initiative, assign a one-time free mediation process for up to four hours. A mediation process may be assigned with respect to the whole judicial dispute, as well as a separate claim if separate disposition of that part is possible through a mediation process. The court shall appoint the licensed mediator as selected by the parties, and in case the parties fail to select a licensed mediator, or if the mediation is assigned on the initiative of the court, the mediator shall be appointed by the court. The licensed mediator shall be appointed from the list of mediators with relevant specialisation, in alphabetical order of surnames, pursuant to specialisation and the workload of the licensed mediator. The licensed mediator having the least workload, with specialisation in the relevant field of disputable legal relationship, shall be selected irrespective of the alphabetical order of surnames.

### • Other ADR methods

Mediation other than court-related mediation



Arbitration



Conciliation (if different from mediation)



Other ADR



In Armenia, based on the Law on Mediation, there are three types of mediation: 1. mediation based on mutual agreement of parties which is regulated by the same law; 2. mediation based on court decision, which is regulated by the Civil Procedure Code (see details in paragraph above); 3. Financial mediation which is regulated by the Law on Financial Mediation system. Both the 1st and 2nd types of mediation were envisaged by relevant laws adopted in 2018. The Law on Financial mediation system exists since 2008.

## • Mediators and court-related mediations

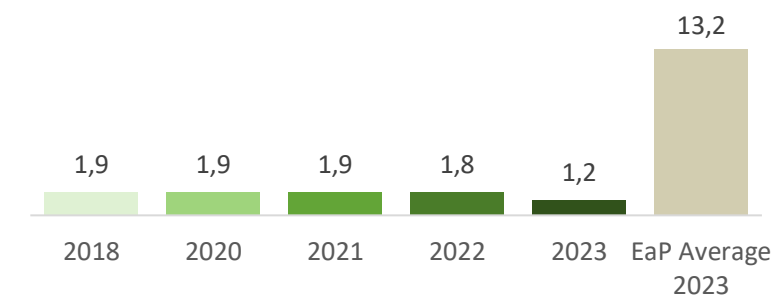
### Requirements and procedure to become an accredited or registered mediator:

A mediator is an individual who has received the qualification of an accredited mediator in accordance with the procedure established by law and is registered in the register of accredited mediators. The qualification of a licensed mediator can be obtained by a person who has reached the age of 25 and has a higher education.

To participate in the qualification check in order to obtain the qualification of an accredited mediator, a candidate takes a training course in accordance with the program and training procedure approved by the Minister of Justice or submits a certificate of completion of a similar course in a foreign country, the recognition and confirmation of equivalence of which is carried out by the qualification commission, the advisory body under the Minister of Justice. A person who is a mediator of a reputable foreign organisation, when participating in a qualification check, is released from the obligation of completing the training course.

Accredited/registered mediators for court-related mediation			% Variation between 2018 and 2023
Absolute number	Per 100 000 inhabitants	EaP Average per 100 000 inhabitants	
37	1,2	13,2	-32,7%

Accredited/registered mediators for court-related mediation per 100 000 inhabitants between 2018 and 2023



For reference only: the 2021 EU median is 17,4 mediators per 100 000 inhabitants.

In 2023, the total number of mediators in Armenia was 37, which is -32,7% less than in 2018. The number of mediators per 100 000 inhabitants was 1,2, which is less than the EaP Average of 13,2.

	Number of court-related mediations			Providers of court-related mediation services			
	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	Private mediator	Public authority (other than the court)	Judge	Public prosecutor
<b>Total (1 + 2 + 3 + 4 + 5+ 6)</b>	NA	NA	NA				
<b>1. Civil and commercial cases</b>	NA	NA	NA	✓	✗	✗	✗
<b>2. Family cases</b>	NA	NA	NA	✓	✗	✗	✗
<b>3. Administrative cases</b>	NAP	NAP	NAP	NAP	NAP	NAP	NAP
<b>4. Labour cases incl. employment dismissals</b>	NA	NA	NA	✓	✗	✗	✗
<b>5. Criminal cases</b>	NAP	NAP	NAP	NAP	NAP	NAP	NAP
<b>6. Consumer cases</b>	NA	NA	NA	✓	✗	✗	✗
<b>7. Other cases</b>	NA	NA	NA				

In Armenia, there is no court related mediation for administrative and criminal cases. For other types of cases where court related mediation exists (civil and commercial cases, family cases, labour cases, consumer cases), no data on the number of mediations was available for 2023.

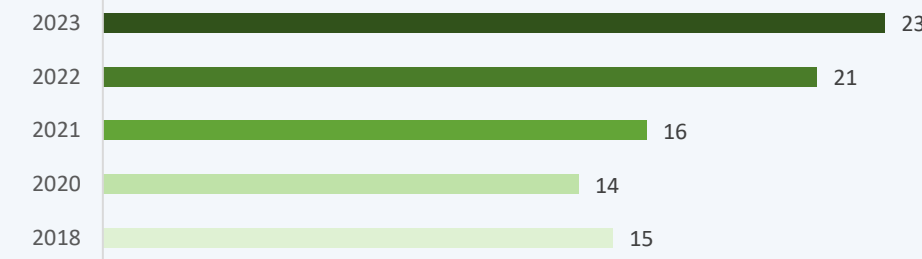
Court related mediations are provided by private mediators for all types of available cases.

## European Convention on Human Rights in Armenia in 2023 (Indicator 10)

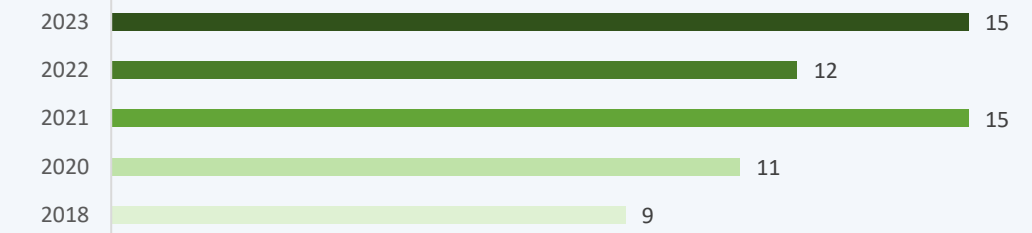
European Convention on Human Rights – Article 6 – Right to a fair trial (extract):

*In the determination of his civil rights and obligations or of any criminal charge against him, everyone is entitled to a fair and public hearing within a reasonable time by an independent and impartial tribunal established by law. Judgment shall be pronounced publicly but the press and public may be excluded from all or part of the trial in the interests of morals, public order or national security in a democratic society, where the interests of juveniles or the protection of the private life of the parties so require, or to the extent strictly necessary in the opinion of the court in special circumstances where publicity would prejudice the interests of justice.*

Judgements finding at least one violation\*\*

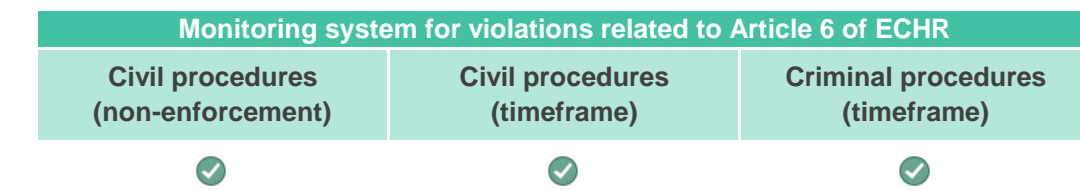


Number of cases considered as closed after a judgement of the ECHR and the execution of judgements process\*\*\*



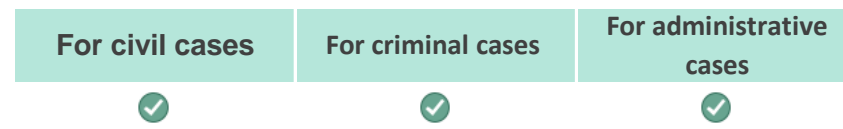
### ECHR

The Office of the Representative on international legal matters monitors violations found in ECHR judgments within the execution of the judgments and decisions of the ECHR and case by case carries out general measures (dissemination, translation, drafting legislative amendments, etc.) depending on the nature of found violation.



By the Decision of the Prime Minister of the Republic of Armenia, an interdepartmental commission was established to coordinate the implementation of international obligations assumed by the Republic of Armenia in accordance with the European Convention on Human Rights, the implementation of continuous sectoral reforms, and the development of a roadmap of measures aimed at solving problems. The main objectives of the creation of the interdepartmental commission are the restoration of violated rights within the framework of the execution of decisions rendered by the European Court against the Republic of Armenia, identification of similar problems and deepening interdepartmental cooperation for better elimination of possible violations in the future, as well as the implementation of sectoral reforms and the initiation of legislative changes as a result of the identified problems.

### Possibility to review/reopen a case after a decision on violation of human rights by the ECHR



In Armenia, there is a monitoring system for violations related to Article 6 of ECHR in civil (non-enforcement and timeframe) and in criminal procedures (timeframe) and a possibility to review a case after a decision on violation of human rights by the ECHR. An appeal may be filed within four months in criminal proceedings, and three months in civil and administrative proceedings.

In 2023 for Armenia 147 applications were allocated to a judicial formation of the European Court of Human Rights (36 more than the previous year). 23 judgements by the ECHR found at least one violation for Armenia, whereas the aforementioned number was 21 in 2022.

The number of cases considered as closed after a judgement of the ECHR and the execution of judgements process was 15 in 2023; whereas they were 12 in 2022.

		2018	2020	2021	2022	2023
Applications allocated to a judicial formation of the Court**		167	213	134	111	147
Judgements finding at least one violation**		15	14	16	21	23
Judgements finding at least one violation of the Article 6 of the ECHR	Right to a fair trial (1)	4	4	4	2	2
	Length of proceedings	1	3	0	1	3
	Non-enforcement	2	0	1	0	0

\*\* Source: ECHR

(1) Figures in this line may include conditional violations.

	2018	2020	2021	2022	2023
Number of cases considered as closed after a judgement of the ECHR and the execution of judgements process***	9	11	15	12	15

\*\*\* Source: Department for the Execution of Judgments of the ECHR

## Reforms in Armenia in 2023

	Yes (planned)	Yes (adopted)	Yes (implemented)	Comment
<b>(Comprehensive) reform plans</b>	✔	✔	✔	<p>The future reform plans are outlined in the “2022-2026 Strategy for Judicial and Legal Reforms“ as adopted by N 1133-L decree “On the approval of the strategy of judicial and legal reforms of the Republic of Armenia for 2022-2026 and the resulting action plan.</p> <p>The 2022-2026 Strategy for Judicial and Legal Reforms the continuous reforms of the judicial system, inter alia, shall pursue the following goals:</p> <ul style="list-style-type: none"> <li>- To guarantee the effectiveness of justice and to ensure the unity of judicial practice, as well as to set a higher standard of legal certainty in the field of justice; to ensure the implementation of the target of more effective compliance with reasonable time limits of consideration of court cases, as well as the effective implementation of the principle of economy of the trial terms;</li> <li>- To ensure the specialisations of courts and the sub-specialisations of judges in different sub-fields of law, which, on the one hand, will guarantee more professional consideration of the cases, especially when it comes to complex legal relations requiring highly specialised knowledge, and on the other hand, will help redistribute the overall burden on the judiciary;</li> <li>- To increase the objectivity and validity of the process of selection of candidates for judges;</li> <li>- To ensure the continuous increase of judges' remuneration in the judiciary, starting from higher instances;</li> <li>- To ensure the continuous integrity checks of the judges;</li> <li>- To continue the process of improving the building conditions of the courts.</li> </ul>
<b>Budget</b>	✘	✔	✘	
<b>Courts and public prosecution services</b>	✔	✔	✔	<p>A legislative package has been developed proposing to increase the number of non-judge members of the Ethics and discipline Commission of the General Assembly of Judges by 3.</p> <p>A legislative package was adopted, which introduced mechanisms for periodic verification of the integrity of judges, as well as prosecutors and investigators. At the same time, integrity review procedures will be introduced, aimed also at candidates to be appointed to autonomous positions of the Investigative Committee, and persons holding autonomous positions subject to promotion, as well as persons holding autonomous positions subject to promotion in the anti-corruption Committee.</p> <p>A new anti-corruption chamber has been created in the Court of Cassation providing the entire chain three-tier system for hearing of anti-corruption cases.</p>
<b>Access to justice and legal aid</b>	✘	✔	✔	Taking into account the importance of free legal aid, the number of public defenders was increased by 10 positions.
<b>High Judicial Council and High Prosecutorial Council</b>	✘	✔	✔	<p>"Judicial Code of the Republic of Armenia" was amended, a mechanism was implemented for appealing the decisions of the Supreme Judicial Council on disciplinary cases.</p> <p>Legal mechanisms have been introduced on the basis of which, when voting on a list of candidates for judges, members of the Supreme Judicial Council take into account the results of a written qualification exam and an interview, as well as an advisory opinion on integrity of the candidate provided by the Corruption Prevention Commission. In this case, the person will be included in the list without having to undergo training at the Academy of Justice. Subsequently, currently there are two differentiated procedures for the involvement of judges.</p>



## Reforms in Armenia in 2023

	Yes (planned)	Yes (adopted)	Yes (implemented)	Comment
<b>Legal professionals</b>	✔	✔	✔	<p>The 2022-2026 strategy for Judicial and Legal Reforms aims to replenish the judicial system with new professional personnel and more flexible procedures for involving judges, allowing them to be included in the list of candidates for judges without training at the Academy of Justice, but on the basis of passing of a qualitatively more complex exam. There is also a requirement for persons with a certain professional experience to take only an oral exam for inclusion in the list of candidates for judges.</p> <p>March 1, 2023, amendments to the Law on the Prosecutor's Office were related to the formation of promotion lists in order to form a more value-centred promotion system.</p> <p>In 2023, 8 judges of the Anti-Corruption Court were trained in courses included the module of special professional courses specialising in the investigation of corruption crimes and 4 judges of the Anti-Corruption Court were trained in the courses included in the module of special professional courses specialising in the investigation of anti-corruption civil law cases. In addition in 2023, 4 judges of the Anti-Corruption Court of Appeal and 4 judges of the Anti-Corruption Chamber of the Court of Cassation were trained in the courses included in the module of special professional courses with a specialisation in the investigation of corruption crimes. Four judges of the Anti - Corruption Court of Appeal and 5 judges of the Anti - Corruption Chamber of the Court of Cassation were trained in the examination of anticorruption civil law cases.</p>
<b>Gender equality</b>	✔	✔	✔	<p>The Gender Policy Implementation Strategy of Armenia for 2019-2023 sets the government's priority to mainstream gender across diverse sectors. The strategy defines 5 priorities: 1) Improving the National Mechanism for the advancement of women, ensuring equal participation of women and men in governance at the decision-making Level, 2) Overcoming gender discrimination in the socio-economic sphere, expanding women's economic opportunities, 3) Enhancing full and effective participation of women and men in education and science, 4) Enhancing equal opportunities for women and men in the field of healthcare, 5) Prevention of Gender Discrimination.</p> <p>Promoting Gender Equality through implementation of the Gender Policy Implementation Strategy (2019-2023) across diverse sectors, including the judiciary.</p> <p>The government adopted the 2024-2028 strategy and action plan for the implementation of gender policy in the Republic of Armenia.</p>
<b>Reforms regarding civil, criminal and administrative laws, international conventions and cooperation activities</b>	✔	✔	✔	<p>Based on problems identified as a result of the application of the Code of Administrative Procedure, a package of amendments was developed for the Code and a related law. The provisions concerning state duty, subpoena, expedited judicial proceedings were revised, and a number of problems arising in practice were solved.</p> <p>Conclusion of contracts in electronic form was first incorporated in the Civil Code of Republic of Armenia. Particularly, the methods of concluding contracts in writing was clarified with a separate indication of their conclusion in electronic form, which will include both data exchange using electronic means of communication and electronic data exchange using an electronic platform (website, electronic application or other similar means).</p> <p>After the entry into force of the new Civil and Criminal Procedure Codes of the Republic of Armenia, constant monitoring is carried out in connection with their practical application. Ten working meetings were organised to discuss amendments and additions to the codes, during which a number of problems were raised. They were studied, and, based on the logic of existing reforms, a number of reforms were implemented in the form of legislative initiatives. Numerous proposals put forward during the discussions have received a substantive form and as a result, the draft Law of the Republic of Armenia on "Amendments and Additions to the Criminal Code of the Republic of Armenia" was adopted and entered into force.</p> <p>The following laws have been adopted in the first reading in the National Assembly of the Republic of Armenia: the law on "Amendments and Additions to the Criminal Code of the Republic of Armenia"; the draft laws of the Republic of Armenia "On Amendments and Additions to the Criminal Procedure Code of the Republic of Armenia" and "On Amendments and Additions to the Penal Enforcement Code of the Republic of Armenia". The aforementioned amendments provide for significant reforms in sectoral legislation.</p>

## Reforms in Armenia in 2023

	Yes (planned)	Yes (adopted)	Yes (implemented)	Comment
<b>Mediation and other ADR</b>	✔	✔	✔	<p>In 2023, orders supporting the implementation of amendments to the Law on Mediation were adopted. These orders define essential conditions for attracting new mediators, outline the procedures for their training and re-training, establish guidelines for maintaining mediators' register and prescribe criteria for the selection of mediators. Additionally, provisions were put in place to facilitate the online mediation processes.</p> <p>To enhance the competency of mediators a comprehensive training and re-training course was organised. This course welcomed both existing mediators seeking retraining and new candidates aspiring to become mediators.</p> <p>Subsequently, the qualification exams were conducted. A total of 14 new mediators successfully passed the qualification check. The Arbitration and Mediation Centre of Armenia was created and developed and officially approved arbitration and mediation rules. These encompass rules governing expedited arbitration, mediation procedures, functioning of the Arbitration Council, a code of conduct for arbitrators, arbitration fees, arbitrator compensation, and the payment procedures. The charter of the Arbitration Centre has been successfully registered by the Agency of the State Register of Legal Entities. Consequently, Armenia has now assembled all the necessary documents for the establishment and launching of a new Arbitration Centre. In future new training phases and qualification exams are planned for attracting new mediators.</p>
<b>Fight against corruption and accountability mechanisms</b>	✔	✔	✔	<p>On 26 October 2023 the Anti-Corruption Strategy of the Republic of Armenia for 2023-2026, its action plan and the financial assessment of the action plan were confirmed. The strategy establishes 5 strategic goals for fight against corruption. Preventing corruption and strengthening integrity systems, the continuous strengthening of the corruption prevention institution, together with the ongoing development and modernisation of preventive measures plays a key role in combating corruption. The strategy considers developing the institutional system for preventing corruption, conducting anti-corruption review of legal acts and their drafts, enhancing mechanisms for preventing corruption and strengthening integrity in the public sector, while continuously improving the integrity system.</p> <p>Anti-corruption education and improving public awareness mechanisms: development and implementation of the policy on targeted anti-corruption education and awareness-raising is crucial for effectively combating corruption. The policy must be aimed at increasing public involvement and boosting public support to anti-corruption reforms, laying a stable foundation for the culture of intolerance towards corruption.</p> <p>Business integrity, protecting business rights and facilitating state-business administration: the measures aimed at decreasing bureaucracy will be implemented in coordination with measures similar to those outlined in the Public Administration Reforms (PAR) strategy.</p> <p>Enhancing anti-corruption monitoring and evaluation system: the 2023-2026 Strategy must provide all the prerequisites and mechanisms necessary for developing the monitoring and evaluation system. The anti-corruption monitoring system should provide an opportunity to assess the shift in the level of corruption, integrate a substantive performance monitoring system and provide a quantifiable description of the present state. The monitoring system must incorporate indicators for strategic goals, activity outputs and outcomes. There must be "as clear and measurable result indicators as possible at any level, with a possibility to present them in quantitative form, specifying a certain benchmark or period of time to ensure that the level of implementation can be measured".</p>
<b>Domestic violence</b>	✔	✔	✔	<p>The Government of the Republic of Armenia approved the "Strategy for Combating Domestic Violence for 2023-2025" and the resulting action plan. The purpose of the aforementioned documents is to ensure effective implementation of the requirements of the "Law on Prevention of Domestic Violence, Protection of Persons Subjected to Domestic Violence and Restoration of Solidarity in the Family". The document is the first comprehensive strategic plan that focuses only on multisectoral issues related to domestic violence and individual problems that arise in practice. When developing the strategy, existing problems in the field of combating domestic violence, comments from international organisations and civil society, annual reports of the human rights defender and international best practices in this area were taken into account. Adoption of the Strategy will contribute to improving the legal framework, increasing the effectiveness of combating domestic violence, ensuring the full implementation of support and protection measures, strengthening the capacity of industry specialists and raising public awareness on the prevention of domestic violence.</p> <p>The draft amendments to the Law "On the Prevention of Domestic Violence, Protection of Persons Subjected to Domestic Violence and Restoration of Solidarity in the Family" was developed in order to reflect the obligations enshrined in the Council of Europe Convention on the Prevention and Combating of Violence Against Women and Domestic Violence.</p>

**Reforms in Armenia in 2023**

	Yes (planned)	Yes (adopted)	Yes (implemented)	Comment
<b>New information and communication technologies</b>	✓	✓	✓	<p>As part of the 1st Strategic Goal, in the 2nd half of 2023, the electronic module for civil cases of the unified electronic court case management system was introduced (cabinet.armlex.am), which allows conducting of civil proceedings in electronic form, from filing a claim to publishing the final judicial act and providing a writ of execution. The module includes all documents that have been generated or submitted through the system, as well as scanned versions of materials created or presented in addition (including photographs and video recordings of physical evidence). Similarly, an electronic module on bankruptcy cases has also been developed, which, in addition to procedural functions, will also ensure the selection, appointment of bankruptcy managers and auctions in electronic form.</p> <p>In addition, an electronic mediation platform was developed, which enables to register conciliators in the register of the Ministry of Justice, appoint or select them through an automated system by drawing lots, as well as submit applications, demands, see conciliators, receive notifications, etc.</p> <p>Moreover, an electronic system of pre-trial criminal proceedings (e-criminal case) was developed ensuring the integration and effective use of information generated during pre-trial proceedings in criminal cases by government agencies.</p> <p>Necessary equipment for videotaping all investigative actions was acquired.</p> <p>In addition, electronic server systems have been acquired for downloading and managing video recordings of investigative actions, and now the results of investigative actions can be stored in the appropriate server facility instead of individual storage devices used previously.</p>



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PART 2

## EUROPEAN COMMISSION FOR THE EFFICIENCY OF JUSTICE (CEPEJ)

Support for a better evaluation of the results of judicial reform efforts in the Eastern Partnership "Justice Dashboard EaP" Project

Data collection 2023

### Part 2 (B) - Beneficiary Profile – Armenia

This analysis has been prepared on the basis of the replies from the beneficiary (Dashboard correspondent) to the CEPEJ Questionnaire for the Justice Dashboard Eastern Partnership, and relevant GRECO reports from the Fourth GRECO Evaluation Round on Prevention of corruption in respect of members of parliament, judges and prosecutors.

Level of implementation of GRECO recommendations in March 2023 (adoption of the GRECO Second Interim Compliance Report on Armenia):

	JUDGES	PROSECUTORS
Implemented	43,00%	100,00%
partially implemented	57,00%	0,00%
not implemented	0,00%	0,00%

Level of implementation of GRECO recommendations in September 2021 (adoption of the GRECO Interim Compliance Report on Armenia):

	JUDGES	PROSECUTORS
Implemented	43,00%	75,00%
partially implemented	57,00%	25,00%
not implemented	0,00%	0,00%

## Selection and recruitment of judges and prosecutors

### • Procedure of recruitment of judges

Recruitment and career of judges is regulated by the Constitution and the Judicial Code (hereinafter: JC), adopted in February 2018 and amended in 2020 and 2022. Judges and presidents of courts of first instance are appointed by the President of the Republic based on the opinion of the Supreme Judicial Council (hereinafter: SJC). The President of the Republic has a right to appoint some and reject some among the selected candidates.

The selection process of judges differs depending on whether they are to become judges in first instance courts (courts of general jurisdiction) or in courts of appeal (as well as their chairpersons), specialised courts, the Court of Cassation or the Constitutional Court (regarding appointment to a court of appeal or Court of Cassation – see the Chapter on promotion).

Every Armenian citizen aged between 25 and 60 years with a Bachelor's Degree or a qualification from a certified higher legal education institution in Armenia or a similar degree from a foreign state, having command of Armenian, having command of at least one language from among English, Russian or French, with at least five years of professional experience if they hold a Bachelor's Degree in law or a similar degree from a foreign state or with at least three years of professional experience if they hold a Bachelor's Degree and a Master's Degree in law or a qualification from a certified higher legal education institution in Armenia or a similar degree from a foreign state and who is not ineligible to be appointed as a judge according to the JC is eligible for selection (Article 97 of the JC). If a candidate has an extensive experience in the field of law, s/he may apply to be included on the list of judicial candidates if s/he is an Armenian citizen, is proficient in Armenian, has obtained a Bachelor's Degree or a qualification from a certified higher legal education institution in Armenia or a similar degree from a foreign state, has command of at least one language from among English, Russian or French and either has at least 8 years of professional work experience in the last 10 years or has an academic degree in law and has taught law for at least five years in a higher educational institution or the state non-profit organisation "Academy of Justice", the foundation "Academy of Advocates of the Republic of Armenia or has performed scientific work in a scientific institution over the past 10 years. In the latter case the candidate undergoes the interview phase to have his/her qualifications assessed. Persons who have been convicted of a criminal offence and the conviction has not been expired or cancelled, or who have been convicted of an intentional crime or have served a custodial punishment regardless of whether or not the conviction has expired or been cancelled, persons who are currently subject to criminal prosecution, persons who have been declared by a civil judgement as not having legal capacity or having limited legal capacity, missing or bankrupt, and if bankruptcy procedure has not been completed who have a physical disability or illness that hinders their appointment to the position of judge, or who have not completed mandatory military service or alternative service and has not been exempt from mandatory military service as prescribed by law (where the person is male), are excluded. The entry criteria are established by the Constitution and the JC.

Judges may be selected from a reserve list of candidates that have attended the professional training course of the Academy of Justice (hereinafter: the Academy) and have been successful in qualification testing which is comprised of a written exam, a psychological test and

an interview. The Academy is a state non-commercial organisation governed by the Law on the Academy of Justice. It is responsible for carrying out professional training course.

The qualification testing of contenders is publicly announced by the SJC. The entry criteria are published as a part of the public call. The Evaluation Commission formed ad hoc by decision of the SJC (composed of five judges and two academic lawyers) is responsible for checking and evaluating written exams.

Within 15 days after the results of the written exams are published, they may be appealed to the Appeals Commission of the SJC (composed of two judges and one academic lawyer), and subsequently – to an administrative court. Members of the Evaluation Commission may not be members of the Appeal Commission. A non-selected candidate has a right to appeal against a decision of appointment of the SJC (the Judicial Department) when it refuses to accept an application. The appeal is lodged within three working days. The competent body for deciding on the appeal is the Administrative Court which needs to examine the appeal within ten working days. In such cases, the candidate judge who lodged the appeal can participate in the following stages of the qualification examination (see [the GRECO Second Compliance Report on Armenia](#), para. 39).

Contenders who pass the written exams undergo a psychological testing aimed at checking sense of responsibility, ability to listen, self-control, moderate use of reputation (influence) and other characteristics that are not related to professional knowledge. If doubt on their reputation and ability to properly exercise judicial powers is cast by state bodies and officials, the SJC's staff makes written and verbal enquiries (see [the GRECO Evaluation Report on Armenia](#), para. 103).

The SJC conducts interviews with the selected candidates which are aimed at revealing the merits and qualities required for the effective performance of the position of judge through evaluation of the professional experience of the contender, motivation, awareness of requirements in fundamental legal acts relating to the status of a judge, personal characteristics (particularly self-control, conduct, ability to listen, communication skills, fairness, analytical skills, etc.) (see [the GRECO Evaluation Report on Armenia](#), para. 104).

Transparency of the procedure before the SJC is ensured through taking audio or video recording of the interviews.

After the interview the SJC's members vote on the candidates in order to include them on the list; gender equality is to be taken into consideration.

Non-selected candidates may appeal the SCJ's decision to the Administrative Court.

A candidate may be put on the list of candidates without prior attendance of the Academy's training course if s/he complies with the requirements prescribed by law and has had, for at least three years within the last 10 years, the office of a judge with relevant specialisation, as well as of a judge of the Constitutional Court, a judge of an international court of which the Republic of Armenia is a member, a member of the Supreme Judicial Council (Article 111 of the JC).

In case the candidate gives his/her consent, the SJC proposes his/her candidacy to the President of the Republic, introducing also his/her personal file, other documents in case the candidate is not a judge and those acquired as a result of their check. The President of the

Republic then either appoints them or sends the proposal back to the SJC with his/her objections. The President is required to explain his/her decision. The SJC must convene a session and make a decision by open voting held in deliberation room. If the SJC does not accept the President's objection(s), the President, within a period of three days, either appoints the judge or applies to the Constitutional Court to challenge the SJC's decision. If the Constitutional Court decides that the proposal complies with the Constitution, the President of the Republic appoints the proposed candidate within a period of three days. In case the President fails to do so within three days, the decree of the President of the Republic on appointing the relevant candidate enters into force by virtue of law, which is published on the official website of the judiciary by the Chairperson of the SJC (Article 139 of the Constitution).

The integrity of a candidate judge is checked through an integrity questionnaire filled in and submitted to the Judicial Department by a candidate judge. The Judicial Department then refers the questionnaire to the Commission for the Prevention of Corruption to provide its advisory opinion within one month.

#### • Mandate of judges

Judges are appointed without limitation of their term of office, until they reach the retirement age of 65 or in other cases prescribed by law (JC), such as: temporary incapacity for work the judge is unable to perform his/her duties for more than four consecutive months, or for more than six months during a calendar year; if a final court judgment rules that the judge has been appointed in violation of the requirements of law; if convicted or if a criminal prosecution in his/her respect has been terminated for grounds other than acquittal; if the annual training programmes have not been passed for two consecutive years; if after appointment a physical disability or illness is acquired that hinders appointment to the position of judge; if declared incapable, missing, or dead by a court judgment; and if citizenship of Armenia is lost. Termination of office may also occur as a result of a disciplinary procedure (see [the GRECO Evaluation Report on Armenia](#), para. 112 and Articles 159 and 160 of the JC).

No probation period is envisaged in the law for judges before being appointed for an undetermined period (compulsory retirement age 65 years old).

#### • Procedure of recruitment of prosecutors

Recruitment and career of prosecutors is regulated by the Constitution, Law on Prosecutor's Office (hereinafter: LPO) adopted in November 2017 (last amended in April 2021) and the order of the Prosecutor General. Prosecutors are first appointed by the Prosecutor General in light of the opinion of the Qualification Commission of the Prosecutor General's Office.

Every Armenian citizen aged between 22 and 65 with a Bachelor's Degree or a qualification from a certified higher legal education institution in Armenia or a similar degree from a foreign state, having command of Armenian, having completed relevant studies at the Academy if not being exempt from the studies as prescribed by part 10 of Article 38 of the LPO and who is not ineligible to be appointed as a prosecutor according to part 1 of Article 34 of the LPO (an individual convicted of an intentional crime, regardless of whether the criminal record has



been expunged or removed, or convicted of a crime of negligence, until the criminal record has been expunged or removed) is eligible for selection. In case of a candidate for a position of a prosecutor in a unit performing functions aimed at confiscation of property of illegal origin, the candidate must also have at least two years of professional experience as a lawyer. Entry criteria are publicly available as part of the public call as well as separately in the legislation.

The list of prosecutor candidates is supplemented by open or closed competition. The open competition is held by the Qualification Commission of the Prosecutor's Office, as a rule in January of each year when the announcements for open competitions are published on the website of the Prosecutor's Office. If so instructed by the Prosecutor General, a closed competition of candidates may be held during the year in order to supplement the list of prosecutor candidates. In the latter case, no public call is published and participants are notified by written or oral invitation. A participant participates in closed competition if s/he meets the requirements provided by law and is exempt from studies in the Academy as prescribed by law or if s/he appealed against the rejection of the application made by the Qualification Commission.

The Qualification Commission is an independent commission composed of Prosecutor General's deputy, four prosecutors, three law academics and the Rector of the Academy (nine members in total)<sup>1</sup>. The Qualification Commission checks the applicant's professional competence, practical skills, professional training and moral attributes, as well as the conformity of documents presented by the applicant with other requirements stipulated by law. Candidacies of those applicants for whom the Qualification Commission has issued a positive opinion are submitted to the Prosecutor General, who includes the candidates acceptable to him/her in the list of prosecutor candidates.

Transparency of the procedure before the Qualification Commission is ensured through sessions being recorded and recordings being provided to the candidates, when appropriate. Also, its decisions are published anonymously (with the initials of the candidates) on the website of the Prosecutor's Office ([the GRECO Second Compliance Report on Armenia](#), para. 65). However, a list of preselected candidates is not public.

According to the provisions of the LPO, a candidate whose application was rejected may appeal the rejection decision in court within three days. Moreover, the candidates who received a positive opinion from the Qualification Committee but have not been included by the Prosecutor General on the list of candidates for appointment may appeal this decision of the Prosecutor General "through judicial procedure" (see [GRECO Compliance Report on Armenia](#), para. 69). The Prosecutor General shall render a reasoned decision on not including the applicant in the list.

A person included in the list of prosecutor candidates shall complete a program of studies in the Academy of Justice and take a qualification exam. A person is relieved of the requirement to study and take a qualification exam, if he/she: has 3 years of professional work experience as a prosecutor, judge, investigator, or advocate, unless more than 5 years have passed since the person stopped performing such work; has 3 years of professional work experience as a prosecutor unless more than 10 years have passed since the person stopped performing

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<sup>1</sup> In the case of an open competition held in order to replenish the list of candidates for prosecutors performing the functions provided for by the Law of the Republic of Armenia "On Confiscation of Property of illegal origin", the committee consists of 11 members. (LPO, Article 23(3)).

such work and if he/she retired according to the specific grounds prescribed by law; has a PhD degree in law and has 3 years of professional work experience; or has a PhD candidate degree in law and 5 years of experience working as a lawyer. The grounds for exemption from training at the Academy of Justice do not apply to persons included in the list of candidates for prosecutors with the function of confiscating property of illegal origin. In case the candidate is exempt from studying at the Academy, the results of the interview are taken into account in the selection procedure.

According to the LPO, a person wishing to be included in the list of prosecutor candidates must submit a completed questionnaire on integrity. The chairperson of the Qualification Commission submits the questionnaire on integrity to the Corruption Prevention Commission within one day for an advisory opinion, which must be provided within one month. On the basis of Article 26.1 of the Law on the Commission for the Prevention of Corruption, the Corruption Prevention Commission conducts investigation into integrity based on the questionnaire which includes information on the candidate's property and the property of his/her family members, on the candidate's education and employment history, on the candidate's criminal, administrative or disciplinary liabilities, about relationships between persons holding public positions and other such persons as defined in the Law on Public Service and affiliations with a criminal subculture. In order to provide opinion, the Corruption Prevention Commission verifies accuracy of the information provided in the questionnaire, investigates into any previous criminal, administrative or disciplinary liabilities, including involvement in corrupt activities, violations of rules of conduct, conflicts of interest, non-compliance with requirements and other restrictions, reviews also information published on the candidate in the media and on social networks, examines the consistency between the candidate's property status and the actual income, his/her employment history and examines potential affiliation with criminal subculture. After receiving the opinion, the chairperson of the Qualification Commission provides it to the members of the Qualification Commission at least three days before the sitting of the qualification commission. The advisory opinion of the Corruption Prevention Commission must be taken into account by the Qualification Commission during the selection of candidates.

### • Mandate of prosecutors

Prosecutors are elected with no limitation on their term in office, until they reach the retirement age of 65, or if another cause of termination of their office occurs, such as termination due to resignation; conviction; loss of citizenship; staff reductions; refusal to be transferred to a different prosecution unit in the event of closure or reorganisation of the prosecution unit concerned; loss or partial loss of legal capacity, or if missing; if the prosecution of a prosecutor is terminated for reasons other than acquittal; certain forms of illness or physical disability specified by law; violation of the procedure stipulated by law for appointment; failure to attend work for more than six consecutive months during a year due to temporarily incapacity to work; or if on the basis of the results of regular performance evaluation the Qualification Committee requests his/her dismissal (see [the GRECO Evaluation Report on Armenia](#), para. 187; and Article 62 of the LPO).

No probation period is envisaged in the law for prosecutors before being appointed for an undetermined period (compulsory retirement age 65 years old).

## Promotion for judges and prosecutors

### • Promotion of judges

Criteria to be met by a judge candidate for the position of a judge at courts of appeal include: professional work experience of at least three years in the position of a judge of relevant specialisation at a first instance court and lack of any disciplinary penalty imposed in the form of reprimand or severe reprimand. In case a former judge is a judge candidate, s/he must have held office during the last ten years and have at least five years of experience as a judge. A person holding an academic degree in the field of jurisprudence and having taught law at a higher educational institution or having carried out scientific work at a scientific institution at least 6 years during the last 8 years may also be a judge candidate.

Criteria for the position of a judge at the Court of Cassation are the following: having attained the age of forty, holding only the Armenian citizenship, having the right to vote, with high professional qualities and, depending on the professional background, with prescribed number of years of professional work experience: 1. a judge with relevant specialisation with ten years of professional work experience, out of which at least five have been acquired while in the position of a judge; 2. a former judge who held office in the last ten years and who has at least ten years of professional work experience, out of which at least five have been acquired in the position of a judge; and 3. a person holding the academic Degree of Doctor of Sciences (Law) and having taught law at a higher educational institution or having carried out scientific work at a scientific institution for at least 8 years in last 10 years.

The SJC is competent for drawing up and approving as well as supplementing and modifying promotions lists of judge candidates to first instance and appeal courts (as well as chairpersons) to the President of the Republic, who either appoints them or sends the proposal back to the SJC with his/her objections. If the SJC does not accept the President's objection(s), the President either appoints the judge or applies to the Constitutional Court to challenge the SJC's decision (Article 139 of the Constitution). Regarding the Court of Cassation, judges shall, upon recommendation of the National Assembly, be appointed by the President of the Republic. The National Assembly shall elect the nominated candidate by at least three fifths of votes of the total number of Deputies, from among the three candidates nominated by the Supreme Judicial Council for each seat of a judge.

Two separate promotion lists of judge candidates are drawn up: 1. for appointment to the position of a judge at courts of appeal with relevant sections of criminal, civil and administrative specialisations; 2. for appointment to the position of a judge at the court of Cassation. When drawing up the lists, the SJC takes into account a judge candidate's skills and qualities needed for acting effectively in the office of a judge of a court of appeal or at the Court of Cassation such as oral and written communication skills, participation in educational and professional training programmes, reputation, attitude towards colleagues and his/her organisational and management skills. If a judge candidate is a judge, also the results of performance evaluation are taken into account.

According to amendments to the JC made in 2018 (Articles 121 and 130), for promotion to the position of a chairperson of a first instance court and court of appeals, the Judicial Department of SJC draws up and submits to the SJC a list of all judges of the first instance court concerned who meet the following requirements: possess not less than three years of experience in the position of a judge, have not been

imposed a disciplinary penalty, have not been appointed as a chairperson of the court concerned during the last three years and are not members of the SJC. In case the number of judges possessing not less than three years of experience in the position of a judge is less than three, this requirement shall not apply in the course of drawing up the list. The SJC studies personal files of the applicants and may invite them to an interview. The SJC holds open voting, each member having one vote. The person having received the majority of votes of all SJC members shall be proposed to the President of the Republic for appointment. The chairperson of the court of first instance and courts of appeals shall be appointed for a term of three years and may not be reappointed to this position within three years following the expiry of his/her term of office.

Procedures for promotion to the position of a chairperson of a chamber of the Court of Cassation and to the position of the Chairperson of the Court of Cassation are similar to the one described above (Articles 134 and 135, JC), however with some differences. As regards requirements to be met, the main difference is that candidates have to meet a requirement of not having held office in capacity of the chairperson of the chamber concerned/of not having held office in capacity of the Chairperson of the Court of Cassation as according to the Constitution the same person may be elected as Chairman of the Court of Cassation or Chairman of the Chamber of the Court of Cassation only once. Furthermore, the difference is also with regard to which authority appoints the candidate: in case of the chairperson of the chamber of the Court of Cassation, s/he is appointed by the President of the Republic upon proposal of the SJC while in case of the Chairperson of the Court of Cassation the candidate is appointed by the National Assembly upon proposal of the SJC.

The candidate that has not been included on the promotion list may appeal the SJC's decision to the Administrative Court. With regard to this legislative arrangement, the Constitutional Court of the Republic of Armenia raised an issue in a case which referred to appointment of the same judge to the same post of the president of a chamber the Court of Cassation twice. The Constitutional Court deliberated on whether decisions made by SJC conducting its powers under the Article 175(1)2-4 can be challenged in the Administrative Court of the Republic of Armenia. One of the powers of SJC according to Article 175(1)3 is providing a recommendation to the President of the Republic on the candidates for the presidents of the courts and the presidents of the Chambers of the Court of Cassation. The Constitutional Court noted that the decision cannot be challenged in the Administrative Court (the Constitutional Court's decision, no. SDO-1691 of June 2, 2023).

## • Promotion of Prosecutors

According to the LPO, appointment of a prosecutor to senior positions is made on the basis of promotion lists which are compiled by the Qualification Commission of the Prosecutor General's Office.

Promotion lists are compiled: 1. during a regular attestation of prosecutors; 2. in an extraordinary procedure, when the Prosecutor General requires the Qualification Commission to include a prosecutor on the promotion list as an encouragement, attaching an appropriate assessment of the prosecutor made by the Prosecutor General or his/her deputy and the Qualification Commission issues a positive opinion; and 3. in exceptional cases, when the Qualification Commission decides that a person relieved of duty to study at the Academy shall be included concurrently both on the list of prosecutor candidates as well as promotion lists (Article 39, LPO).

Criteria for promotion include years of experience, professional skills, performance, subjective criteria and absence of disciplinary sanctions.

Appointment procedure begins with the announcement of open competitions published on the website of the Prosecutor's Office. Transparency of activities of the Qualification Commission is ensured via recording made of all sessions of the Commission and the fact that recordings are provided to the candidates, when appropriate. Its decisions are also published on the website of the Prosecutor's Office ([the GRECO Compliance Report on Armenia](#), para. 69, and [the GRECO Second Compliance Report](#), para. 65).

The candidate that has not been included on the promotion list may appeal "through judicial procedure".

## Confidence and satisfaction of the public with their justice system

### • Compensation of users of the judicial system

The legislation for protecting the right of citizens to seek compensation in case they have suffered pecuniary or non-pecuniary damage due to the violation of the right to a trial within reasonable time or for non-execution of court decisions is in place. Chapter 19 of the JC sets out procedures for initiating and reviewing complaints against judges as well as authorities and their competence.

The data on compensations for 2021-2023 was reported as not available.

Several bodies are competent to examine the complaints about the functioning of the judicial system: higher court, MoJ, SJC, Ethics and Disciplinary Commission of judges and CPC. There are time limits within which the competent authorities have to deal with the complaint.

### • Procedure to challenge a judge

There is a procedure in place to effectively challenge a judge in case a party considers the judge is not impartial. No data is available on the ratio between the total number of initiated procedures of challenges and total number of finalised challenges for 2021.

### • Instructions to prosecute or not addressed to public prosecutors

According to the Constitution, the Prosecutor's Office is a unified system separate from other state institutions, enjoying independence. As per the Law on Prosecutor's Office of RA, a prosecutor takes decision in the exercise of his/her powers autonomously based on laws and inner convictions and is responsible for decision taken. Any interference with his/her activities which is not prescribed by law, leads to legal liability and is prohibited. However, according to the same law, specific instructions may be given to a prosecutor by the superior prosecutor which the prosecutor must follow, except in cases when s/he finds them illegal or unfounded. In such case the prosecutor shall not follow them and must file a written objection to the superior prosecutor who gave the instruction unless the instruction is given by the Prosecutor General. Instructions may be given orally or in writing. The instruction given are mandatory, have to be reasoned and recorded in the case file. Instructions are given occasionally. In 2023, 2 such instructions were addressed to a prosecutor.

For certain categories of vulnerable persons special favourable arrangements may be applied during judicial proceedings. Information mechanisms, special arrangements in hearings and other specific arrangements (exemption from court costs when a citizen is recognised as legally incompetent or with limited legal capacity) are in place for: minors (witnesses or victims); persons with disabilities (a sign language interpreter, an assistant) and juvenile offenders. Information mechanisms and special arrangements in hearings are available for: victims of domestic violence; others (e.g. victims of human trafficking, forced marriage, sexual mutilation). Special arrangements in hearings are available to victims of sexual violence/rape while information mechanisms to ethnic minorities.

## Promotion of integrity and prevention of corruption

### • Independence of judges

Provisions which guarantee the independence of judges are prescribed in the Constitution as well as the Judicial Code (hereinafter: JC). The Constitution in its Article 164 stipulates that a judge shall be independent, impartial and act only in accordance with the Constitution and laws when administering justice. S/he may not be held liable for the opinion expressed or judicial act rendered during the administration of justice, except where there are elements of crime or disciplinary violation. Criminal prosecution of a judge with respect to the exercise of his/her powers may be initiated only upon the consent of the SJC or upon the consent of the Constitutional Court in respect of the constitutional court judge. A judge may not be detained, with respect to the exercise of his/her powers, without the consent of the SJC or the Constitutional Court (in case of constitutional court judges), except where s/he has been caught at the time of or immediately after committing a criminal offence. In this case, deprivation of liberty may not last more than seventy-two hours. The Chairperson of the Constitutional Court shall be immediately notified of the deprivation of liberty of a judge of the Constitutional Court.

Provisions of the JC (Article 7) also stipulate that a judge shall be independent from state and local self-government bodies, officials, natural and legal persons, and shall not be accountable to anyone and, inter alia, shall not be obliged to give any explanations. State and local self-government bodies and officials shall abstain from actions which may jeopardise or harm the independence of a court or judge. Any interference with the activities of a court or judge in connection with the administration of justice or exercise of other powers provided for by law when acting as a court, as well as exercise of rights stemming from the status of a judge, or disrespectful attitude towards the court shall entail liability provided for by law. The SJC, based on the statement of a judge with regard to an interference with his/her activities in connection with the administration of justice or exercise of other powers provided for by law when acting as a court, as well as exercise of rights stemming from the status of a judge, shall file a motion with the competent body for holding the allegedly guilty persons liable. The competent body shall immediately inform SJC in writing about the measures taken. The SJC shall have the right to make an official statement on the measures taken by the competent body, as well as its failure to take relevant measures within a reasonable time limit.

*GRECO Recommendation ix. GRECO recommended that effective rules and mechanisms be introduced for identifying undue interference with the activities of judges in the administration of justice and for sanctioning judges who practice or seek such interference.*

In its [Evaluation Report \(see para. 158\)](#), GRECO noted the concerns raised by various international bodies – and by the Ombudsman – over the “independence of individual judges and integrity of their decisions being compromised through the practice of judges to consult with other judges prior to making their judgment”, which “appears to be especially prevalent between lower instance courts and the Court of Cassation, and often happens out of fear that the judgment will be reversed and the judge subjected to disciplining for an ‘illegal’ ruling”. The GET was highly concerned about the findings presented by the Ombudsman in his 2013 special report which was based on interviews with over 120 legal professionals and other experts and on the study of numerous court cases. He had concluded that judges who do not reach an agreement with the Court of Cassation on the outcome of sensitive cases (e.g. those that are widely and publicly commented on, defamation and insult cases, etc.) and prefer to make their own decisions “are subjected to a high risk of pressure and ‘prosecution’”. “Such

practice is incompatible with the principle of individual independence of judges and with the parties' right of access to the courts and "should be dealt with through disciplinary means against judges taking part in such practice." GRECO pointed out the JC's provisions requiring judges to notify General Assembly of Judges of any interference with the administration of justice or the exercise of other powers stipulated by law, or of other influence not prescribed by law, and failure to do so gave rise to disciplinary liability. It noted also that such interference was criminalised in the Criminal Code. GRECO noted, that regardless of that, it would appear that this mechanism did not work effectively in practice and that it was essential that a more effective mechanism to detect and sanction such instances would be developed, not least in order to restore citizens' trust in the justice system. GRECO also said, that while it was up to the authorities to further analyse the situation and find appropriate solutions, in the view of the GET it might be necessary to provide for reporting obligations and adequate sanctions both for judges of superior courts trying to influence judges of lower courts and for judges of lower courts seeking instructions. In view of the above, GRECO recommended that effective rules and mechanisms be introduced for identifying undue interference with the activities of judges in the administration of justice and for sanctioning judges who practice or seek such interference (recommendation ix).

As regards recommendation ix, in the compliance procedure GRECO found in [the Second Compliance Report on Armenia](#) (see para. 53) that the new Judicial Code prohibited interference with the activities of judges and detailed the procedures for reporting and processing cases of undue interference. It also provided for disciplinary sanctions to punish judges interfering with administration of justice by other judges and those who failed to report cases of undue interference with their activities. Moreover, the SJC had further detailed the regulation of these matters, in particular that the interference in cases or requests of information in on-going cases was not allowed. GRECO assessed that all that went in the right direction. However, GRECO wished to know more about the practical application of the rules and preventive measures taken, in the form of awareness and training etc. In view of the foregoing, GRECO concluded the recommendation remained partly implemented. In [the Second Interim Compliance Report](#) (para. 44-48), the authorities reported that no application, complaints or petition raising the issue of judges from higher instance courts interfering with the administration of justice by judges from lower instance courts were submitted to the Ministry of Justice. In the same vein, no disciplinary proceedings were initiated by the Ethics and Disciplinary Commission under the Assembly of Judges in this respect. Moreover, three of the six judges of this Commission are judges of the first instance, and there have been cases where disciplinary proceedings were initiated against judges of the higher instance by the votes of the judges of the first instance. According to the authorities, this shows that there is no constraint between lower and higher court judges in the judicial system. GRECO reiterated its position that more tangible results need to be shown in order to fully comply with the recommendation as regards the practical application of the rules introduced by the 2018 Judicial Code. GRECO notably expects to be informed about the outcome of the two cases mentioned in the Interim Compliance Report where judges applied to the SJC to report external interference with their activities. GRECO concluded that recommendation remains partly implemented.

### • Independence of prosecutors

Provisions which guarantee the independence of prosecutors are prescribed in the Constitution (Article 176) as well as the Law on Prosecutor's Office (Articles 6 and 69). According to the mentioned provisions, the Prosecutor's Office is a unified system, headed by the Prosecutor General. It acts within the scope of powers vested therein by the Constitution, on the basis of law.



### • Breaches of integrity for judges

Different breaches of integrity of judges are stipulated in several laws, namely the JC, the Code on Administrative Offences and in the Criminal Code. The JC sets out grounds for imposing disciplinary action against a judge which include violation of provisions of substantive or procedural law while administering justice or exercising — as a court — other powers provided for by law, which has been committed deliberately or with gross negligence and violation of the rules of judicial conduct prescribed by this Code, committed with intent or gross negligence. As per the Code on Administrative Offences, administrative liability is established for violating rules on submission of declarations to the Corruption Prevention Commission within the set timeframe, for violating the requirements for completing the declaration, for violating the submission procedure or inadvertently presenting incorrect or incomplete data in declarations. The Criminal Code establishes criminal liability of judges for non-submission of declarations to the CPC intentionally or for submission of false information as well as for hiding the data subject to declaration (Articles 314.2 and 314.3). Article 352 of the Criminal code establishes criminal liability for delivering an obviously unjust criminal or civil judgment or another judicial act.

### • Breaches of integrity for prosecutors

The Law on Prosecutor's Office, the Code on Administrative Offences and the Criminal Code stipulate different breaches of integrity of prosecutors. According to the Article 53 of the LPO, grounds for imposing disciplinary action against prosecutors are: 1. improper performance of official duties; 2. violation of the requirements of the Code of Conduct for Prosecutors; 3. repeated violation the rules of work discipline; or 4. violation of the requirements of Article 49 regarding restrictions or incompatibility requirements. As per the Code on Administrative Offences, administrative liability is established for violating rules on declarations also for prosecutors (see above). Provisions of Articles 314 and 341 of the Criminal Code (see above) apply also to prosecutors. Articles 349 and 351 of the Criminal Code which establish criminal liability for compelling falsification of evidence in a criminal case by a person carrying out inquest, investigator, prosecutor or defence counsel, and for releasing — by a prosecutor, investigator or a person carrying out inquest — from criminal liability a person suspected or accused of committing a crime, are also relevant.

### • Breaches of integrity for staff of courts

The Law on Judicial Service and the Law on Civil Service (Article 21) are relevant for establishing liability of court staff for breaches of integrity. The former prescribes the procedure for imposing and removing sanctions, while the latter sets out grounds for imposing disciplinary action, namely in cases when official duties are not performed for inexcusable reasons or are not performed properly, as well as when official powers are exceeded and the internal disciplinary rules breached or when not having complied with other restrictions imposed on a public servant or for not complying with rules of conflict of interests or in case of violation of the ban on accepting gifts.

- Number of criminal cases against judges and prosecutors**

The table below shows number (absolute and per 100 judges/prosecutors) of criminal cases initiated and completed against judges and prosecutors as well as number of sanctions pronounced:

In 2023, criminal cases were initiated against 1 judge and 5 prosecutors and 3 cases against prosecutors were completed.

	2021				2023			
	Judges		Prosecutors		Judges		Prosecutors	
	Abs	per 100	Abs	per 100	Abs	per 100	Abs	per 100
Number of initiated cases	4	1,32	0	0,00	1	0,32	5	1,33
Number of completed cases	2	0,66	0	0,00	0	0,00	3	0,80
Number of sanctions pronounced	0	0,00	0	0,00	0	0,00	0	0,00

- Existence of specific measures to prevent corruption**

For both judges and prosecutors, specific measures to prevent corruption exist, namely rules on gifts, specific training, safe complaints mechanism and other (examination of asset declarations by the Corruption Prevention Commission). The CPC plays an important role in this regard since its findings on late submission of declarations, on submission of data that is incorrect or incomplete or on violation of the relevant requirements or procedure when submitting declarations, lead to initiation of administrative violation proceedings by the CPC (Article 25 of the Law on CPC). Internal controls also exist, but only with regard to prosecutors.

- In-service training on ethics**

There is a compulsory in-service training on ethics, conflicts of interest and prevention of corruption available to judges and prosecutors, which is organised regularly. Judges must undergo a training for 80-120 academic hours once a year. The training is implemented in two parts. In respect of prosecutors, all prosecutors, except for the chief prosecutor and his/her deputies, are obliged to undergo training no less

than every two years (Article 51 of the Law “On the RA Prosecutor’s Office”) (see [Interim Compliance Report on Armenia \(para 55\)](#)). Two courses on the code of conduct for prosecutors and on corruption prevention are mandatory for all prosecutors.

*GRECO Recommendation xi. GRECO recommended that a deliberate policy for preventing improper influences on judges, conflicts of interest and corruption within the judiciary be pursued which includes (i) the provision of on-going mandatory training to all judges on ethics and conduct, on judicial impartiality and independence and on the prevention of conflicts of interest and corruption, which is to be organised with strong involvement of the judiciary, and (ii) the provision of confidential counselling within the judiciary in order to raise judges’ awareness and advise them with regard to the areas mentioned under (i).*

In its [Fourth Evaluation Round Evaluation Report](#) (para. 166), GRECO noted the need to provide training on ethical questions to all judges on a mandatory and regular basis, by way of dedicated courses referring to practical examples, focusing on main topics that are prevention of conflicts of interest and corruption. Moreover, GRECO noted that practical questions relating to the principles of impartiality and independence – both from internal and external influences – should be given priority. In this context, GRECO drew attention to Opinion No. 4 (2003) of the Consultative Council of European Judges (CCJE) according to which “the judiciary should play a major role in or itself be responsible for organising and supervising training” and emphasised that in Armenia the involvement of the judiciary in this process needed to be strengthened. Furthermore, GRECO emphasised a need for specialised and dedicated counselling within the judiciary, in order to provide judges with confidential advice on such questions, to raise their awareness and to thus prevent risks of conflicts of interest and corruption. In this connection, GRECO drew the authorities’ attention to international standards according to which “judges should be able to seek advice on ethics from a body within the judiciary”. In connection to this matter, it was stressed that any such counsellors needed to command specific expertise in the field and be distinct from disciplinary bodies so that they could be consulted and advise in confidence. The requests for consultations and the opinions expressed by the regulator would have to be confidential and only fed into dedicated ethics training on an anonymous basis. In conclusion, GRECO recalled that in Armenia perceptions of corruption in the judiciary were particularly high and citizens’ trust in this branch of power was low, and, as a result, found it crucial that measures such as those mentioned above were embedded in a determined and comprehensive corruption prevention policy. Consequently, GRECO issued the recommendation xi above.

In order to comply with GRECO’s recommendation xi, the Armenian authorities envisaged a mandatory training on the code of conduct for judges in the Action Plan 2018-2023 of the Strategy of Legal and Judicial Reforms. Several training activities were also organised by the Academy on professional ethics and fight against corruption for judges and candidate judges (see [GRECO Compliance Report on Armenia](#), para. 57). In 2019, courses on judicial ethics, judges’ evaluation, anti-corruption etc. were included in the initial training curriculum as well as annual mandatory continuous training curriculum of the Academy. Furthermore, the Strategy of Judicial and Legal Reforms for 2019-2023 includes the regular training courses of the Academy for judges on ethics and judicial independence (see [GRECO Second Compliance Report on Armenia](#), para. 57 and 58). GRECO therefore considers that part (i) of the recommendation had been addressed satisfactorily. However, no confidential counselling within the judiciary has been introduced (part (ii) of the recommendation) and, as a result, recommendation xi remains partly implemented. No progress was reported by the Armenian authorities in [the Second Interim Compliance Report](#) (para. 49-52) and GRECO concluded recommendation remains partly implemented.

## • Codes of ethics for judges and prosecutors

Judges have their codes of ethics and prosecutors have their rules of conduct. However, both were adopted in 2018 and have not been updated since. They are available online.

Both codes of ethics contain set of rules on adherence to values (independence, integrity, impartiality) that should be respected by judges/prosecutors, judges/prosecutors' relationship with institution, citizens and users, extrajudicial and political activities, conflict of interest, gifts, information disclosure and relationship with press agencies, association membership and institutional positions. The code of ethics for prosecutors also contains rules on prosecutors' competence and continuing education.

## • Bodies giving opinions on ethical questions

In case of prosecutors, a special body (Ethics Committee) was established in 2018 to provide advice to prosecutors on ethics issues and to ensure that prosecutors are aware of the possibilities for confidential counselling within the prosecution service. It is composed of prosecutors and other legal professionals (7 members in total). These opinions are not publicly available. No opinion was provided in 2021. As of 2023, following amendments to take in consideration GRECO recommendations, the Ethics Committee no longer provides opinions. Also, a sub-committee on Ethical Advice was established and is composed of two prosecutors with appropriate professional qualifications to advise the prosecutors on ethical issues.

No such body exists in case of judges. The Armenian authorities report that this is due to the opinion of the Venice Commission<sup>2</sup> which pointed out the concerns with regard to the Disciplinary Commission having competence also for providing advice on rules of ethics and conduct. The authorities further explain that having a body competent to provide advice might lead to different, even contradicting interpretation from the one made by the SJC when applying disciplinary measures.

No progress has been made with regard to confidential counselling available to judges (see para. 54 of the GRECO Interim Compliance Report on Armenia). However, a draft of a new amendment to the Constitutional Law "Judicial Code of the republic of Armenia" has been developed to allow judges being given the opportunity to seek confidential advice on ethical and disciplinary issues. It is planned that the General meeting of judges will form an advisory committee on Ethics and Code of Conduct which will provide confidential advice to judges on ethics and on Code of Conduct, including developing and publishing information guideline based on the consultations provided.

## • Established mechanisms to report influence/corruption on judges and prosecutors

With regard to established mechanisms to report attempts on influence/corruption on judges and prosecutors, the Armenian authorities refer to the Law on the System of Whistle-blowing adopted in 2017 which facilitates reporting on corruption, conflicts of interest, violations of rules of conduct, requirements, restrictions or declarations or other damage to public interest, involving judges or prosecutors. Also, the Criminal

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<sup>2</sup> [https://www.venice.coe.int/webforms/documents/?pdf=CDL-AD\(2017\)019-e](https://www.venice.coe.int/webforms/documents/?pdf=CDL-AD(2017)019-e)

Code in Article 486 criminalizes any intervention into the activities of the court, with the purpose of hindrance of the administration of justice or any intervention into the activities of the prosecutor, investigator or the person in charge of inquiry, with the purpose of hindrance of the comprehensive, complete and objective investigation of the case. Furthermore, in case of attempts on influence/corruption, judges must report them to the SJC while prosecutors must inform superior prosecutor.

#### • Transparency in distribution of court cases

There is transparency in distribution of court cases ensured in the Armenian judicial system via random allocation using random algorithm. However, there is a possibility to exclude a judge from the allocation – according to Article 42 of the JC a judge may, in case s/he oversees a case of particular complexity, apply to the SJC proposing to be temporarily removed from the distribution list or to have a different percentage of cases to be distributed to him/her defined (exclusion from allocation has been dealt with by the SJC in its decision BDX-16-N-6 dated 25 March, 2021 on the criteria and procedure for equal distribution of cases between judges, redistribution of cases, procedure for forming collegiate judicial panels and determining the percentage of cases assigned to judges). In case the SJC finds the application of the judge to be reasonable, the proposal shall be granted but for a limited period of time not exceeding six months which may be extended based on the judge's proposal, if the examination of the case of particular complexity has not ended. Other grounds for excluding a judge from the allocation are: 1. in the case of a leave — for the period of the leave and the period of the preceding ten days; 2. in the case of secondment to another court — for the period of secondment and the period of the preceding ten days; 3. in the case of temporary incapacity, participation in training courses, secondment abroad or suspension of powers — for the relevant period; 4. in the case of expiry of the term of office — three months before the expiry of the term of office; 5. in other cases provided for by the JC.

Reassignment of court cases is made on the basis of Article 46 of the JC in cases when a judge has been seconded (or when secondment has ended), transferred, recused himself/herself from the case in question, participated in the examination of the case in question in the past, rejected the institution of proceedings the decision on which has been reversed in the manner prescribed, his/her powers have been suspended, automatically or imposingly terminated, or when judges have exchanged their positions. Reassignment of cases has to be reasoned. Cases are reassigned through a computerised distribution of cases randomly (by random algorithm) and all the interventions in the system are registered.

## Declaration of assets for judges and for prosecutors

Article 69 of the JC obliges judges and their families to declare their assets and interests in accordance with the Law on Public Service.

Prosecutors are also required to submit declarations as per the Law on Public Service.

The declarations for both judges and prosecutors contain information on assets, financial interests, sources of income, liabilities, gifts and property.

Declarations of judges are to be filed upon beginning of the term of office, at the end of the term of office, in case of a significant change in items to be declared and annually. Furthermore, according to Article 69 of the JC a judge is obliged to submit, when engaging in any activity in cases provided for by the Law on the Commission for the Prevention of Corruption appropriate documents or clarifications proving that changes in his/her property (increase in property and/or decrease in liabilities) are reasonably justified by lawful income, or that s/he does not possess non-declared property or property that has not been fully declared, or that the source of income is lawful and reliable.

Timing of submission of declarations of assets for prosecutors is the same as for judges.

Furthermore, both judges and prosecutors should submit the so-called situational declaration which is to be submitted upon request of the Corruption Prevention Commission (hereinafter: CPC) in case of doubt as to any significant change in the property (increase in property, reduction in liabilities or expenses) of the declarant both within one month as well as within two years after the termination of official duties (Article 25 of the Law on CPC). The situational declaration is not subject to publication.

A declaration is filled both by the person obliged to declare assets and interests as well as his/her family members (Article 34 of the Law on the Public Service). Family members include spouse, children under legal age and other family members who are under the declarant's official's guardianship or curatorship as well as any adult person jointly residing with the declarant 183 and more days in the declarant year.

Both judges and prosecutors submit declarations to CPC which is an autonomous state body. According to the provisions of the Law on Corruption Prevention Corruption, CPC verifies timeliness, completeness and accuracy of the declaration. It also is competent to check for any unexplained financial discrepancies (unusual change in assets, liabilities, income, etc.). CPC keeps a register of declarations and the declarations (except for the situation declarations) are published on the CPC's website.

*Recommendation xviii. GRECO recommended that appropriate measures be taken to ensure effective supervision and enforcement of the rules on asset declaration applicable to members of parliament, judges and prosecutors, notably by strengthening the operational independence of the Commission on Ethics for High-Ranking Officials, giving it the clear mandate, powers and adequate resources to verify in depth the declarations submitted, to investigate irregularities and to initiate proceedings and impose effective, proportionate and dissuasive sanctions if the rules are violated.*

In its [Evaluation Report on Armenia](#) (see para. 229-231), GRECO had stressed the importance of having an effective supervisory mechanism (which was at the time of adoption of the report the Commission on Ethics for High-Ranking Officials) with a clear mandate,

powers and adequate competence and resources to carry out in-depth control of asset declarations. It issued the recommendation xviii above.

In the compliance procedure, the Armenian authorities reported that the new anti-corruption preventive body, the Corruption Prevention Commission (CPC), was created and thus replaced the Commission on Ethics of High-Ranking Officials as regards the function of monitoring asset declarations. As regards the verification of asset declarations, GRECO noted the significant changes made to the system for interest and asset disclosure since March 2020 which were accompanied by a substantial widening of the functions of the CPC. The CPC has been given additional powers, e.g. to request situational income and asset declarations from third parties and close relatives who engage in transactions with public officials (including judges and prosecutors) obliged to submit declarations, to obtain financial, including banking information through lifting of banking secrecy, to request a situational declaration from the public officials, if, within two years of termination of official duties, a significant change in his/her assets is suspected. However, a corresponding increase in the resources of the CPC had not been reported. Also, the statistics on supervisory activities of the CPC did not compare favourably to those shared previously in respect of the CPC's predecessor, the Commission on Ethics of High-Ranking officials, which made it difficult for GRECO to ascertain the effectiveness of the current supervision and enforcement regime. In conclusion, GRECO noted that, overall the measures taken had gone in the right direction but the system had remained relatively new and more time would be needed for it to produce credible results. The recommendation xviii was concluded to remain partly implemented. However, in the Second Interim Compliance Report (para. 66-72), the Armenian authorities reported that CPC was at the time of adoption of the report composed of four members, one of which being elected according to the rules introduced in 2021, i.e. by a competition board composed of five members appointed respectively by the Government, the National Assembly, the Supreme Judicial Council, the Human Rights Defender and the Chamber of Advocates. One position was vacant at that time and a competition was announced. The authorities underlined that appropriate competitive procedures were therefore in place and would be applied for each subsequent vacant position. As the terms of three members would expire in November 2023, all members of the CPC would soon be elected according to the new regulations. As for the resources of the CPC, the number of staff of the CPC has been constantly increasing. At the time of the adoption of the report, it has reached 57, compared to 40 at the time of the CPC creation. A request had been submitted to the Prime Minister's office to add eight more positions, which would increase the number of staff to 65. In addition, a new digital system of declarations was launched on 1 February 2023. It ensures interoperability between the platforms of different government bodies and thereby is to facilitate the process of filling and verifying declarations. During the reporting period, the functional powers of the CPC for the collection and use of data in the analysis of declarations have also been expanded. In particular, the CPC is authorised to receive data from state and non-state bodies and has access to several official databases. In the course of the verification of the declarations submitted, the CPC can address bodies carrying out operational investigative activities (the National Security Service, the Anti-Corruption Committee) in order to check the actual possession of property by the declarants. The CPC can also use materials published in the media and information received from citizens from open Internet sources. In 2022, on this basis, the CPC verified the declarations of 130 judges and judicial candidates, 92 prosecutors and 17 members of the National Assembly. The authorities also provided GRECO with statistics from 2022 on initiated proceedings in relation to the submission of declarations, on administrative sanctions applied and on disciplinary proceedings initiated. GRECO acknowledged the progress made to meet this recommendation. The CPC has now a clear mandate and powers to verify in depth asset declarations submitted by MPs, judges and prosecutors, noted GRECO. Notwithstanding the

fact that the declarations of only few MPs have been controlled so far, GRECO recognises that the process is ongoing. GRECO also notes that the Council of Europe provided support to the CPC for the development and implementation of a methodology of verification of the declarations. Several key documents were produced to help the CPC detect financial irregularities in the declarations. A new digital system of declarations has also been launched and is to facilitate the investigation of irregularities. These are welcome developments. In addition, staff of the CPC has been increased. Lastly, the CPC has initiated a number of proceedings and imposed sanctions for failure to submit a declaration or for incomplete or false declaration. GRECO is therefore satisfied that the rules on asset declaration are effectively supervised and enforced. As for the operational independence of the CPC, GRECO notes that the new rules reinstating a competition board in the process for the appointment of CPC members are applied in practice. One member was already appointed following these rules, the procedure is ongoing for another one, and, with their mandate coming to an end in November 2023, the three remaining members will also soon be elected on the basis of the new rules that had been assessed positively in the Interim Compliance Report. GRECO recalls that the independence of the CPC is crucial for public trust in the system. GRECO concluded that recommendation xviii has been dealt with in a satisfactory manner.

As per the Criminal Code, 1. submitting false information in the declaration or concealing the information to be declared, or not submitting the declaration within 30 days after the application of the responsibility established by law by the person who is obliged to submit a declaration incurs a fine in the amount of ten times to thirty times, deprivation of the right to hold certain positions or engage in certain activities for a period of two to five years, restriction of freedom for a maximum period of three years, - short-term imprisonment for a maximum period of two months, or Imprisonment for a maximum period of three years. 2. Submission of false information in the declaration or concealment of the information subject to declaration by a person who is obliged to submit a declaration, which has led to the non-declaration of particularly large assets or income or expenses, as defined by the legislation of the Republic of Armenia, shall be punished by imprisonment for a term of three to six years. 3. In the context of this article, an amount (value) exceeding 1 million Armenian drams (approx. 2.385 EUR) is considered a particularly large amount. As per the Judicial Code, the following disciplinary sanctions may be imposed on a judge for a failure to follow the rules of conduct which include also a failure to submit the declaration: a warning, a reprimand, a severe reprimand, a prohibition to be included on a list of judge candidates for promotion for a period of one year, a dismissal from the position of the chairperson of a court/chamber of the Court of Cassation or a termination of powers on the ground of essential disciplinary violation. As per the Code on Administrative Sanctions (Article 169.28), a failure to submit a declaration to the CPC within the prescribed period, submitting incomplete or incorrect declaration is punishable by a fine in the amount of 200 times the established minimum wage (part 1). Submission of a declaration to CPC in violation of the requirements for its completion or the order of submission incurs a warning (part 3). Failure to submit the declaration within 30 days after the application of the administrative penalty, in accordance with the requirements for its completion or the submission procedure, shall result in the imposition of a fine equal to 200 times the established minimum wage (part 4). Submission of incorrect or incomplete data in the declaration in a careless manner shall result in a fine ranging from 200 to 400 times the established minimum wage (part 5).



Number (absolute and per 100 judges/prosecutors) of proceedings against judges/prosecutors for violations or discrepancies in declaration of assets in 2023:

Armenia	Judges						Prosecutors					
	Number of initiated cases		Number of completed cases		Number of sanctions pronounced		Number of initiated cases		Number of completed cases		Number of sanctions pronounced	
	Abs	per 100	Abs	per 100	Abs	per 100	Abs	per 100	Abs	per 100	Abs	per 100
<b>2023</b>	0	0,00	0	0,00	0	0,00	1	0,27	1	0,27	0	0,00

## Conflict of interest for judges and for prosecutors

### • Procedures and Mechanisms for managing potential conflict of interest

The legal framework for the prevention and the resolution of conflicts of interest applicable to judges is provided by the relevant provisions of 1) the Constitution, which provides for incompatibility rules; 2) the Judicial Code, which contains a non-exhaustive list of grounds for recusal (Article 71), incompatibility requirements (Article 5), rules on receiving payments from non-judicial activities (Article 72), rules participation of a judge in educational programmes (Article 59) and rules on acceptance gifts (Article 73).

The legal framework for the prevention and the resolution of conflicts of interest applicable to prosecutors is provided by the relevant provisions of 1) the Law on Prosecutor's Office, which provides for rules on accessory activities, restrictions and incompatibilities (Articles 34, 49 and 74); 2) the Criminal Procedure Code, which contains a non-exhaustive list of grounds for recusal (Article 91); and 3) the Law on Public Service, as regards rules on acceptance of gifts (Articles 29, 30).

A general obligation imposed on judges while performing official duties is prescribed in Article 70, part 2.7 of the Judicial Code, namely that a judge is obliged to prevent conflicts of interest and ensure that familial, social, or other relations do not influence the exercise of their official powers. In this case, the institution of self-recusal or recusal applies to judges. Although no direct provision for reporting a conflict of interest, a self-disclosure itself implies reporting the situation.

There is a general obligation prescribed in the Law on Prosecutor's Office (Article 32, part 7) that a prosecutor must act reasonably so that cases causing a need for his/her dismissal (self-recusal) from the proceedings or examination of the case are reduced to a minimum. The immediate superior is entitled to transfer, upon his/her decision, the case from the proceedings of the inferior prosecutor to another prosecutor in case of granting the recusal or self-recusal of the inferior prosecutor.

The Law on Public Service (LPS) contains rules on gifts applicable to prosecutors. The law provides, as a main rule, for a general prohibition of accepting gifts when related to official duties of public officials (Article 29). The law also specifies that certain gifts are allowed (hospitality, ceremonial gifts, scholarship, grants etc.). The law provides for an obligation to report permissible gifts and for registration of gifts the value of which exceeds the threshold of AMD 60 000 (approx. EUR 130 – used to be 75 000 AMD before legislative amendments to the JC in March 2020). The LPS does not provide for any specific mechanism for reporting and registering gifts but states that the procedure shall be defined by the Government. However, they must be included in the regular asset declarations to be submitted to the CPC.

Article 73 of the JC includes detailed rules on the acceptance and handling of gifts by judges. As a rule, judges must not accept a gift from anyone or agree to accept a gift in the future, and they must seek to keep their family members living with them away from such actions. In this context, a "gift" is defined as "any property advantage that would reasonably not be given to a non-judge". The JC also specifies that the concept of "gift" includes "remitted claims, assets sold, or services rendered at a disproportionately low value, borrowing, gratuitous use of the assets of another person, etc.". A gift given to a judge that is not considered permissible should be returned or compensated

equivalently within a week from the receipt while a gift which cannot be returned through reasonable effort or compensated equivalently must be transferred to the state.

The JC prohibits acceptance of gifts (incl. non-pecuniary benefits) related to the performance of official duties by judges (and family members residing with them), with some exceptions (incl. hospitality and ceremonial gifts, gifts from close relatives, scholarship, grant etc.).

If a gift received exceeds a set threshold, a judge must report it to the Ethics and Disciplinary Committee of the General Assembly of Judges within a period of 10 days. The same applies if a gift has been received by a judge's relative (to the third degree kinship) who does not live in the same household, and the gift could reasonably be perceived as having the aim of influencing the judge. Judges are also required to include gifts received in the regular asset declarations filed to the Corruption Prevention Commission (hereinafter: CPC).

Section 49 of the LP prohibits prosecutors from receiving gifts, money or services from other persons for the performance of official duties, except for cases provided for by law.

*Recommendation xvi. GRECO recommended that the rules applicable to the acceptance of gifts by members of parliament, judges and prosecutors be further developed so as to provide clearer definitions to ensure that they cover any benefits – including benefits in kind and benefits provided to associated persons; to introduce a requirement to report gifts received to an appropriate monitoring body; and in the specific case of judges, to lower the existing thresholds for such reporting.*

In its [Second Compliance Report](#) (see para. 74-79), GRECO noted some deficiencies of both newly adopted laws regulating gifts (JC and LPS), namely several vague terms, relating to the definition of a gift, already referred to in the Evaluation report (paragraph 226), which required clarifications. In its [Interim Compliance Report on Armenia](#) (para. 62-66), GRECO noted that although both the LPS and JC have been amended in March 2020 and remedied most of the vague terms, they still contained several vague terms relating to the definition of acceptable gifts. The requirement to report gifts if they exceed an established threshold (95 EUR for single gifts received by judges and prosecutors, and 385 EUR for gifts received by judges from the same source, except from a close relative, in a calendar year) has been introduced. However, some gifts and hospitalities (e.g., “hospitality usually organised”, “scholarship, grants or benefits awarded in a public competition on the same conditions and criteria as those which apply to other applicants, or a result of another transparent procedure” (for prosecutors) and gifts from relatives if their nature and amount “reasonably correspond to the nature of the relationship between them” (for judges)) remained unreported which GRECO found as a source of concern. Furthermore, information on the interpretation and enforcement of gifts-related rules by the CPC (with respect to prosecutors) and by the Ethics and Disciplinary Committee (in respect to judges) remained to be provided. GRECO therefore concluded recommendation xvi to be partly implemented. In the Second Interim Compliance Report (para. 60-65), GRECO took note that amendments to the Law on Public Service and related laws were adopted by the National Assembly on 7<sup>th</sup> December 2022. GRECO is satisfied that uniform rules on gifts apply to MPs, judges and prosecutors and that the notions of gift and hospitality have been clarified and cover any benefits, including benefits in kind and benefits provided to affiliated persons, as required by the recommendation. Under Article 29 of the amended Law, public officials must not accept or agree to accept in the future any gift related to the performance of their official duties. GRECO also noted that all public officials, including MPs, judges and prosecutors, are required to register gifts deemed to be permissible if their value exceeds an established threshold of 40 000 AMD (approximately €98) and that an

advisory opinion procedure has been set up in this respect. GRECO however concluded, that considering that the system of registration and advice is not operational yet, the recommendation cannot be considered entirely fulfilled and remains partly implemented.

The law and bylaws are in force as of 1<sup>st</sup> January 2024, however, the system does not operate yet.

#### • Possibility for judges and prosecutors to perform additional activities

According to Article 5 of the JC, a judge may perform accessory activities (“non-judicial activities”) only within certain limits. S/he may not hold an office in state or local self-government bodies or in commercial organisations that are not connected with his/her duties. S/he may not be engaged in entrepreneurial activities - regulations prescribed by law for public servants with regard to entrepreneurial activities apply also to judges. A judge may not be engaged in any other paid work, except for scientific, educational, and creative work. A judge may not be engaged in any activities acting as a representative or providing counselling, with or without remuneration, except in cases where s/he acts as a legal representative or provides legal counselling to his/her close relatives or persons under his/her guardianship or curatorship without compensation (Article 69, part 1 point 10 of the JC). The performance by judges of secondary activities must not cast reasonable doubt on their ability to act impartially as a judge, diminish the reputation of the judicial office or hinder the proper performance of judicial duties. Judges may occupy positions in non-profit organisations, without compensation, if such a position does not involve the management of funds, execution of civil law transactions on behalf of the organisation, or representation of the property interests of the organisation within state government or local self-government bodies. Furthermore, judges (and prosecutors) are not allowed to receive royalties for publications and speeches arising from the performance of official duties under Article 32 (part 1) of the Law on Public Service.

Judges do not need an authorisation to perform accessory activities such as educational, scientific and creative work. They also do not have to inform their hierarchy about them. However, according to Article 59 of the JC a judge has a right to participate in educational programmes, conferences and other professional gatherings of lawyers. In order to take part in these activities for not more than up to five days per year in the work-time, the judge must obtain a consent from a chairperson of the court. For participating in such activities for a longer period of time, the judge must apply to the Training Commission, after receiving the consent from the chairperson of the court. Disputes related to granting the consent are resolved by the SJC.

Judges may not be members of a political party or engage in any other political activity.

Restrictions on accessory activities of prosecutors are similar to those applicable to judges. Prosecutors may not hold office in state and local self-government bodies unrelated to the performance of their duties, or a position in commercial organisations, or engage in any other paid occupation except for scientific, pedagogical and creative work for which payment may not exceed a reasonable amount, i.e. the amount payable to persons with similar qualifications who are not prosecutors. Prosecutors may not be individual entrepreneurs, or shareholders in business companies or depositors in trust-based partnerships if, in addition to participation in the general meeting of the company, the prosecutor also issues instructions or carries out other managerial functions in the organisation. Prosecutors are also prohibited from receiving royalty payments for publications or speeches deriving from the performance of their official duties and from working jointly in direct subordination to one another with persons with whom they are related in law or through kinship.

Like judges, prosecutors may not be members of a political party or engage in any other political activity (according to the Law on Prosecutor’s Office). Further prohibitions for prosecutors from the LP include a general prohibition on representing third parties, on using their official position for the interests of non-governmental parties, including religious organisations and on membership of trade unions and organising or participating in strikes.

Prosecutors do not need an approval for carrying out accessory activities such as scientific, educational and creative work. However, they must inform his/her superior about them.

Judges and prosecutors may combine their work with the following other functions/activities:

		With remuneration		Without remuneration	
		Judges	Prosecutors	Judges	Prosecutors
<b>Combine work with other functions/activities</b>	Teaching	✓	✓	✓	✓
	Research and publication	✓	✓	✓	✓
	Arbitrator				
	Consultant				
	Cultural function	✓	✓	✓	✓
	Political function				
	Mediator				
	Other function	✓	✓	✓	✓

- Breaches of rules on conflict of interest

Breaches of rules on conflicts of interest in respect of judges are regulated in the JC and the LPS. The procedure to sanction these breaches is regulated in the JC, the LPS, the Code of Ethics for judges and the Criminal Code.

Breaches of rules on conflicts of interest in respect of prosecutors and the procedure to sanction these breaches are regulated in the Law on Prosecutor’s Office.

Number (absolute and per 100 judges/prosecutors) of procedures for breaches of rules on conflict of interest for judges and prosecutors in 2023:

Armenia	Judges						Prosecutors					
	Number of initiated cases		Number of completed cases		Number of sanctions pronounced		Number of initiated cases		Number of completed cases		Number of sanctions pronounced	
	Abs	per 100	Abs	per 100	Abs	per 100	Abs	per 100	Abs	per 100	Abs	per 100
<b>2023</b>	0	0,00	0	0,00	0	0,00	2	2,00	1	1,00	0	0,00

## Discipline against judges and prosecutors

### • Description of the disciplinary procedure against judges

Disciplinary accountability of judges is regulated in Chapter 19 of the JC (articles 141 to 158) The competence for initiating and deciding on disciplinary proceedings is assigned to separate bodies: the Ethics and Disciplinary Committee of the General Assembly of Judges (composed of judge members as well as non-judge members (academics of law nominated by the civil society organisations), the Minister of Justice and the CPC (in matters concerning asset declarations) have competence to initiate disciplinary proceedings against judges, while the SJC has a disciplinary power over judges. The SJC is competent to take disciplinary measures against a judge, on the grounds specified by law. According to Article 142 of the JC, grounds for imposing disciplinary action against judges shall be: (1) violation of provisions of substantive or procedural law while administering justice or exercising, as a court, other powers provided for by law, which has been committed deliberately or with gross negligence; (2) violation by the judge of the rules of judicial conduct prescribed by this Code, committed with intent or gross negligence. Disciplinary proceedings initiated due to professional incapacity are related to violation of provisions of substantive or procedural law while administering justice or exercising — as a court — other powers provided for by law, which have been committed deliberately or with gross negligence.

Imposing administrative, civil or other liability provided by law on a judge does not preclude the application of disciplinary measures, and *vice versa* ([the GRECO Evaluation Report on Armenia](#), para. 150).

Disciplinary proceeding is instituted pursuant to: (1) reporting [on violation] by state or local self-government bodies or officials; (2) mass media publications about disciplinary violations; (3) independent discovery, by the body instituting the proceedings, during the exercise of its powers, of an act that gives rise to disciplinary action; (4) detection by the body instituting proceedings of an act containing prima facie elements of disciplinary violation, as a result of examination of an act rendered by an international court to which the Republic of Armenia is a party or by other international instance, that establishes a violation of international obligations assumed by the Republic of Armenia in the field of human rights protection. The competent bodies have to inform each other about the institution of disciplinary proceedings in order to avoid duplication ([the GRECO Evaluation Report on Armenia](#), para. 151).

Disciplinary proceedings are regulated in detail. They may not last longer than two months. In the course of the instituted disciplinary proceedings, the body instituting the proceedings shall be entitled to: (1) demand from the court and study materials of any criminal, civil or any other case with regard to which there is a judicial act that has entered into legal force; (2) get familiarized at the court with the materials of any criminal, civil or any other case with regard to which no judicial act has been rendered yet that entered into legal force, while not interfering with the process of administering justice or exercising — as a court — other powers provided for by law; (3) recommend that the judge submit written explanations; (4) recommend the person having reported [on violation], as well as the natural and legal persons to submit information and materials relevant for the disciplinary proceedings; (5) demand and receive materials from state and local self-government bodies and officials. As a result of the studies conducted, s/he decides either to dismiss the disciplinary proceedings or to file a motion requesting the SJC to apply disciplinary measures. According to Article 147 of the JC, a judge against whom disciplinary

proceedings has been instituted shall be entitled to: (1) submit written explanations, evidence and file motions; (2) receive copies of materials of disciplinary proceedings from the body instituting proceedings; (3) exercise in person or through an advocate the rights provided for by points 1 and 2 of this part. When examining disciplinary cases with respect to judges, the SJC acts as a court. As a rule, the procedure of case examination is subject to the provisions of the Administrative Procedure Code. A hearing is possible ([the GRECO Evaluation Report on Armenia](#), para. 152).

There is a possibility to appeal the decision on subjecting a judge to disciplinary liability or on rejecting the motion on subjecting a judge to disciplinary liability, which is brought by a judge or the body having instituted disciplinary proceedings. The SJC is competent to decide on the appeal, that is to review its own decision on imposing disciplinary action against a judge in case of newly emerged or new circumstances (part 1 of Article 157). After receiving the appeal, the SJC shall immediately forward it to the other party who may submit a response within 10 days. The SJC shall then examine the appeal and render a decision thereon in writing except in cases where it concludes that it is necessary to examine the appeal at the session. Parties are informed of the time and venue of the session and may appear at the session. Members of the SJC have a right to address questions to the rapporteur and the parties at the session. In the appeal procedure, essential evidence or circumstances that have emerged are examined which the person filing the appeal could have not previously submitted due to circumstances beyond his or her control and which could have reasonably affected the decision. The SJC shall examine the appeal and render the decision within two months following the receipt of the appeal. The SJC has a right to uphold the decision or revoke it, in part or in full. The decision shall enter into force upon its delivery in public and shall be final. In [the GRECO Second Interim Compliance Report on Armenia](#) (para. 33-37), the authorities reported that the Ministry of Justice has drafted amendments to the Constitutional Law on the Judicial Code, which are to introduce an appeal mechanism against decisions of the SJC in disciplinary matters regarding judges. This draft was submitted for an opinion to the Venice Commission. The opinion was adopted in December 2022, and states that the new system of appeal against the decisions of the SJC in disciplinary matters, by a second-instance panel created within the SJC itself, would address the essence of the recommendation of the Committee of Ministers (CM/Rec(2010)12). The authorities state that the draft has been submitted to the Prime Minister's Office and is expected to be adopted in April/May 2023. The said amendments have been adopted on October 25<sup>th</sup>, 2023 when the Constitutional Law of the Republic of Armenia "On Amendments and Additions to the Constitutional Law of the Republic of Armenia "Judicial Code of the Republic of Armenia" was adopted and entered into force on 27/11/2023.

A judge may also bring the matter to the Constitutional Court by challenging the constitutionality of the relevant provision of the regulatory legal act applied against him/her upon this act, which has led to the violation of his/her basic rights and freedoms enshrined in the Constitution (Article 169, part 1 point 8 of the Constitution).

*Recommendation viii. GRECO recommended (i) that the role of the Ministry of Justice in disciplinary proceedings against judges be reviewed; (ii) that adequate safeguards be put in place to ensure that disciplinary proceedings are not used as an instrument of influence or retaliation against judges, including the possibility for judges to challenge disciplinary decisions before a court.*

In its [Evaluation Report on Armenia](#) (see para. 156), GRECO noted several issues with regard to the disciplinary regime against judges. The first related to the involvement of the Minister of Justice in the disciplinary regime. GRECO noted that various observers expressed the opinion that in the context of Armenia, the involvement of the Minister of Justice in disciplinary proceedings against judges "is not compatible



with judicial independence”. The GET noted that the right of the Minister to initiate proceedings was not in itself in conflict with European standards. However, it had particular misgivings about the rule that permits the body that had initiated proceedings to gain knowledge, at the court, of the materials relating to on-going legal cases. According to Council of Europe experts having analysed the situation, such a rule was questionable in principle as it “opens the door for all manner of improper influence upon the judge” and is “in any event unjustifiable” in the case of the Minister of Justice as part of the executive branch. Secondly, GRECO noted cases of allegedly arbitrary and inconsistent application of disciplinary proceedings by the SJC which has been detected also by the Council of Europe's Commissioner for Human Rights. Some of these cases were documented in detail by independent institution – the Ombudsman – and taken up by international bodies, including the Council of Europe. GRECO pointed out that bearing in mind the specific context in Armenia, where public trust in the judiciary was low and independence of the judiciary was commonly (including by the authorities) considered unsatisfactory, it was crucial that measures were taken to ensure that disciplinary cases were subject to fair proceedings, decided only on objective grounds and free from improper influence. The GET especially stressed the importance of judges being accorded the right to appeal against disciplinary decisions to a court of law as opposed to the then situation where only the SJC – which was to “act as a court” – was involved and judges were not given the possibility to challenge the SJC's decisions. Moreover, GRECO pointed out that the wording of legal grounds for disciplinary liability could open up risks of abuse, in particular, as regards the concept of “regular violations or serious violation of the rules of judicial conduct” which was too vague and could not replace specific disciplinary offences. It would also be preferable to define more precisely a gradation in sanctions, in particular with respect to possible grounds for dismissal and to ensure that the latter include only the most serious offences. GRECO therefore issued the recommendation viii (see above).

In the compliance procedure only modest progress has been made by the Armenian authorities. As regards the first part of the recommendation, no progress had been made and GRECO reiterated its position that the role of the Minister of Justice in disciplinary procedures against judges should be discontinued as it was not compatible with judicial independence. Given the absence of new developments in this regard, this part of the recommendation was not implemented. Regarding part (ii), the authorities explained that a judge could challenge the constitutionality of disciplinary decisions before the Constitutional Court. Given the fact that the revised Constitution provides that the SJC is competent for decision on disciplinary liability in respect of judges (Article 175 1(7)), GRECO considered that as a form of procedural safeguard, considering the SJC's composition. Another safeguard is the principle that a judge cannot be held liable for the opinions expressed or judicial acts rendered in the administration of justice (Article 164 of the Constitution). The new Constitution also indicates that the termination of powers of a judge is a penalty only for serious disciplinary violations (para. 9 of Article 164). Despite this, GRECO was concerned that there did not appear to be possible to challenge a disciplinary decision before a court, more than in respect of its constitutionality before the Constitutional Court and concluded that this part of the recommendation was partly implemented. ([GRECO Compliance Report on Armenia](#), para. 43-47; [GRECO Second Compliance Report on Armenia](#), para. 43-48). In [the Second Interim Compliance Report](#) (para. 38-43), GRECO noted that the situation remained the same, as the Ministry of Justice still preserves the right to initiate disciplinary proceedings against judges pending the implementation of the Action Plan for 2022-2026 on the Strategy of Judicial and Legal Reforms. This Action Plan foresees the review of the weight allocated to the votes of non-judge members of the Ethics and Disciplinary Commission of the General Assembly of Judges and whether it should be the only body responsible for the initiation of disciplinary proceedings. For part (ii), GRECO noted that new draft amendments to the Constitutional Law on the Judicial Code

intend to introduce an appeal mechanism against decisions by the SJC in disciplinary matters – which was being revised at the time of the report being adopted in light of the Venice Commission’s opinion of December 2022. GRECO concluded that the recommendation remains partly implemented.

Disciplinary sanctions consist of a 1) warning; (2) reprimand; (3) severe reprimand; (3.1) prohibition on being included in the list at the time of regular and extraordinary completion of the promotion list of judge candidates, for a period of one year; (3.2) dismissal from the position of the chairperson of a court or chairperson of a chamber of the Court of Cassation; (4) termination of powers on the ground of an essential disciplinary violation. Decisions of the SJC are published in the official journal and on the official website of the judiciary ([the GRECO Evaluation Report on Armenia](#), para. 153).

A judge may not be transferred to another court without his/her consent (para. 5 of Article 56 of the JC).

### • Description of the disciplinary procedure against prosecutors

Prosecutors may be subject to disciplinary liability, which is regulated by Chapter 9 of the LP (Articles 53-59), on the following grounds: (1) failure to perform or improper performance of his or her duties; (2) violation of the rules of conduct of a prosecutor; (3) violation of the internal rules of labour discipline; (4) failure to observe the restrictions and incompatibility requirements prescribed by Article 49 of this Law.

The body initiating disciplinary proceedings against prosecutors is the Prosecutor General and, in certain cases, also the ethics commission adjunct to the General Prosecutor (Law on Prosecutor’s Office). In matter related to asset declarations the CPC has competence to initiate administrative proceedings against prosecutors.

The Ethics Commission under the Prosecutor General has disciplinary power over prosecutors. It consists of seven members: the deputy Prosecutor General, 3 law academics, 3 prosecutors elected by senior prosecutors.

Within one week from the end of the disciplinary proceeding, the Prosecutor General presents the matter to the Ethics Commission for discussion. A prosecutor concerned may appear at the hearing and provide written submission in the case (see rights of prosecutors in article 56 point 11 of the LP). The Ethics Commission takes a vote in order to decide whether a disciplinary offence has taken place, whether the prosecutor concerned is guilty of the offence and, if requested by the Prosecutor General, whether it is possible to apply the disciplinary sanction of removal from office.

Depending on the gravity of the disciplinary offence, the following disciplinary sanctions may be applied in relation to prosecutors: (1) reprimand; (2) severe reprimand; (3) demotion in class rank — by one degree; (4) demotion of a position by one level; (5) dismissal from office. The disciplinary penalties are applied by the Prosecutor General. For high-ranking prosecutors (within the meaning of the Law of the Republic of Armenia on Public Service) the penalties can be applied by the Prosecutor General based on the conclusion adopted by the Commission for the Prevention of Corruption on the violation of incompatibility requirements or other restrictions, within three days from the moment of receiving the conclusion. A dismissal from office can be applied by the Prosecutor General based on the relevant positive

conclusion of the Ethics Committee. A demotion in class rank can be applied by the President of the Republic in relation to the Prosecutor General or in relation to other higher-ranking prosecutors upon the recommendation of the Prosecutor General (Article 55, Law on Prosecutor's Office).

Prosecutors have a right to appeal against the disciplinary sanctions ordered against them in accordance with the procedure stipulated by law (Law on Prosecutor's Office). The competent body to decide on the appeal is the Administrative Court.

		2023			
		Judges		Prosecutors	
		Abs	per 100	Abs	per 100
Number of disciplinary proceedings initiated during the reference year	Total number (1 to 5)	15	4,78	27	7,18
	1. Breach of professional ethics (including breach of integrity)	11	3,50	11	2,93
	2. Professional inadequacy	4	1,27	0	0,00
	3. Corruption	NAP	NAP	0	0,00
	4. Other criminal offence	NAP	NAP	0	0,00
	5. Other	0	0,00	16	4,26
Number of cases completed in the reference year	Total number (1 to 5)	12	3,82	27	7,18
	1. Breach of professional ethics (including breach of integrity)	9	2,87	11	2,93
	2. Professional inadequacy	3	0,96	0	0,00
	3. Corruption	NAP	NAP	0	0,00
	4. Other criminal offence	NAP	NAP	0	0,00
	5. Other	NAP	NAP	16	4,26
Number of sanctions pronounced during the reference year	Total number (total 1 to 10)	14	4,46	18	4,79
	1. Reprimand	5	1,59	15	3,99
	2. Suspension	NAP	NAP	NAP	NAP
	3. Withdrawal from cases	NAP	NAP	NAP	NAP
	4. Fine	NAP	NAP	NAP	NAP
	5. Temporary reduction of salary	NAP	NAP	NAP	NAP
	6. Position downgrade	NAP	NAP	0	0,00
	7. Transfer to another geographical (court) location	NAP	NAP	NAP	NAP
	8. Resignation	NAP	NAP	NAP	NAP
	9. Other	2	0,64	1	0,27
10. Dismissal	7	2,23	2	0,53	

In 2023, 27 disciplinary proceedings were initiated against 37 prosecutors. 11 disciplinary proceedings were initiated for violating the rules of conduct, 15 for non-fulfilment or improper performance of duties 1 for non-compliance with restrictions or incompatibility requirements established by Article 49 of the Law on Prosecutor's Office. As a result of disciplinary proceedings initiated in 2023, disciplinary sanctions were applied against 18 prosecutors, of which 10 prosecutors were reprimanded, 5 prosecutors were severely reprimanded, 1 prosecutor was downgraded for 1 degree, and 2 prosecutors were dismissed from office. In addition, in the context of the initiated disciplinary proceedings, 4 prosecutors were dismissed from their posts at their request.

## Council for the Judiciary/ Prosecutorial Council

### • Council for the Judiciary

According to the Constitution (Article 173 and 174), the SJC is an independent state body that guarantees the independence of courts and judges.

According to the Constitution (Article 173 and 174) and the JC (Article 76), the Supreme Judicial Council shall be composed of 10 members, including five judges of all levels (a chairperson of a court or a chairperson of a chamber of the Court of Cassation should not be represented) with at least 10 years' experience, elected by the General Assembly of Judges; as well as five members from among academic lawyers and other prominent lawyers holding only Armenian citizenship, having the right to vote, with high professional qualities and at least fifteen years of professional work experience, elected by the National Assembly by at least three fifths of votes of the total number of Deputies. The member elected by the National Assembly may not be a judge. Integrity check is performed with regard to candidates for judge-members as they provide a completed integrity questionnaire as stipulated in the Law "On the Commission for the Prevention of Corruption" to the Judicial Department. This questionnaire is then submitted to the Commission for the Prevention of Corruption for advisory opinion.

The SJC has a key role in the selection of judges and court chairpersons, in secondment of judges to another court, in giving consent for initiating criminal proceedings against a judge, in disciplinary proceedings and in the termination of judges' powers).

Members of the SJC elect a chairperson, successively from among judge and non-judge members.

The term of office of the elected members of the SJC is five years, non-renewable. All members work on a full-time basis.

Operational arrangements that prevent over-concentration of powers in the same hands concerning different functions to be performed by members of the SJC include full-time position of its members and internal division of tasks among the members of the SJC.

Accountability measures in place regarding the SJC's activities are primarily ensured through transparency of the SJC's work which includes publication of its activity reports. The public is also informed of the SJC's decisions which are reasoned.

The SJC is competent in case of evident breach of the independence or the impartiality of a judge.

### • Prosecutorial Council

Prosecution service of Armenia does not have a Council. Instead, it has a Board composed of 18 prosecutors. According to Article 22 of the LPO it functions in the Prosecutor's Office and is chaired by the Prosecutor General. It has competences over prosecutors only. It discusses the fundamental issues related to the organisation of the activities.

It is composed of the Prosecutor General who acts as a chairperson, the Deputy Prosecutors General, the heads of the structural subdivisions of the Prosecutor General's Office and the Prosecutor of the city of Yerevan. Members are not elected but are members ex

*officio* defined by the law. As such, no re-election rule applies. However, since the same person may not be elected as Prosecutor General for more than two consecutive terms, the same person may not act as a chairperson of the Board for more than two consecutive terms.

Rules of procedure of the Board's activities are defined by the Prosecutor General and the Board's decisions are implemented by orders of the Prosecutor General. Members do not work on a full-time basis.

There are no operational arrangements (i.e. division of tasks between members of the Board) in order to prevent over-concentration of powers in the same hands concerning different functions to be performed by members of the Board.

Accountability measures in place regarding the Board's activities are primarily ensured through ensuring transparency of its work. The public is informed of the Board's decisions which are reasoned.

There is not specific provision in the law with regard to Board's competence in case it is evident there is pressure on prosecutor. However, the Board discusses fundamental issues related to the organisation of the activities.