

1. Evaluation of the judicial systems (2016-2018 cycle)



Armenia

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Reference data 2016 (01/01/2016 - 31/12/2016)

Start/end date of the data collection campaign : 01/06/2017 - 31/12/2017

Objective :

The CEPEJ decided, at its 28th plenary meeting, to launch the seventh evaluation cycle 2016 – 2018, focused on 2016 data. The CEPEJ wishes to use the methodology developed in the previous cycles to get, with the support of its national correspondents' network, a general evaluation of the judicial systems in the 47 member states of the Council of Europe as well as two observer states (Israel and Morocco). This will enable policy makers and judicial practitioners to take account of such unique information when carrying out their activities.

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

Instruction :

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

- User manual
- Explanatory note

While the explanatory note gives definitions and explanations on the CEPEJ evaluation questionnaire and the methodology needed for replying, the User manual is a tool to help you navigate through this application. You can download the Explanatory note as a whole on the CEPEJ website. The specific explanations are also accessible for each question within this application under the tab "Explanatory note". This will serve as immediate consultation tool when answering questions. The user manual is accessible in the "Documentation" tab of the application.

In case you have any questions related to these documents or on the use of the application, please do not hesitate to contact the Secretariat.

1.General information

1.1.Demographic and economic data

1.1.1.Inhabitants and economic general information



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

[2986100]

Comments

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

	Amount
State or federal level	2547900000 <input type="checkbox"/> NA <input type="checkbox"/> NAP
Regional / federal entity level (total for all regions / federal entities)	2447000000 <input type="checkbox"/> NA <input type="checkbox"/> NAP

Comments

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

[3192]

Comments

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

[3936]

NA

Comments The average monthly nominal wage for 2016 constitutes AMD 174.445. This figure was calculated through the following method: the sum of the wages and other payments equal to them for 12 months period was correlated to the average monthly number of employees and dividing to the 12 months. Then, 174.445 AMD was divided to 531.85 (average annual euro rate at the Central Bank of Armenia).

174445: 531.85 = 328 Euro. Annual = 328x12=3936

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

[512.2]

Allow decimals : 5

NAP

Comments

A1. Please indicate the sources for answering questions 1 to 5

Sources: The data for questions 001 to 005 is provided by the Agency of National Statistics of the Republic of Armenia. Their source of information is as follows: For inhabitants: 2011 RA Population Census data.

For GDP: Socio-economic situation of RA, January - March 2017 (NSS RA). For gross annual salary|: data from large, medium, small and micro-enterprises.

1.1.2. Budgetary data concerning judicial system



006. Annual (approved and implemented) public budget allocated to the functioning of all courts,

in € (without the budget of the public prosecution services and without the budget of legal aid). If you cannot separate the budget allocated to the courts from the budgets of public prosecution services and/or legal aid, please go to question 7. If you are able to answer this question 6, please answer NAP to the question 7.

	Approved budget (in €)	Implemented budget (in €)
TOTAL - Annual public budget allocated to the functioning of all courts (1 + 2 + 3 + 4 + 5 + 6 + 7)	17179503 [] NA [] NAP	16725926 [] NA [] NAP
1. Annual public budget allocated to (gross) salaries	14354625 [] NA [] NAP	14074176 [] NA [] NAP
2. Annual public budget allocated to computerisation (equipment, investments, maintenance)	69627 [] NA [] NAP	69466 [] NA [] NAP
3. Annual public budget allocated to justice expenses (expertise, interpretation, etc), without legal aid. NB: this does not concern the taxes and fees to be paid by the parties.	68559 [] NA [] NAP	68518 [] NA [] NAP
4. Annual public budget allocated to court buildings (maintenance, operating costs)	13539 [] NA [] NAP	12919 [] NA [] NAP
5. Annual public budget allocated to investments in new (court) buildings	37809 [] NA [] NAP	31909 [] NA [] NAP
6. Annual public budget allocated to training	401687 [] NA [] NAP	401687 [] NA [] NAP
7. Other (please specify)	[X] NA [] NAP	[X] NA [] NAP

Comments - Please indicate any useful comment to explain the figures provided. If the annual public budget allocated to the functioning of all courts actually implemented is different from the approved annual public budget allocated to the functioning of all courts, please indicate the main differences: The discrepancy with regard to the point N 1, is due to increase in salaries. Particularly, the RA Law on Remuneration of Public Officials entered into force on July 1, 2014 provided for the annual increase in salaries due to the normal growth of the basic salary of the persons holding public office and the additional lump-sum paid leave. Besides, the 2016 annual salary calculation also includes a bonus fund for judicial staff members. In addition, the number of judges has increased by 4 started whose work started in January 2016.

The difference between the amounts mentioned in point 3 is explained by the increased translation services provided in 2016. At the beginning of 2016, a total of 30084 EUR were provided for translation services, but due to the increase in the number of cases, the adjusted budget amounted to 68559 EUR.

The difference between the amounts referred to in point 4, is due to the current activities of the judicial system and annual savings.

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

Approved budget (in €)	Implemented budget (in €)

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

Comments:

008. Are litigants in general required to pay a court tax or fee to start a proceeding at a court of general jurisdiction:

	Litigants required to pay a court tax or fee to start a proceeding at a court of general jurisdiction ?
for criminal cases	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
for other than criminal cases	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

Comments - If there are exceptions to the rule to pay a court tax or fee, could you please provide comments on those exceptions? There is no state fee for payment orders.

The Article 22 of the “Law on Sate Fee” declares that plaintiffs are free from paying state fees if their cases concern to claims for salaries and other payments equal to salaries, disputes on labor issues, claims for alimony, claims for compensation of material damages caused by criminal acts, exonerated persons are free from paying state fees if their cases concern to material compensation of illegal custody and detention etc.

008-1. Please briefly present the methodology of calculation of court taxes or fees:

- The Article 9 of the “Law on Sate Fee” regulates the rates of state fees for claims and appeals, as well for getting the copies of the documents by parties of a case.

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

[60]
 NA
 NAP

Comments 3000€*2%=60€

009. Annual income of court taxes or fees received by the State (in €)

[4028658]
 NA
 NAP

Comments The amount of court taxes and fees is changed each year depending on the number and type of cases as well as the value of the claim presented in the case. The increase is due to increased court fees as well as increased number of cases.

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

	TOTAL	Criminal cases	Other than criminal cases
TOTAL - Annual approved public budget allocated to legal aid (12.1 + 12.2)	736571 [] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
12.1 for cases brought to court	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
12.2 for non-litigious cases or cases not brought to court (legal consultation, ADR, etc.)	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP

Comments

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

	TOTAL	Criminal cases	Other than criminal cases
TOTAL - Annual implemented public budget allocated to legal aid (12-1.1 + 12-1.2)	736571 [] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
12-1.1 for cases brought to court	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
12-1.2 for non-litigious cases or cases not brought to court (legal consultation, ADR, etc.)	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP

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

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

	Approved budget (in €)	Implemented budget (in €)
Total annual public budget allocated to the public prosecution services, in €	7181500 [] NA [] NAP	7158600 [] NA [] NAP

Please indicate any useful comment to explain the figures provided. Moreover, if the annual public budget allocated to the public prosecution services actually implemented is different from the approved annual public budget allocated to the public prosecution services, please indicate the main differences: The difference between the figures of approved and implemented budgets is due to the "Providing Social Package to Employees of State Institutions and Organizations" program.

014. Authorities formally responsible for the budgets allocated to the courts (multiple options possible):

Preparation of the total court budget	Adoption/approval of the total court budget	Management and allocation of the budget among the courts	Evaluation of the use of the budget at a national level
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Ministry of Justice	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> NAP
Other ministry	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NAP
Parliament	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NAP
Supreme Court	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP
High Judicial Council	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP
Courts	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP
Inspection body	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP
Other	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NAP

Comments - If any other Ministry and/or inspection body and/or other, please specify: According to the current legislation, preparation of the courts' budget is being implemented by the Judicial Department and Courts' Staff as separate divisions of the Judicial Department. The Judicial Department, then, submits the budget proposal for the whole judiciary to the government (Ministry of Finance) to be included in the State Budget. The Parliament is adopted the State Budget. The management and allocation of courts budget is carried out by the Judicial Department. Evaluation of and control over the implementation of budget is carried out by the Judicial Department which submits a relevant report on the analysis of budget implementation to the Government. The New Draft Judicial Code is going to be admitted by the Parliament by the end of 2017.

A2. Please indicate the sources for answering questions 6 to 14:

Sources: Judicial Department of RA
The Law on Annual State Budget
The Law on Budgetary System
New Draft Judicial Code

1.1.3. Budgetary data concerning the whole justice system

015-1. Annual (approved and implemented) public budget allocated to the whole justice system, in € (this global budget includes the court system as defined under question 6 and also the prison system, the judicial protection of juveniles, the operation of the Ministry of Justice, etc.).

Approved budget (in €)	Implemented budget (in €)
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Total annual public budget allocated to the whole justice system in €	53033094 [] NA [] NAP	51721657 [] NA [] NAP
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Please indicate any useful comment to explain the figures provided above and specify if a large portion of the budget allocated to the whole justice system comes from an international organisation. Moreover, if the annual public budget allocated to the whole justice system actually implemented is different from the approved annual public budget allocated to the whole justice system, please indicate the main differences: a) The figure indicating the total annual public budget allocated to the whole justice includes answers to Q.

6(17179503), Q.12(736571), Q. 13(7181500), and Q. 15-3. b) Q. 15-3 includes the budgets for the Prison system (16.939,46), Judicial Management body (907,70), Enforcement (2.766,14), Forensic (438,15), and the functioning of the Ministry of Justice (27.027,82; note that budgets for Prison system, Forensic and Enforcement are included in the total budget for the functioning of the Ministry of Justice). Thus $Q.6+Q.12+Q.13+Q.15-3 = 53033094$

c) The figure indicating implemented budget includes answers to Q. 6(16725926), Q.12(736571), Q.13(7158600), and Q. 15-3. Q. 15-3 includes the budgets for Prison system (16.564,79), Judicial Management body (878,51), Enforcement (2.629,93), Forensic (438,15), and the functioning of the Ministry of Justice (26.222,05, note that budgets for Prison system, Forensic and Enforcement are included in the total budget for the functioning of the Ministry of Justice). Thus $Q.6+Q.12+Q.13+Q.15-3 = 51721657$

015-2. (Modified question) Please indicate the budgetary elements that are included in the whole justice system by specifying on the one hand the elements of the judicial system budget (please check the consistency with questions 6, 12 and 13). (Note: NAP means that the element does not exist in your system):

	Included
Court (see question 6)	(X) Yes () No [] NAP
Legal aid (see question 12)	(X) Yes () No [] NAP
Public prosecution services (see question 13)	(X) Yes () No [] NAP

Comments:

015-3. (Modified question) On the other hand, please specify the other budgetary elements included in the whole justice system budget. (Note: NAP means that the element does not exist in your system):

	Included
Prison system	() Yes (X) No [] NAP
Probation services	() Yes (X) No [] NAP
Council of the judiciary	() Yes (X) No [] NAP

Constitutional court	() Yes (X) No <input type="checkbox"/> NAP
Judicial management body	() Yes (X) No <input type="checkbox"/> NAP
State advocacy	() Yes (X) No <input type="checkbox"/> NAP
Enforcement services	() Yes (X) No <input type="checkbox"/> NAP
Notariat	() Yes (X) No <input type="checkbox"/> NAP
Forensic services	() Yes (X) No <input type="checkbox"/> NAP
Judicial protection of juveniles	() Yes (X) No <input type="checkbox"/> NAP
Functioning of the Ministry of Justice	() Yes (X) No <input type="checkbox"/> NAP
Refugees and asylum seekers services	() Yes (X) No <input type="checkbox"/> NAP
Immigration Service	() Yes (X) No <input type="checkbox"/> NAP
Some police services (e.g. : transfer, investigation, prisoners' security)	() Yes (X) No <input type="checkbox"/> NAP
Other	() Yes (X) No <input type="checkbox"/> NAP

Comments - If "other", please specify: The listed many institutions as part of the budget of the Whole justice system (Q15-1) but in 15-1 we have included only the budgets of 3 categories of Q15-2 because the budgets for some of these institutions are included in the budget of the Ministry of justice and .

Their budgets respectively are:

Prison system- Approved 16.939,46 Implemented 16.564.790

Judicial Management body 907.700 Implemented 878.510 The budget of the Council of Justice is included in the budget of judicial management body.

Enforcement 2.766.140 Implemented 2.629.930

Forensic- Approved 438.150, Implemented 438.150

Functioning of the Ministry of Justice - Approved 27.027.820 Implemented 26.222.050 (not including probation).

A3. Please indicate the sources for answering questions 15-1, 15-2 and 15-3:

Sources: Ministry of Justice
Law on Annual State Budget

2. Access to justice and all courts

2.1. Legal Aid

2.1.1. Scope of legal aid

016. Does legal aid apply to:

	Criminal cases	Other than criminal cases
Representation in court	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP
Legal advice	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP

Comments

017. Does legal aid include the coverage of or the exemption from court fees?

Yes

No

Comments - If yes, please specify:

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

Yes

No

Comments - If yes, please specify: Free legal aid includes representation at the judicial enforcement agency, but does not cover the fees paid for the enforcement services (Law on Advocacy).

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

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

Comments - If yes, please specify:

2.1.2. Quantitative information on legal aid

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

	Cases brought to court	Cases not brought to court / non-litigious cases
TOTAL	3950 [] NA [] NAP	6064 [] NA [] NAP
In criminal cases	3304 [] NA [] NAP	4104 [] NA [] NAP
In other than criminal cases	198 [] NA [] NAP	1950 [] NA [] NAP

Comments - Please specify when appropriate: The number of cases granted legal aid has been increased over the time because of increased professionalism in public defenders' services, expansion of the scope of beneficiaries by the legislation and raising public awareness on legal aid.

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

	Assisted by a free of charge lawyer
Accused individuals	(X) Yes () No
Victims	(X) Yes () No

Comments - If yes, please specify:

022. If yes, are individuals free to choose their lawyer within the framework of the legal aid system?

() Yes

(X) No

Comments

023. (Modified question) Does your country have an income and assets evaluation for granting (full or partial) legal aid to the applicant? The answer NAP means that there is no income and/or assets evaluation system for granting legal aid.

	Annual income value (for one person), (in €)	Annual assets value (for one person), (in €)
Full legal aid for criminal cases	[X] NA [] NAP	[X] NA [] NAP

Full legal aid for other than criminal cases	[X] NA [] NAP	[X] NA [] NAP
Partial legal aid for criminal cases	[X] NA [] NAP	[X] NA [] NAP
Partial legal aid for other than criminal cases	[X] NA [] NAP	[X] NA [] NAP

Comments - If yes, please indicate if any other criteria are taken into account for the granting of legal aid and any comment that could explain the figures provided above:

024. In other than criminal cases, is it possible to refuse legal aid for lack of merit of the case (for example for frivolous action or no chance of success)?

() Yes

(X) No

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

025. In other than criminal cases, is the decision to grant or refuse legal aid taken by (one option only):

() the court

() an authority external to the court

(X) a mixed authority (court and external bodies)

Comments Public Defender's Office at the Chamber of Advocates (Law on Advocacy)

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

() Yes

(X) No

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

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

	Judicial decisions direct how legal costs will be shared
in criminal cases	(X) Yes () No
in other than criminal cases	(X) Yes () No

Comments

B1. Please indicate the sources for answering questions 20 and 23 :

Sources: The source for the answer of question 20 - Statistics provided by the Office of the Public Defender of the Republic of Armenia. The source for the answers of questions 21-23 - The Law on Advocacy of the Republic of Armenia, Civil Code of the

2.2. Users of the courts and victims

2.2.1. Rights of the users and victims

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

	Yes, please indicate the internet adresse(s)	No
legal texts (e.g. codes, laws, regulations, etc.)	<input checked="" type="checkbox"/> arlis.am	<input type="checkbox"/>
case-law of the higher court/s	<input checked="" type="checkbox"/> datalex.am	<input type="checkbox"/>
other documents (e.g. downloadable forms, online registration)	<input checked="" type="checkbox"/> e-draft.am	<input type="checkbox"/>

Comments - Please specify what documents and information the addresses for "other documents" include: Drafts of the legal acts can be found at e-draft.am. Almost all public institutions have their websites enabling citizens not only to familiarize themselves on the rules and procedures, but also download relevant documents and get certain types of services online. For instance: e-register.am, e-apostille.am, e-notary.am, etc.

029. (Modified question) Is there an obligation to provide information to the parties concerning the foreseeable timeframes of proceedings?

Yes, always

No

Yes, only in some specific situations

Comments - If yes, only in some specific situations, please specify: There is no such obligation in Armenian legislation.

030. Is there a public and free-of-charge specific information system to inform and to help victims of crime?

Yes

No

Comments - If yes, please specify:

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

	Information mechanism	Special arrangements in hearings	Other specific arrangements
Victims of sexual violence/rape	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

Victims of terrorism	() Yes (X) No	() Yes (X) No	() Yes (X) No
Minors (witnesses or victims)	() Yes (X) No	() Yes (X) No	(X) Yes () No
Victims of domestic violence	() Yes (X) No	() Yes (X) No	() Yes (X) No
Ethnic minorities	() Yes (X) No	() Yes (X) No	() Yes (X) No
Disabled persons	() Yes (X) No	(X) Yes () No	() Yes (X) No
Juvenile offenders	() Yes (X) No	(X) Yes () No	(X) Yes () No
Other (e.g. victims of human trafficking, forced marriage, sexual mutilation)	() Yes (X) No	() Yes (X) No	() Yes (X) No

Comments - If “other vulnerable person” and/or “other special arrangements”, please specify:

031-1. Is it possible for minors to be a party to a judicial proceeding:

- (X) Yes
- () No

Comments - If yes, please specify which procedures can be concerned (civil, criminal, administrative / normal or accelerated procedure) and at which conditions (can children benefit from legal aid, be represented by a lawyer, etc.): In all cases the minor can be a party and within the frames of criminal procedure free legal aid is always provided.

032. Does your country allocate compensation for victims of crime?

- (X) Yes, please specify for which kind of offences:
- () No

Comments

032-1. (New question) Is a court decision necessary in the framework of the compensation procedure?

- (X) Yes
- () No

Comments In all cases, where there is a damage, victims have the right to compensation.

033. If yes, does this compensation come from:

- [X] a public fund
- [X] damages and interests to be paid by the person responsible
- [] a private fund

Comments

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

- () Yes
- (X) No

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

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

Yes

No

Comments - If yes, please specify:

036. Do victims of crime have the right to dispute a public prosecutor's decision to discontinue a case? Please verify the consistency of your answer with that of question 105 regarding the possibility for a public prosecutor "to discontinue a case without needing a decision by a judge". (The answer NAP means that the public prosecutor cannot decide to discontinue a case on his/her own. A decision by a judge is needed.)

Yes

No

NAP

Comments - If necessary, please specify: The victim of a crime can challenge the public prosecutor's decision to discontinue the case to the higher prosecutor and if not satisfied it can be challenged to court.

2.2.2. Confidence of citizens in their justice system

037. (Modified question) Is there a system for compensating users in the following circumstances:

	Number of requests for compensation	Number of condemnations	Total amount (in €)
Total	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
Excessive length of proceedings	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
Non-execution of court decisions	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
Wrongful arrest	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
Wrongful conviction	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
Other	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP

Comments - Where appropriate, please give details on the compensation procedure and the calculation method for the amount of the compensation (e.g. the amount per day for unjustified detentions or convictions):

038. (Modified question) Did your country implement surveys aimed at legal professionals and

court users to measure their trust in justice and their satisfaction with the services delivered by the judicial system? If yes, how frequently and up to what level?

	National level	Court level
1. (Satisfaction) surveys aimed at judges	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input checked="" type="checkbox"/> Ad hoc	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input checked="" type="checkbox"/> Ad hoc
2. (Satisfaction) surveys aimed at court staff	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input checked="" type="checkbox"/> Ad hoc	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input checked="" type="checkbox"/> Ad hoc
3. (Satisfaction) surveys aimed at public prosecutors	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input checked="" type="checkbox"/> Ad hoc	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input checked="" type="checkbox"/> Ad hoc
4. (Satisfaction) surveys aimed at lawyers	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input checked="" type="checkbox"/> Ad hoc	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input checked="" type="checkbox"/> Ad hoc
5. (Satisfaction) surveys aimed at the parties	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input checked="" type="checkbox"/> Ad hoc	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input checked="" type="checkbox"/> Ad hoc
6. (Satisfaction) surveys aimed at other court users (e.g. jurors, witnesses, experts, interpreters, representatives of governmental agencies)	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input checked="" type="checkbox"/> Ad hoc	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input checked="" type="checkbox"/> Ad hoc
7. (Satisfaction) surveys aimed at victims	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input checked="" type="checkbox"/> Ad hoc	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input checked="" type="checkbox"/> Ad hoc
8. Other not mentioned	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc

Comments - Please, indicate the references and links to the satisfaction surveys you mentioned above: Surveys have been carried out within the EU funded “Justice Monitoring” Project as well as Strengthening the independence, professionalism and accountability of the Justice System in Armenia. The links to documents: <http://www.coe.int/en/web/yerevan/strengthening-the-independence-professionalism-and-accountability-of-the-justice-system-in-armenia>

<http://justice.am/legal/view/article/1083/>

The new strategic documents on the justice sector reforms in Armenia - the Strategy on Legal and Judicial Reforms in the Republic of Armenia for 2018-2023 and its Action Plan - provide for periodic assessment of the progress of implementation of the Strategy and the Action plan, and more specifically, for conducting surveys to measure the public trust in courts and courts' compliance with the components of fair trial.

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

Yes

No

Comments Judges disciplinary proceeding in the manner strictly prescribed by the Judicial Code.

041. (Modified question) If yes, please specify certain aspects of this procedure:

	Authority responsible for dealing with the complaint	Time limit for dealing with the complaint
Court concerned	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Higher court	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Ministry of Justice	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Council of the Judiciary	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Other external bodies (e.g. Ombudsman)	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

041-1. (Modified question) Please specify further certain aspects of this procedure:

	Number of complaints	Compensations amount granted to users
Court concerned	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
Higher court	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
Ministry of Justice	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
Council of the Judiciary	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
Other external bodies (e.g. Ombudsman)	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP

Comments - If possible, please give information concerning the efficiency of this complaint procedure and any useful comment: All the mentioned authorities are responsible for dealing with the complaint. As for the time limit, notably, in accordance with the Law of RA "On human rights defender" Article 17, the complaint must be filed to the Defender within 1 year, from the moment that the victim knew or should have known about the alleged violation. And in accordance with Article 19 of the said Law, immediately after obtaining and registering a complaint, a complaint review is carried out in accordance with the procedure set by the Defender. This provision shows that there are time limits for dealing with the complaint.

3. Organisation of the court system

3.1. Courts

3.1.1. Number of courts

042. Number of courts considered as legal entities (administrative structures) and geographic locations

Number of courts

42.1 First instance courts of general jurisdiction (legal entities)	16 [] NA [] NAP
42.2 First instance specialised courts (legal entities)	1 [] NA [] NAP
42.3 All the courts (geographic locations) (this includes 1st instance courts of general jurisdiction, first instance specialised courts, all second instance courts and courts of appeal and all supreme courts)	21 [] NA [] NAP

Comments 9 first instance courts in Marzes, 7 first instance courts in Yerevan, 1 Administrative Court, 3 Appeal Courts, 1 Cassation Court

043. Number (legal entities) of first instance specialised courts (or specific judicial order)

	Number of courts
Total (must be the same as the data given under question 42.2)	1 [] NA [] NAP
Commercial courts (excluded insolvency courts)	[] NA [X] NAP
Insolvency courts	[] NA [X] NAP
Labour courts	[] NA [X] NAP
Family courts	[] NA [X] NAP
Rent and tenancies courts	[] NA [X] NAP
Enforcement of criminal sanctions courts	[] NA [X] NAP
Fight against terrorism, organised crime and corruption	[] NA [X] NAP
Internet related disputes	[] NA [X] NAP
Administrative courts	1 [] NA [] NAP
Insurance and / or social welfare courts	[] NA [X] NAP
Military courts	[] NA [X] NAP

Other specialised 1st instance courts

NA
 NAP

Comments - If "other specialised 1st instance courts", please specify:

044. Is there a foreseen change in the structure of courts [for example a reduction of the number of courts (geographic locations) or a change in the powers of courts]?

Yes

No

Comments - If yes, please specify: Following the Constitutional Amendments adopted by a referendum held on 06.12.2015, a new Draft Judicial Code has been developed and is submitted to the Governments approval to be sent to the Parliament for adoption. According to the Draft Judicial Code, insolvency courts are going to be set up as specialized courts. Besides, 7 first instance courts of Yerevan will be merged into one - Yerevan First Instance Court.

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

	Number of courts
a debt collection for small claims	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
a dismissal	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
a robbery	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP

Comments

045-1. (New question) Is your definition for small claims the same as the one in the Explanatory note?

Yes

No, please give your definition for small claims:

Comments There was no distinction of small cases in the legislation in 2016. However, the new Draft Civil Procedure Code envisages small claims and provides for simplified procedures of trying those cases. The financial value of the claim in small cases is up to AMD 200,000.

045-2. (New question) Please indicate the value in € of a small claim:

[0]

Comments The small claim in the new legislation = AMD 200,000 x 351,47= 353.6907 Euro

C. Please indicate the sources for answering questions 42, 43 and 45:

Sources: Judicial Department of the RA

3.2. Court staff

3.2.1. Judges and non-judge staff



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

	Total	Males	Females
Total number of professional judges (1 + 2 + 3)	231 [] NA [] NAP	173 [] NA [] NAP	58 [] NA [] NAP
1. Number of first instance professional judges	177 [] NA [] NAP	133 [] NA [] NAP	44 [] NA [] NAP
2. Number of second instance (court of appeal) professional judges	37 [] NA [] NAP	28 [] NA [] NAP	9 [] NA [] NAP
3. Number of supreme court professional judges	17 [] NA [] NAP	12 [] NA [] NAP	5 [] NA [] NAP

Comment - Please provide any useful comment for interpreting the data above: There were 234 judges' positions 3 out of which were vacant as of December 31, 2016.

047. Number of court presidents (professional judges). Please give the information in full-time equivalent and for permanent posts actually filled for all types of courts - general jurisdiction and specialised courts

	Total	Males	Females
Total number of court presidents (1 + 2 + 3)	21 [] NA [] NAP	21 [] NA [] NAP	0 [] NA [] NAP
1. Number of first instance court presidents	17 [] NA [] NAP	17 [] NA [] NAP	0 [] NA [] NAP
2. Number of second instance (court of appeal) court presidents	3 [] NA [] NAP	3 [] NA [] NAP	0 [] NA [] NAP
3. Number of supreme court presidents	1 [] NA [] NAP	1 [] NA [] NAP	0 [] NA [] NAP

Comments

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

Figure

Gross figure	[] NA [X] NAP
In full-time equivalent	[] NA [X] NAP

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

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

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

(X) No

Comments NAP

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

	Figure
Gross figure	[] NA [X] NAP
In full time equivalent	[] NA [X] NAP

Comments

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

	Yes	No	Echevinage
in criminal law cases	()	(X)	()
- severe criminal cases	()	(X)	()
- misdemeanour and/or minor criminal cases	()	(X)	()
in family law cases	()	(X)	()
in civil cases	()	(X)	()
in labour law cases	()	(X)	()
in social law cases	()	(X)	()
in commercial law cases	()	(X)	()

in insolvency cases	()	(X)	()
other	()	(X)	()

Comments - If "other", please specify:

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

() Yes

(X) No

Comments

050-1. (New question) If yes, for which type of case(s)? (Please, for severe criminal cases and misdemeanour cases refer to the CEPEJ definitions)

[] Severe criminal cases

[] Misdemeanour cases

[] Other cases

Comments

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

[]

[] NA

[X] NAP

Comments

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

	Total	Males	Females
Total non-judge staff working in courts (1 + 2 + 3 + 4 + 5)	2344 [] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
1. Rechtspfleger (or similar bodies) with judicial or quasi-judicial tasks having autonomous competence and whose decisions could be subject to appeal	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP
2. Non-judge staff whose task is to assist the judges such as registrars (case file preparation, assistance during the hearing, court recording, helping to draft the decisions)	658 [] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP

3. Staff in charge of different administrative tasks and of the management of the courts (human resources management, material and equipment management, including computer systems, financial and budgetary management, training management)	371 [] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
4. Technical staff	556 [] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
5. Other non-judge staff	759 [] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP

Comments - If "other non-judge staff", please specify: The number provided in 2012 included only staff of the court, directly assisting the judges. In 2014 and 2016 the provided numbers included also court officials, court disciplinaries and technical service providers.

053. (Modified question) If there are Rechtspfleger (or similar bodies) in your judicial system, please specify in which fields do they have a role:

- legal aid
- family cases
- payment orders
- registry cases (land and/or business registry cases)
- enforcement of civil cases
- enforcement of criminal cases
- other cases not mentioned (please describe in comment)
- non-litigious cases

Comments - Please briefly describe their status and duties: There is no Rechtspfleger or similar bodies in our system; however, considering the excessive judges' workload and backlogs in our judicial system, a special activity to study the international best practices on Rechtspfleger or similar bodies and provide recommendations on the possibility to introduce such a function in our system to delegate some restrictive adjudicative functions to them, is stipulated in the Strategy for Legal and Judicial Reforms for 2018-2023 and its Action Plan.

054. Have the courts outsourced certain services, which fall within their powers, to private providers?

- Yes
- No

Comments

054-1. (New question) If yes, please specify which services have been outsourced:

- IT services
- Training of staff
- Security
- Archives
- Cleaning

Other types of services (please specify):

Comments

C1. Please indicate the sources for answering questions 46, 47, 48, 49 and 52

Sources: Judicial Department of the RA,

3.3. Public prosecution

3.3.1. Public prosecutors and staff

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

	Total	Males	Females
Total number of prosecutors (1 + 2 + 3)	318 [] NA [] NAP	288 [] NA [] NAP	30 [] NA [] NAP
1. Number of prosecutors at first instance level	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP
2. Number of prosecutors at second instance (court of appeal) level	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP
3. Number of prosecutors at supreme court level	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP

Please indicate any useful comment for interpreting the data above:

056. Number of heads of prosecution offices (on 31 December of the reference year). Please give the information in full-time equivalent and for permanent posts actually filled, for all types of courts – ordinary and specialised jurisdictions.

	Total	Males	Females
Total number of heads of prosecution offices (1 + 2 + 3)	16 [] NA [] NAP	16 [] NA [] NAP	0 [] NA [] NAP
1. Number of heads of prosecution offices at first instance level	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP
2. Number of heads of prosecution offices at second instance (court of appeal) level	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP

3. Number of heads of prosecution offices at supreme court level	[] NA	[] NA	[] NA
	[X] NAP	[X] NAP	[X] NAP

Please provide any useful comment for interpreting the data above:

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

- () Yes, please specify their number (in full-time equivalent):
- (X) No

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

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

- () Yes
- (X) No

Comments

059-1. Do prosecution offices have specially trained prosecutors in domestic violence and sexual violence etc.?

- () Yes
- (X) No

Comments

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

	Total	Males	Females
Number of staff (non-public prosecutors) attached to the public prosecution service	173 [] NA	24 [] NA	149 [] NA

Comments

C2. Please indicate the sources for answering questions 55, 56 and 60

Sources: General Prosecutor's office of Armenia

3.4. Management of the court budget

3.4.1. Court budget

061. Who is entrusted with responsibilities related to the budget within the court?

	Preparation of the budget	Arbitration and allocation of the budget	Day to day management of the budget	Evaluation and control of the use of the budget
Management Board	() Yes (X) No	() Yes (X) No	() Yes (X) No	() Yes (X) No
Court President	() Yes (X) No	() Yes (X) No	() Yes (X) No	() Yes (X) No
Court administrative director	() Yes (X) No	() Yes (X) No	() Yes (X) No	() Yes (X) No
Head of the court clerk office	() Yes (X) No	() Yes (X) No	() Yes (X) No	() Yes (X) No
Other	(X) Yes () No	(X) Yes () No	(X) Yes () No	(X) Yes () No

Comments - If "other", please specify: According to the current legislation, Art. 82, para. 17, 19 of the Judicial Code, preparation of the courts' budget is being implemented by the Judicial Department and Courts' Staff as separate divisions of the Judicial Department, then it is being submitted to the Council of Courts Chairman for the approval. Afterwards, The Judicial Department submits the budget proposal for the whole judiciary to the government (Ministry of Finance) to be included in the State Budget. Then, the Parliament adopts the State Budget. The management and allocation of courts budget is carried out by the Judicial Department. Evaluation of and control over the implementation of budget is carried out by the Judicial Department which submits a relevant report on the analysis of budget implementation to the Government. The New Draft Judicial Code which is going to be admitted by the Parliament by the end of 2017, provides for modified rules for courts' budget planning, management and implementation. According to the draft provisions, the Supreme Judicial Council shall carry out financing of courts within the scope of funding provided for by the State Budget. Financing of the staffs of the courts shall be reflected in the Budget Bid and by a separate line in the State Budget entitled "Courts of the Republic of Armenia."

3.6. Performance and evaluation

3.6.1. National policies applied in courts and public prosecution services

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

- () Yes
(X) No

Comments - If yes, please specify: A monitoring and evaluation system is envisaged in the Strategy on Judicial and Legal Reforms in Armenia for 2018-2023.

067. Do you have specialised court staff that is entrusted with these quality standards?

- () Yes
(X) No

Comments

068. Is there a national system to evaluate the overall (smooth) functioning of courts on the basis of an evaluation plan agreed beforehand?

- () Yes
(X) No

Comments

068-1. (New question) If yes, please specify the frequency of this evaluation:

- Annual
- Less frequent
- More frequent

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

069. Is there a system for monitoring and evaluating the performance of the public prosecution service?

- Yes
- No

Comments - If yes, please give further details:

3.6.2. Performance and evaluation of courts

070. Do you have, within the courts, a regular monitoring system of court activities concerning:

- number of incoming cases
- number of decisions delivered
- number of postponed cases
- length of proceedings (timeframes)
- age of cases
- other (please specify): number of pending cases

Comments

071. Do you monitor backlogs and cases that are not processed within a reasonable timeframe for:

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

Comments There is no monitoring system to alert on or reveal backlogs; however, within judicial statistics' rules it is possible to reveal backlogs.

072. Do you have an evaluation process to monitor waiting time during court procedures?

- Yes
- No

Comments - If yes, please specify:

073. Do you have a system to evaluate regularly the activity (in terms of performance and output) of each court?

- Yes
- No

Comments

073-0. (New question) If yes, please specify the frequency:

- Annual
- Less frequent
- More frequent

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

073-1. Is this evaluation of the court activity used for the later allocation of means to this court?

- Yes
- No

Comments

074. Are there performance targets defined at the level of the court?

- Yes
- No

Comments There is a procedure for judges' performance evaluation. According to the Article 96.1 of the Judicial Code, the collection of data necessary for the performance evaluation of judges on the basis of quantitative criteria shall begin with the date of judges' appointment to their position and shall be carried out through the automated case management system. The quantitative evaluation shall be carried out by evaluating the judge's performance throughout the three years preceding the date of submission of the application.

Quantitative criteria for performance evaluation of judges according to civil, criminal and administrative cases shall be:

- (1) workload and quantitative performance of a judge;
- (2) average duration of examination of cases (unit of calculation: day) according to different types of cases;
- (3) observance by a judge of time limits prescribed by law for the performance of individual procedural actions. Qualitative criteria for performance evaluation of judges shall be:

- (1) ability to deliver well-reasoned judicial acts, in particular:
 - (a) observance of requirements as to the structure of judicial acts,
 - (b) clarity of the judicial act,
 - (c) intelligibility of writing,
 - (d) analytical skills,
 - (e) preciseness of the final part of the judicial act;
- (2) professional abilities:
 - (a) impartial attitude towards the participants of the proceedings,
 - (b) ability to maintain self-control,
 - (c) skills to conduct the court session.

075. (Modified question) Please specify the main targets applied to the courts:

- to increase efficiency / to shorten the length of proceedings
- to improve quality
- to improve cost efficiency / productivity
- Other (please specify):

Comments

076. Who is responsible for setting the targets for the courts?

- Executive power (for example the Ministry of Justice)
- Legislative power

Judicial power (for example High Judicial Council, Higher Court)

President of the court

Other (please specify):

Comments

077. Concerning court activities, have you defined performance and quality indicators (if no, please skip to question 79)

Yes

No

Comments

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

incoming cases

length of proceedings (timeframes)

closed cases

pending cases and backlogs

productivity of judges and court staff

percentage of cases that are processed by a single sitting judge

enforcement of penal decisions

satisfaction of court staff

satisfaction of users (regarding the services delivered by the courts)

judicial quality and organisational quality of the courts

costs of the judicial procedures

number of appeals

other (please specify):

079. Who is responsible for evaluating the performance of the courts (multiple options possible) :

High Council of judiciary

Ministry of Justice

Inspection authority

Supreme Court

External audit body

Other (please specify):

Comments

3.6.3. Court activity and administration

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

Yes (please indicate the name and the address of this institution): The Judicial Department, 5 Vazgen Sargsyan St, Yerevan

No

Comments

080-1. Does this institution publish statistics on the functioning of each court:

Yes, on internet

No, only internally (in an intranet website)

No

Comments

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

Yes

No

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

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

Internet

Intranet (internal) website

Paper distribution

Comments

081-2. (New question) If yes, please, indicate the periodicity at which the report is released:

Annual

Less frequent

More frequent

Comments

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

Yes

No

Comments - If yes, please specify:

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

Yes

(X) No

Comments - If yes, please specify:

3.6.4. Performance and evaluation of judges

083. Are there quantitative performance targets (for instance a number of cases to be addressed in a month) defined for each judge?

() Yes

(X) No

Comments According to RA Judicial Code Article 21.2 civil, criminal and administrative cases brought to court are randomly distributed among judges by a specific computer program. If it's impossible to distribute the cases equally, than the cases are distributed in a way that the difference is one case.

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

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

Comments NAP

New node

4. Fair trial

4.1. Principles

4.1.1. Principles of fair trial

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

[]

[] NA

[X] NAP

Comments According to the Article 302 of RA Criminal Procedure Code, trial is conducted in the presence of the defendant whose attendance in the court is mandatory.

085. Is there a procedure to effectively challenge a judge if a party considers that the judge is not impartial?

(X) Yes, number of successful challenges in a year N/A

() No

Comments - Please could you briefly specify:

086. Is there in your country a monitoring system for the violations related to Article 6 of the

European Convention on Human Rights?

	Monitoring system
For civil procedures (non-enforcement)	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP
For civil procedures (timeframe)	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP
For criminal procedures (timeframe)	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP

Comments - Please, specify what are the terms and conditions of this monitoring system (information related to violations at the State/courts level; implementation of internal systems to remedy the established violation; implementation of internal systems to prevent other violations (that are similar) and if possible to measure an evolution of the established violations:

D1. Please indicate the sources for answering questions in this chapter.

Sources: RA Judicial Department

4.2. Timeframe of proceedings

4.2.1. General information

087. Are there specific procedures for urgent matters as regards:

- civil cases
- criminal cases
- administrative cases
- There is no specific procedure

Comments - If yes, please specify:

088. Are there simplified procedures for:

- civil cases (small disputes)
- criminal cases (misdemeanour cases)
- administrative cases
- There is no simplified procedure

Comments - If yes, please specify: The current Civil Procedure Code does not specifically provide for simplified procedures for small disputes (it includes only Special Proceedings for certain types of cases, including those that concern legally relevant facts to be established/approved by the court). However, payment orders are issued based on the rules set forth for special proceedings. According to RA Civil procedure code Article 204.6 p.1 - in the cases of not declining payment order issuance proceedings the court issues payment order without court session. According to Article 204.8; in the cases when within three weeks from the date of receipt by the respondent that he has received the payment order, the court does not receive an objection or receives an objection that the defendant has sent violating the two-week period, the payment order becomes valid judgment and is subject to compulsory performance.

The new Draft Civil Procedure Code which is currently put into circulation among the main stakeholders provides for simplified procedures for small disputes, i.e., up to AMD 200,000.

088-1. (Modified question) For these simplified procedures, may judges deliver an oral judgement with a written order and dispense with a full reasoned judgement?

- civil cases
- criminal cases
- administrative cases

Comments - If yes, please specify: Speedy trials exist in criminal, civil and administrative procedures that differ from simplified procedures.

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

- Yes
- No

Comments - If yes, please specify:

4.2.2. Case flow management – first instance



091. (Modified question) First instance courts: number of other than criminal law cases.

	Pending cases on 1 Jan. ref. year	Incoming cases	Resolved cases	Pending cases on 31 Dec. ref. year	Pending cases older than 2 years from the date the case came to the first instance court (Please insert NA for category 2)
Total of other than criminal law cases (1+2+3+4)	55358 <input type="checkbox"/> NA <input type="checkbox"/> NAP	162037 <input type="checkbox"/> NA <input type="checkbox"/> NAP	147267 <input type="checkbox"/> NA <input type="checkbox"/> NAP	70128 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
1. Civil (and commercial) litigious cases (including litigious enforcement cases and if possible without administrative law cases, see category 3)	39191 <input type="checkbox"/> NA <input type="checkbox"/> NAP	93390 <input type="checkbox"/> NA <input type="checkbox"/> NAP	87458 <input type="checkbox"/> NA <input type="checkbox"/> NAP	45123 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
2. Non litigious cases (2.1+2.2+2.3)	4399 <input type="checkbox"/> NA <input type="checkbox"/> NAP	55618 <input type="checkbox"/> NA <input type="checkbox"/> NAP	48316 <input type="checkbox"/> NA <input type="checkbox"/> NAP	11701 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP

2.1. General civil (and commercial) non-litigious cases, e.g. uncontested payment orders, request for a change of name, non-litigious enforcement cases etc. (if possible without administrative law cases, see category 3; without registry cases and other cases, see categories 2.2 and 2.3)	4399 [] NA [] NAP	55618 [] NA [] NAP	48316 [] NA [] NAP	11701 [] NA [] NAP	[X] NA [] NAP
2.2. Registry cases (2.2.1+2.2.2+2.2.3)	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
2.2.1. Non litigious land registry cases	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
2.2.2 Non-litigious business registry cases	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
2.2.3. Other registry cases	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
2.3. Other non-litigious cases	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
3. Administrative law cases	7379 [] NA [] NAP	9173 [] NA [] NAP	9953 [] NA [] NAP	6599 [] NA [] NAP	[X] NA [] NAP
4. Other cases	4389 [] NA [] NAP	3856 [] NA [] NAP	1540 [] NA [] NAP	6705 [] NA [] NAP	[X] NA [] NAP

Comments There is a big increase of civil and litigious and other cases. The reasons are mixture not only a legal reasons but also, social, economic, etc. There is no official report on that issue prepared by the Government of RA. Increase of insolvency cases that are included in "Other" could be the main reason for the increase.

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

. Payment orders.

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

. Insolvency cases.

094. (Modified question) First instance courts: number of criminal law cases.

	Pending cases on 1 Jan. ref. year	Incoming cases	Resolved cases	Pending cases on 31 Dec. ref. year	Pending cases older than 2 years from the date the case came to the first instance court
Total of criminal law cases (1+2)	1295 [] NA [] NAP	3304 [] NA [] NAP	2997 [] NA [] NAP	1602 [] NA [] NAP	[X] NA [] NAP
1. Severe criminal cases	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
2. Misdemeanour and / or minor criminal cases	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP

Comments - If you cannot make a distinction between misdemeanour criminal cases and severe criminal cases (according to the CEPEJ definitions), please indicate the categories of cases reported in the category "serious offences" and cases reported in the category "minor offences": The number of pending cases increases due to relatively low clearance rate.

4.2.3. Case flow management – second instance 

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

	Pending cases on 1 Jan. ref. year	Incoming cases	Resolved cases	Pending cases on 31 Dec. ref. year	Pending cases older than 2 years from the date the case came to the second instance court (Please insert NA for category 2)
Total of other than criminal law cases (1+2+3+4)	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
1. Civil (and commercial) litigious cases (including litigious enforcement cases and if possible without administrative law cases, see category 3)	726 [] NA [] NAP	3628 [] NA [] NAP	3742 [] NA [] NAP	612 [] NA [] NAP	[X] NA [] NAP
2. Non litigious cases (2.1+2.2+2.3)	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP

2.1. General civil (and commercial) non-litigious cases, e.g. uncontested payment orders, request for a change of name, non-litigious enforcement cases etc. (if possible without administrative law cases, see category 3; without registry cases and other cases, see categories 2.2 and 2.3)	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
2.2. Registry cases (2.2.1+2.2.2+2.2.3)	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
2.2.1. Non litigious land registry cases	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
2.2.2 Non-litigious business registry cases	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
2.2.3. Other registry cases	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
2.3. Other non-litigious cases	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
3. Administrative law cases	525 [] NA [] NAP	2248 [] NA [] NAP	1626 [] NA [] NAP	1147 [] NA [] NAP	[X] NA [] NAP
4. Other cases	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP

Comments The data about the bankruptcy cases brought to RA civil court of appeal are included in the data on civil cases. There are different reasons, inter alia, increase of public awareness on administrative issues, social-economic situation within the country, etc.

098. (Modified question) Second instance courts (appeal): number of criminal law cases.

	Pending cases on 1 Jan. ref. year	Incoming cases	Resolved cases	Pending cases on 31 Dec. ref. year	Pending cases older than 2 years from the date the case came to the second instance court
Total of criminal law cases (1+2)	302 [] NA [] NAP	2997 [] NA [] NAP	2898 [] NA [] NAP	401 [] NA [] NAP	[X] NA [] NAP
1. Severe criminal cases	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
2. Misdemeanour and / or minor criminal cases	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP

Comments Pending cases significant increase is due to low absolute number of these cases.

4.2.4. Case flow management – Supreme Court



099. (Modified question) Highest instance courts (Supreme Court): number of “other than criminal law” cases.

	Pending cases on 1 Jan. ref. year	Incoming cases	Resolved cases	Pending cases on 31 Dec. ref. year	Pending cases older than 2 years from the date the case came to the Supreme court (Please insert NA for category 2))
Total of other than criminal law cases (1+2+3+4)	343 [] NA [] NAP	2206 [] NA [] NAP	2186 [] NA [] NAP	363 [] NA [] NAP	[X] NA [] NAP
1. Civil (and commercial) litigious cases (including litigious enforcement cases and if possible without administrative law cases, see category 3)	200 [] NA [] NAP	1418 [] NA [] NAP	1426 [] NA [] NAP	192 [] NA [] NAP	[X] NA [] NAP
2. Non litigious cases (2.1+2.2+2.3)	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
2.1. General civil (and commercial) non-litigious cases, e.g. uncontested payment orders, non-litigious enforcement cases etc. (if possible without administrative law cases, see category 3; without registry cases and other cases, see categories 2.2 and 2.3)	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
2.2. Registry cases (2.2.1+2.2.2+2.2.3)	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
2.2.1. Non litigious land registry cases	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
2.2.2 Non-litigious business registry cases	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
2.2.3. Other registry cases	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
2.3. Other non-litigious cases	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP

3. Administrative law cases	143 [] NA [] NAP	788 [] NA [] NAP	760 [] NA [] NAP	171 [] NA [] NAP	[X] NA [] NAP
4. Other cases	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP

Comments

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

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

() No

Comments Out of all criminal cases brought before the Supreme during 2016, 922 have been declined. 855 civil and 522 administrative cases have been declined out of all civil and administrative cases brought before the Supreme Court during 2016.

100. (Modified question) Highest instance courts (Supreme Court): number of criminal law cases.

	Pending cases on 1 Jan. ref. year	Incoming cases	Resolved cases	Pending cases on 31 Dec. ref. year	Pending cases older than 2 years from the date the case came to the Supreme court
Total of criminal law cases (1+2)	209 [] NA [] NAP	1572 [] NA [] NAP	1517 [] NA [] NAP	264 [] NA [] NAP	[X] NA [] NAP
1. Severe criminal cases	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
2. Misdemeanour and / or minor criminal cases	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP

Comments The increase compared with 2014 is significant but also effected by the low absolute number of cases.

4.2.5. Case flow management – specific cases



101. (Modified question) Number of litigious divorce cases, employment dismissal cases, insolvency, robbery cases, intentional homicide cases, cases relating to asylum seekers and cases relating to the right of entry and stay for aliens received and processed by first instance courts.

	Pending cases on 1 Jan. ref. year	Incoming cases	Resolved cases	Pending cases on 31 Dec ref. year
Litigious divorce cases	705 [] NA [] NAP	1727 [] NA [] NAP	1709 [] NA [] NAP	729 [] NA [] NAP
Employment dismissal cases	54 [] NA [] NAP	75 [] NA [] NAP	60 [] NA [] NAP	69 [] NA [] NAP
Insolvency	4389 [] NA [] NAP	3856 [] NA [] NAP	1540 [] NA [] NAP	6705 [] NA [] NAP

Robbery case	25 <input type="checkbox"/> NA <input type="checkbox"/> NAP	22 <input type="checkbox"/> NA <input type="checkbox"/> NAP	21 <input type="checkbox"/> NA <input type="checkbox"/> NAP	26 <input type="checkbox"/> NA <input type="checkbox"/> NAP
Intentional homicide	56 <input type="checkbox"/> NA <input type="checkbox"/> NAP	84 <input type="checkbox"/> NA <input type="checkbox"/> NAP	47 <input type="checkbox"/> NA <input type="checkbox"/> NAP	93 <input type="checkbox"/> NA <input type="checkbox"/> NAP
Cases relating to asylum seekers (refugee status under the 1951 Geneva Convention)	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
Cases relating to the right of entry and stay for aliens	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP

Comments The variation of robbery and intentional homicide is due to low absolute numbers.

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

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

1. Asylum is the protection granted to a foreign citizen or stateless person in the Republic of Armenia, which guarantees the application of the principle defined in Article 9 of this Law, as well as all the rights granted under the Convention, present Law, and other legal acts of the Republic of Armenia to refugees recognized as such in the Republic of Armenia.

2. Asylum, as defined in the Paragraph 1 of this Article, shall further be extended to any foreign citizen or stateless person recognized as a refugee by another State, if he/she has legally entered the territory of the Republic of Armenia and has one of the resident permits issued based on the legislation of the Republic of Armenia, providing the right to legally reside in the country.

3. The granting of asylum shall be considered a peaceful and humanitarian gesture and shall in no manner be regarded as an unfriendly act, as it does not imply any judgement on the country of citizenship of the refugee or any other country.

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

1. Asylum seekers and refugees shall have the right to appeal to the court against any negative decisions issued by the Designated Body to them in the course of the asylum procedure or any other administrative procedure based on the present Law. Appeals may be launched within 30 days after notification on decision.

2. If the deadline defined in Paragraph 1 of the present Article is not met, the decision of the Designated Body becomes final. The period for launching an appeal may be renewed if there are valid reasons, which do not fall within the sphere of influences of the appellant.

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

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

Article 7. Asylum for Family Members and Family Reunion

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

2. Other relatives, or in-laws of a refugee granted asylum in the Republic of Armenia may also be considered refugees and accorded with asylum in the Republic of Armenia, provided they reside together with the refugee in the territory of the Republic of Armenia, are dependent on him/her and do not possess any citizenship - different from that of the refugee - providing effective protection.

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

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

Article 54. Procedure for Family Reunification

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

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

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

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

4. If the Designated Body decides that the requirements of Paragraph 3 of the present Article are met, it shall grant refugee status and asylum to those persons on the basis of Article 52 Paragraph 3 and Article 53, Paragraph 5 of the present Law and shall inform about it the relevant diplomatic representation and consular department of the Republic of Armenia, through the designated body for Foreign Affairs, based on which the latter shall issue the

family members granted asylum with valid visa for entering the Republic of Armenia. The Police shall issue them Convention Travel Documents upon arrival to the Republic of Armenia. (Amended as of 3 March 2011)

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

102. Average length of proceedings, in days (from the date the application for judicial review is lodged). The average length of proceedings has to be calculated from the date the application for judicial review is lodged to the date the judgment is made, without taking into account the enforcement procedure.

	% of decisions subject to appeal	Average length in 1st instance (in days)	Average length in 2nd instance (in days)	Average length in 3rd instance (in days)	Average total length of the total procedure (in days)	% of cases pending for more than 3 years for all instances
Litigious divorce case	<input type="checkbox"/> X] NA <input type="checkbox"/>] NAP	<input type="checkbox"/> X] NA <input type="checkbox"/>] NAP	<input type="checkbox"/> X] NA <input type="checkbox"/>] NAP	<input type="checkbox"/> X] NA <input type="checkbox"/>] NAP	<input type="checkbox"/> X] NA <input type="checkbox"/>] NAP	<input type="checkbox"/> X] NA <input type="checkbox"/>] NAP
Employment dismissal case	<input type="checkbox"/> X] NA <input type="checkbox"/>] NAP	<input type="checkbox"/> X] NA <input type="checkbox"/>] NAP	<input type="checkbox"/> X] NA <input type="checkbox"/>] NAP	<input type="checkbox"/> X] NA <input type="checkbox"/>] NAP	<input type="checkbox"/> X] NA <input type="checkbox"/>] NAP	<input type="checkbox"/> X] NA <input type="checkbox"/>] NAP
Insolvency	<input type="checkbox"/> X] NA <input type="checkbox"/>] NAP	<input type="checkbox"/> X] NA <input type="checkbox"/>] NAP	<input type="checkbox"/> X] NA <input type="checkbox"/>] NAP	<input type="checkbox"/> X] NA <input type="checkbox"/>] NAP	<input type="checkbox"/> X] NA <input type="checkbox"/>] NAP	<input type="checkbox"/> X] NA <input type="checkbox"/>] NAP
Robbery case	<input type="checkbox"/> X] NA <input type="checkbox"/>] NAP	<input type="checkbox"/> X] NA <input type="checkbox"/>] NAP	<input type="checkbox"/> X] NA <input type="checkbox"/>] NAP	<input type="checkbox"/> X] NA <input type="checkbox"/>] NAP	<input type="checkbox"/> X] NA <input type="checkbox"/>] NAP	<input type="checkbox"/> X] NA <input type="checkbox"/>] NAP
Intentional homicide	<input type="checkbox"/> X] NA <input type="checkbox"/>] NAP	<input type="checkbox"/> X] NA <input type="checkbox"/>] NAP	<input type="checkbox"/> X] NA <input type="checkbox"/>] NAP	<input type="checkbox"/> X] NA <input type="checkbox"/>] NAP	<input type="checkbox"/> X] NA <input type="checkbox"/>] NAP	<input type="checkbox"/> X] NA <input type="checkbox"/>] NAP

Comments

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

. NAP

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

. NAP

4.2.6. Case flow management – public prosecution

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

to conduct or supervise police investigation

to conduct investigations

when necessary, to request investigation measures from the judge

to charge

to present the case in court

to propose a sentence to the judge

to appeal

to supervise the enforcement procedure

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

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

other significant powers (please specify): The main powers of the RA Prosecutor's Office are stipulated in the Article 103 of the Constitution of the Republic of Armenia and the procedure for their implementation is provided by the RA Law on Prosecutor's Office, the RA Criminal Procedure Code and other legal acts. According to Article 103 of the Constitution of the Republic of Armenia, the Prosecutor's Office, in the cases and in the manner prescribed by law, 1) Instigates criminal prosecution. 2) Supervises the legality of the investigation and preliminary investigation. 3) Defends the charge in court 4) Filing a lawsuit for state interests. 5) Appeals to court judgments, verdicts and decisions. 6) Exercises control over the lawfulness of the application of punishments and other compulsory measures.

Comments 1. In regard of conducting or supervising police investigation, it should be noted that the term "supervising police investigation" is not envisaged by the RA legislation and the RA Prosecutor's Office does not have such authority.

However, if saying "police investigation" we should understand police operative-investigative activities, than in accordance with the Article 35 of the RA Law on Operative Investigation, the prosecutor exercises control over the legality of operative-investigative activities, while conducting procedural oversight of the preliminary investigation and inquiry in the scope of the powers vested to him by law, and if "police investigation" means investigation conducted by the police, than In accordance with the Article 103 of the Constitution of the Republic of Armenia, the prosecutor's office exercises control over the legality of the investigation and preliminary investigation.

2. In regard of supervising the enforcement procedure, it should be noted that, if saying "supervising the enforcement procedure", we should understand the enforcement of penalties and other means of coercion, then in accordance with Article 103 of the RA Constitution, the Prosecutor's Office of the Republic of Armenia exercises control over the lawfulness of the application of penalties and other compulsory measures.

3. The right to discontinue a case without needing a decision by a judge exists solely in the pre-trial stage of the criminal case.

106. (Modified question) Does the public prosecutor also have a role in:

civil cases

administrative cases

insolvency cases

Comments - If yes, please specify:

107. Cases processed by the public prosecutor - Total number of first instance criminal cases:

	Received during the reference year	Discontinued during the reference year (see Q108 below)	Concluded by a penalty or a measure imposed or negotiated by the public prosecutor	Cases brought to court
Total number of first instance cases processed by the public prosecutor	2900 <input type="checkbox"/> NA <input type="checkbox"/> NAP	4588 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	2339 <input type="checkbox"/> NA <input type="checkbox"/> NAP

Comments The number of cases brought to court in 2016 (2339) includes cases examined and completed in court in 2016, including cases filed from previous year. The cases discontinued during reference year also include cases that were received in previous year/s.

107-1. (Modified question) If the guilty plea procedures exist, how many cases were brought to court by the prosecutor through this procedure?

	Number of guilty plea procedures
Total	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
Before the court case	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
During the court case	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP

Comments

108. Total cases which were discontinued by the public prosecutor:

	Number of cases
Total cases which were discontinued by the public prosecutor (1+2+3)	4588 <input type="checkbox"/> NA <input type="checkbox"/> NAP
1. Discontinued by the public prosecutor because the offender could not be identified	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
2. Discontinued by the public prosecutor due to the lack of an established offence or a specific legal situation	2859 <input type="checkbox"/> NA <input type="checkbox"/> NAP
3. Discontinued by the public prosecutor for reasons of opportunity	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP

Comments The RA Criminal Procedure Code does not consider not disclosing a person who allegedly committed a crime reason to abolish the criminal case proceedings, but rather a ground for terminating a criminal case. According to Article 31 (1) (1) of the Criminal Procedure Code of the Republic of Armenia (unidentified person, who is to be involved in the case as a defendant), 5337 criminal

proceedings have been terminated in 2016 and According to point 2 of the first part of Article 31 (the accused was hiding from the investigation or trial, or his whereabouts was not revealed for any other reason) 549 criminal proceedings have been terminated. This number includes both the lack of evidence and the number of cases that are generally terminated by all justifications.

109. Do the figures include traffic offence cases?

Yes

No

Comments

D2. Please indicate the sources for answering questions 91, 94, 97, 98, 99, 100, 101, 102, 107, 107-1 and 108.

Sources: General Prosecutor's Office of the Republic of Armenia

5. Career of judges and public prosecutors

5.1. Recruitment and promotion

5.1.1. Recruitment and promotion of judges

110. (Modified question) How are judges recruited?

mainly through a competitive exam (open competition)

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

a combination of both (competitive exam and working experience)

other (please specify):

Comments

110-1. Are there specific provisions for facilitating gender equality within the framework of the procedure for recruiting judges?

Yes

No

Comments - If yes, please specify: According to the 3 paragraph of the Article 117 of RA Judicial Code, when recruiting judges the gender balance is being considered. If the number of judges of either sex is less than twenty-five percent of the total number of judges, then a minimum of five seats of that sex will be guaranteed by the list.

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

an authority made up of judges only

an authority made up of non-judges only

an authority made up of judges and non-judges

Comments - Please indicate the name of the authority(ies) involved in the whole procedure of recruitment and nomination of judges. If there are several authorities, please describe their respective roles: Judicial Council is responsible for recruitment and nomination of judges. According to the article 114 of Judicial Code of RA- based on the qualification test the Justice Council shall compile and present to the President of the Republic for approval a list of candidate judges. The list of judicial candidates shall be amended and supplemented in the same manner.

Based on the Constitutional Amendments (adopted through referendum held on 06.12.2015), a new body, the Supreme Judicial Council, was introduced into the judicial system of Armenia which is responsible for guaranteeing the judicial independence. The Supreme Judicial Council which should be composed of judges and legal scholars/lay members and set up by April of 2018, will be in charge of judges' recruitment, appointment and promotion.

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

Yes

No

Comments

112-1. Are there specific provisions for facilitating gender equality within the framework of the procedure for promoting judges?

Yes

No

Comments - If yes, please specify: Judicial Code Article 117, par.3

When compiling the list for judges promotion, gender balance shall be taken into consideration. If the number of judges of either sex is less than 25 percent of the total number of judges, then at least five places shall be safeguarded in the list to the candidates of that sex.

113. What is the procedure for judges to be promoted? (multiple answers possible)

Competitive test / Exam

Other procedure (interview or other)

No special procedure

Comments - Please specify how the promotion of judges is organised (especially if there is no competition or examination): ARTICLE 135 OF THE JUDICIAL CODE

When voting with a ballot in connection with the compilation of the Official Promotion List of Judges or the appointment of a court chairman, a first instance specialized court judge or an appellate court judge, or a Cassation Court chamber judge or chamber chairman, members of the Justice Council shall take into consideration the following features: 1) The professional knowledge of a judge, including the judge's professional activities and professional and post-university education; 2) The judge's professional reputation; 3) The work skills; 4) The quality of judicial acts made by the judge; 5) The judge's respect for the reputation of the judiciary and judges and compliance with the Judicial Code of Conduct; 6) Oral and written communication skills, based on the minutes of court sessions and the judicial acts made by the judge; 7) The judge's participation in educational and professional training programs stipulated by this Code; 8) The judge's participation in the self-governance of the judiciary; 9) The judge's participation in law and legislation development projects; 10) The attitude towards colleagues during the performance of judge duties; and 11) The organizational skills of the judge and the qualities displayed by the judge in the performance of managerial duties.

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

Years of experience

Professional skills (and/or qualitative performance)

Performance (quantitative)

Assessment results

Subjective criteria (e.g. integrity, reputation)

Other

No criteria

Comments - Please specify any useful comment regarding the criteria (especially if you have checked the box “performance” or “other”):
A member of the Justice Council takes into account the following when electing judges from the list of candidates for the promotion of judges:

1. Professional knowledge of a judge taking into account his professional activity, judges professional and postgraduate education.
2. Judges professional reputation.
3. Professional skills.
4. The quality of the judgments made.
5. The protection of court’s and judge’s reputation and rules of conduct by the judge.
6. Oral and verbal communication skills based on the records of the court session and the judgments made.
7. The participation of judge in educational and professional training programs.
8. Judge's participation in judicial self-governance.
9. Judge’s participation in Law and Legislation Development Programs
10. His / her attitude towards his / her colleagues when performing the duties of a judge.
11. The organizational skills of a judge, the quality he has been showing while performing managerial work.

114. (Modified question) Is there a system of qualitative individual assessment of the judges’ work?

Yes

No

Comments The new Draft Judicial Code which was approved by the RA Government and is now in the Parliament, provides for new procedure, timing, and criteria for judges performance evaluation based on international standards and best practices (Articles 77-82). According to the Article 78 - Judges' performance shall be subject to a regular evaluation once every 5 years, and upon the judge's initiative on an extraordinary basis.

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

Annual

Less frequent

More frequent

5.1.2. Status, recruitment and promotion of prosecutors

115. What is the status of prosecution services?

statutory independent

under the authority of the Minister of justice or another central authority

other (please specify):

Comments - When appropriate, please specify the objective guarantees of this independence (transfer, appointment...). According to the Constitution of the RA

Article 176. Prosecutor’s Office

1. The Prosecutor's Office shall be a unified system, headed by the Prosecutor General.
2. The Prosecutor's Office, in the cases and under the procedure prescribed by law, shall:
 - 1) instigate criminal prosecution;
 - 2) exercise oversight over the lawfulness of pre-trial criminal proceedings;
 - 3) pursue a charge at court;

- 4) appeal against the civil judgments, criminal judgments and decisions of courts;
 - 5) exercise oversight over the lawfulness of applying punishments and other coercive measures.
3. The Prosecutor's Office shall, in exclusive cases and under the procedure prescribed by law, bring an action to court with regard to protection of state interests.
 4. The Prosecutor's Office shall act within the scope of powers vested therein by the Constitution, on the basis of law.
 5. The procedure for the formation and rules of operation of the Prosecutor's Office shall be prescribed by law.

Article 177. The Prosecutor General

1. The Prosecutor General shall be elected by the National Assembly, upon recommendation of the competent standing committee of the National Assembly, by at least three fifths of votes of the total number of Deputies, for a term of six years. The same person may not be elected as Prosecutor General for more than two consecutive terms.
2. A lawyer with higher education, having attained the age of thirty-five, holding citizenship of only the Republic of Armenia, having the right of suffrage, with high professional qualities and at least ten years of professional work experience may be elected as Prosecutor General. The law may prescribe additional requirements for the Prosecutor General.
3. The National Assembly may, in the cases prescribed by law, remove the Prosecutor General from office by at least three fifths of votes of the total number of Deputies.

According to the Law on Prosecution

Article 6. Autonomy of the Prosecutor and Prohibition to Interfere with the Prosecutor's Activities

1. In the exercise of his powers, every prosecutor shall take decisions autonomously based on laws and inner conviction, and shall be responsible for decisions taken by him.
2. Any interference with the prosecutor's activities, which is not prescribed by law, shall be prohibited.

Article 7. Prosecutor Not Politicized

1. A prosecutor may not be a member of any party or engage in any other political activity. Under any circumstance, a prosecutor shall be obliged to display political self-restraint and neutrality.
2. A prosecutor may take part in state and local government elections only as a voter. A prosecutor may not take part in the pre-election campaign.

Article 25. Supervision of the Lawfulness of Inquest and Investigation

2. When supervising the lawfulness of inquest and investigation, the prosecutor shall act autonomously, without the permission and consent of the higher-ranking prosecutor. The higher-ranking prosecutor may not eliminate or change acts adopted by the prosecutor supervising the lawfulness of inquest and investigation, with the exception of cases provided by law.
3. The prosecutor carrying out the supervision shall be responsible for the completeness, objectivity, comprehensiveness, and effectiveness of the inquest and investigation.

Article 44. Legal Protection of Prosecutors

1. In the performance of their work, prosecutors shall be independent and shall abide only by law.
2. A prosecutor may not be dismissed from his position, with the exception of cases and in the procedure stipulated by the Constitution and this Law.
3. Creating obstacles to the performance of a prosecutor's official duties, insulting a prosecutor in connection with his work, or encroaching or threatening to encroach on his or his family members' life, health, or property shall give rise to liability prescribed by law.
4. A prosecutor may not be apprehended without the Prosecutor General's consent, with the exception of cases in which a prosecutor is apprehended on the basis of a judicial act.
5. Criminal prosecution in relation to a prosecutor may be instigated by the Prosecutor General.

115-1. Does the law or another regulation prevent specific instructions to prosecute or not, addressed to a prosecutor in a court.

Yes

No

Comments - If yes, please specify: According to the 3-rd paragraph of Article 26 of Law on Prosecution- in certain cases stipulated by the Criminal Procedure Code of RA, the prosecutor must refuse from prosecuting.

According to 3-rd paragraph of article 306 of Criminal Procedure Code of RA- The prosecutor must refuse the prosecution, if in his/her view it is not proved during the Court hearings.

116. How are public prosecutors recruited?

mainly through a competitive exam (open competition)

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

a combination of both (competitive exam and working experience)

other (please specify):

Comments Article 36. Appointment to a Position in the Prosecution

1. The Prosecutor General shall be appointed by the National Assembly upon nomination by the President of the Republic. The Prosecutor General shall serve in office for a six-year term. The same person may not be appointed as the Prosecutor General for more than two consecutive terms.

2. The deputies of the Prosecutor General shall be appointed by the President of the Republic upon nomination by the Prosecutor General.

3. To be eligible for appointment to the position of a Deputy Prosecutor General, a person must have at least five years of experience working as a judge, prosecutor, advocate, investigator, or lawyer in a state or local government body, or at least 10 years of other work experience as a lawyer.

4. Prosecutors of the General Prosecution Office, prosecutors functioning within the departments and divisions of the General Prosecution Office, the Yerevan City prosecutors, the Yerevan City districts' prosecutors, the Marz prosecutors, garrison military prosecution offices' prosecutors, prosecutors of the Central Military Prosecution Office, and prosecutors functioning within divisions of the Central Military Prosecution Office shall be appointed by the Prosecutor General from among such persons included in the list of prosecutor candidates, which, having completed their studies, have successfully passed the qualification exam in the Prosecutorial School or have been relieved of the duty to study in the Prosecutorial School on the basis of Article 35(10) of this Law. When appointed to office, a person shall be removed from the list of prosecutor candidates by the Prosecutor General.

5. Senior prosecutors of the General Prosecution Office, division heads of the General Prosecution Office, deputy department heads of the General Prosecution Office, deputy prosecutors of the City of Yerevan, districts of the City of Yerevan, and Marzes, deputy military prosecutors of garrisons, the deputies of the Military Prosecutor, senior prosecutors functioning within the departments and divisions of the General Prosecution Office, senior prosecutors of the prosecution offices of the City of Yerevan, districts of the City of Yerevan, and Marzes, and senior prosecutors of the military prosecution offices of garrisons, division heads of the Central Military Prosecution Office, senior prosecutors of the Central Military Prosecution Office, and senior prosecutors functioning within the divisions of the Central Military Prosecution Office shall be appointed by the Prosecutor General from among the number of persons included in the Promotion List of Prosecutors. When appointed to office, a person shall be removed from the Promotion List of Prosecutors by the Prosecutor General.

6. Prosecutors of the City of Yerevan, districts of the City of Yerevan, and Marzes, military prosecutors of garrisons, and department heads of the General Prosecution Office shall be appointed by the Prosecutor General from among the number of persons included in the Promotion List of Prosecutors, if the Qualification Committee has issued a positive opinion on the appointment of such person to the relevant position. When appointed to office, a person shall be removed from the Promotion List of Prosecutors by the Prosecutor General.

Article 34. Preparing the List of Prosecutor Candidates

1. The list of prosecutor candidates shall be supplemented by the Prosecution Qualification Committee once a year, which shall, as a rule, be done in January of each year through an open competition carried out in accordance with the procedure defined by the Prosecutor General. If so instructed by the Prosecutor General, an additional test of aspirants may be carried out during the year in order to supplement the list of prosecutor candidates.

2. For supplementing the list of prosecutor candidates, the Qualification Committee shall publish an announcement at least a month in advance about accepting applications.

3. A person aspiring to be included in the list of prosecutor candidates must present:

1) A personal identification document;

2) A document confirming that the aspirant has higher legal education;

3) A card containing the aspirant's biographic data, with a description of the professional legal work carried out by the aspirant after obtaining a lawyer's degree, including the relevant evidence (such as a job description or other documents confirming the duties in the job that is to be considered as professional legal experience);

4) A document confirming that the aspirant has performed mandatory military service or has been relieved of such service or has had such service deferred in accordance with the procedure stipulated by law (this requirement only applies to male aspirants); and

5) A document issued in accordance with the procedure stipulated by the Government, confirming the absence of physical handicap and illnesses that hinder one's appointment to a prosecutor's position.

4. An applicant has the right to present also recommendation letters.

5. Applications submitted in breach of the established deadline for submission and applications that do not meet the requirements stipulated by law shall be rejected and returned by the Qualification Committee within three working days. The Qualification Committee's decision to reject an application may be appealed to the administrative court by the applicant within three working days of receiving the rejection. The administrative court shall examine and solve the case within three working days of receiving it.
6. A judicial appeal against the Qualification Committee's decision to reject an application shall not suspend the procedure stipulated by this Law for accepting applications and compiling the list of prosecutor candidates. If the Qualification Committee's decision to reject an application is found unlawful by court, the applicant's application shall be subject to consideration by the Qualification Committee.
7. The Qualification Committee shall check the applicant's professional competence, practical skills, and moral attributes, as well as the conformity of documents presented by him with other requirements stipulated by law.
8. The candidacies of applicants about whom the Qualification Committee issues a positive opinion shall be submitted to the Prosecutor General, who shall include the candidates acceptable to him in the list of prosecutor candidates.
9. A person included in the list of prosecutor candidates shall, in accordance with the procedure defined by the Prosecutor General, complete a program of studies in the Prosecutorial School and take a qualification exam. A person that has not passed the qualification exam shall be removed from the list of prosecutor candidates.
10. A person shall be relieved of the requirement to study and take a qualification exam, if such person:
 - 1) Has three years of professional work experience as a prosecutor, judge, investigator, or advocate, unless more than five years have passed since the person stopped performing such work;
 - 2) Has a PhD degree in Law; or
 - 3) Has a PhD Candidate degree in law and five years of experience working as a lawyer.
11. At the request of a person relieved from the duty to study in the Prosecutorial School, the Qualification Committee may consider the issue of including the applicant concurrently in both the list of prosecutor candidates and the official promotion list.

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

- an authority composed of public prosecutors only
- an authority composed of non-public prosecutors only
- an authority composed of public prosecutors and non-public prosecutors

Comments - Please indicate the name of the authority(ies) involved in the whole procedure of recruitment and nomination of public prosecutors. If there are several authorities, please describe their respective roles: The Qualification Committee is responsible for the recruitment and nomination of public prosecutors. According to article 23 of Law on Prosecution- The Qualification Committee shall have nine members. The Qualification Committee shall consist of one deputy of the Prosecutor General, four prosecutors, and four law academics. The Committee members shall be appointed by the Prosecutor General for a three-year term. The Qualification Committee shall be governed by the Deputy Prosecutor General.

According to article 34 of Law on Prosecution- The list of prosecutor candidates shall be supplemented by the Prosecution Qualification Committee once a year, which shall, as a rule, be done in January of each year through an open competition carried out in accordance with the procedure defined by the Prosecutor General. If so instructed by the Prosecutor General, an additional test of aspirants may be carried out during the year in order to supplement the list of prosecutor candidates.

According to article 36 of Law on Prosecution General Prosecutor appoints the prosecutors from these lists.

Article 36. Appointment to a Position in the Prosecution

1. The Prosecutor General shall be appointed by the National Assembly upon nomination by the President of the Republic. The Prosecutor General shall serve in office for a six-year term. The same person may not be appointed as the Prosecutor General for more than two consecutive terms.
2. The deputies of the Prosecutor General shall be appointed by the President of the Republic upon nomination by the Prosecutor General.
3. To be eligible for appointment to the position of a Deputy Prosecutor General, a person must have at least five years of experience working as a judge, prosecutor, advocate, investigator, or lawyer in a state or local government body, or at least 10 years of other work experience as a lawyer.
4. Prosecutors of the General Prosecution Office, prosecutors functioning within the departments and divisions of the General Prosecution Office, the Yerevan City prosecutors, the Yerevan City districts' prosecutors, the Marz prosecutors, garrison military prosecution offices' prosecutors, prosecutors of the Central Military Prosecution Office, and prosecutors functioning within divisions of the Central Military Prosecution Office shall be appointed by the Prosecutor General from among such persons included in the list of prosecutor candidates,

which, having completed their studies, have successfully passed the qualification exam in the Prosecutorial School or have been relieved of the duty to study in the Prosecutorial School on the basis of Article 35(10) of this Law. When appointed to office, a person shall be removed from the list of prosecutor candidates by the Prosecutor General.

5. Senior prosecutors of the General Prosecution Office, division heads of the General Prosecution Office, deputy department heads of the General Prosecution Office, deputy prosecutors of the City of Yerevan, districts of the City of Yerevan, and Marzes, deputy military prosecutors of garrisons, the deputies of the Military Prosecutor, senior prosecutors functioning within the departments and divisions of the General Prosecution Office, senior prosecutors of the prosecution offices of the City of Yerevan, districts of the City of Yerevan, and Marzes, and senior prosecutors of the military prosecution offices of garrisons, division heads of the Central Military Prosecution Office, senior prosecutors of the Central Military Prosecution Office, and senior prosecutors functioning within the divisions of the Central Military Prosecution Office shall be appointed by the Prosecutor General from among the number of persons included in the Promotion List of Prosecutors. When appointed to office, a person shall be removed from the Promotion List of Prosecutors by the Prosecutor General.

6. Prosecutors of the City of Yerevan, districts of the City of Yerevan, and Marzes, military prosecutors of garrisons, and department heads of the General Prosecution Office shall be appointed by the Prosecutor General from among the number of persons included in the Promotion List of Prosecutors, if the Qualification Committee has issued a positive opinion on the appointment of such person to the relevant position. When appointed to office, a person shall be removed from the Promotion List of Prosecutors by the Prosecutor General.

117-1. Are there specific provisions for facilitating gender equality within the framework of the procedure for recruiting prosecutors?

Yes

No

Comments - If yes, please specify:

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

Yes

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

Comments According to Article 35 of the RA Law on Prosecution, the Official Promotion List of Prosecutors is formed by the Qualification Commission.

Article 35 of The law on the Prosecution services states

The Official Promotion List of Prosecutors shall be compiled by the Qualification Committee:

- 1) During the regular attestation of prosecutors;
- 2) In an extraordinary procedure, when the Prosecutor General or his deputies submit a proposal to the Qualification Committee on including a prosecutor in the promotion list as an encouragement, together with an appropriate assessment. The prosecutor shall be included in the Official Promotion List of Prosecutors in case the Qualification Committee has issued a positive opinion; and
- 3) In exceptional cases, when the Qualification Committee decides that a person relieved of the duty to study in the Prosecutorial School shall be included concurrently in both the list of prosecutor candidates and the Official Promotion List of Prosecutors.

119. What is the procedure for prosecutors to be promoted? (multiple answers possible)

Competitive test / exam

Other procedure (interview or other)

No special procedure

Comments - Please, specify the procedure (especially if it is a procedure different from a competitive test or an exam): The Official Promotion List of Prosecutors shall be compiled by the Qualification Committee:

- 1) During the regular attestation of prosecutors;
- 2) In an extraordinary procedure, when the Prosecutor General or his deputies submit a proposal to the Qualification Committee on including a prosecutor in the promotion list as an encouragement, together with an appropriate assessment. The prosecutor shall be included in the Official Promotion List of Prosecutors in case the Qualification Committee has issued a positive opinion; and

3) In exceptional cases, when the Qualification Committee decides that a person relieved of the duty to study in the Justice Academy shall be included concurrently in both the list of prosecutor candidates and the Official Promotion List of Prosecutors.

See the answer to the question 118

119-1. Are there specific provisions for facilitating gender equality within the framework of the procedure for promoting prosecutors?

Yes

No

Comments - If yes, please specify:

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

Years of experience

Professional skills (and/or qualitative performance)

Performance (quantitative)

Assessment results

Subjective criteria (e.g. integrity, reputation)

Other

No criteria

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

According to the Law on Prosecution services

Article 54. Attestation of Prosecutors

1. The attestation of prosecutors shall be carried out in order to determine whether the prosecution servants' professional knowledge and work skills correspond to their positions, and whether they are suited for promotion.
2. Prosecutors shall undergo attestation once every three years.
3. An extraordinary attestation of a prosecutor may be carried out at least one year after the regular attestation.
4. The extraordinary attestation of a prosecutor shall be carried out either on the basis of the Prosecutor General's decree or at the wish of the prosecutor.
5. The attestation shall be carried out with the direct participation of the prosecutor.
6. The following shall not be subject to attestation:
 - 1) The Prosecutor General and his deputies;
 - 2) The Yerevan City Prosecutor, the prosecutors of the districts of the City of Yerevan, the Marz prosecutors, the military prosecutors of garrisons, and the department and division heads of the General Prosecution Office; and
 - 3) Prosecutors on leave for reasons of pregnancy or care of an under-three child, unless they wish to undergo attestation.
7. Prosecution servants that are on leave for pregnancy or child care shall be subject to attestation no earlier than a year after their return from leave, unless they wish to undergo attestation earlier.
8. Prosecutors subject to attestation, which are on leave, a work-related trip, or in a state of temporary work inability shall be subject to attestation within a one-week period of return to work.
9. Prosecutors subject to attestation shall be notified of the attestation at least one month in advance.
10. The immediate supervisor shall present an assessment of the prosecutor at least two weeks prior to the attestation.
11. The assessment shall contain information about the prosecutor, his practical and personal features, and a justified evaluation of his official performance. The assessment shall be based on the opinions of the immediate supervisor formed on the basis of reports presented to him by the prosecutor annually about the prosecutor's performance during the period since the previous attestation.
12. The prosecutor shall become familiar with his assessment at least a week prior to the attestation day.
13. Failure to present an assessment in accordance with the procedure stipulated by this Article cannot negatively influence the outcome of a prosecutor's attestation.
14. Based on the attestation results, the Qualification Committee shall take either of the following decisions:
 - 1) A decision on the prosecutor being fit for the position he occupies;

- 2) A decision on the prosecutor being fit for the position he occupies, and on including him in the Official Promotion List of Prosecutors;
 - 3) A decision on the prosecutor being fit for the position he occupies, subject to additional training;
 - 4) A decision on the prosecutor being fit for the position he occupies, with a request to award the next rank earlier;
 - 5) A decision on the prosecutor not being fit for the position he occupies, with a request to transfer him to a lower position; or
 - 6) A decision on the prosecutor not being fit for the position he occupies, with a request to dismiss him from office.
15. The prosecutor has the right to become familiar with the attestation results and, in case of disagreeing with them, to appeal them to the Prosecutor General within a three-day period.
16. Within a three-day period of the attestation day, the Qualification Committee Chairman shall submit the opinion of the Qualification Committee to the Prosecutor General.
17. Based on the attestation results, the Prosecutor General shall take the decision on undergoing additional training no later than within a two-week period of receiving the attestation results or, in case of a prosecutor's temporary work inability or being on leave or attending a training course, the decision based on the attestation results shall be taken within a two-week period of the day on which he returns to work. If a request on awarding the next rank earlier, transferring to a lower position, or dismissing from office has been made, the Prosecutor General may take the relevant decision during the same term.
18. The procedure of conducting the attestation of prosecutors shall be defined by the Prosecutor General.

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

- Yes
- No

Comments There is no system of qualitative individual assessment of the public prosecutors' work but there's Attestation procedure.

5.1.3.Mandate and retirement of judges and prosecutors

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

- Yes, please indicate the compulsory retirement age:65
- No

Comments - If yes, are there exceptions (e.g. dismissal as a disciplinary sanction)? Please specify: The powers of a judge shall terminate upon the expiration of the term of office, loss of citizenship of the Republic of Armenia or acquisition of the citizenship of a different state, entry into legal force of a convicting court judgment in respect of him or the criminal prosecution being terminated on a non-acquittal basis, entry into legal force of a court judgment that declares him as legally incapable, as missing, or as having deceased, or in case of his resignation or death.

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

- For disciplinary reasons
- For organisational reasons
- For other reasons (please specify modalities and safeguards):
- No

Comments According to art. 14 of the Judicial Code If a case cannot be examined by a court due to the insufficient number of judges caused by recusal or self-withdrawal of judges or other reasons, the Cassation Court Chairman may assign another judge of the same instance to that court or to another Chamber of the Cassation Court for a term of up to six months, with or without suspension of such judge's exercise of his primary powers. This term may be extended only if the examination of a case assumed by that judge has not ended prior to the examination of the relevant case. The same judge may not be assigned again within a year of the end of the previous assignment.

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

Yes, duration of the probation period (in years):3 months

No

NAP

Comments

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

Yes, please indicate the compulsory retirement age:65

No

Comments - If yes, are there exceptions (e.g. dismissal as a disciplinary sanction)? Please specify: Article 50 of the Law on Prosecution - Dismissing a Prosecutor from Office

1. A prosecutor may be dismissed from office on the following grounds:

- 1) A personal request to be dismissed;
- 2) Reaching the age of 65, which is the maximum up to which a prosecutor may serve in office;
- 3) Becoming convicted by a final judgment of court;
- 4) Losing citizenship of the Republic of Armenia;
- 5) A staff reduction;
- 6) Refusal to be transferred to a different unit in the Prosecution, in case of the liquidation or reorganization of the Prosecution unit in which he worked;
- 7) Being recognized by court to have no legal capacity, limited legal capacity, or missing;
- 8) Termination of the prosecutor’s criminal prosecution on a non-acquittal ground; or
- 9) Getting any of the illnesses or physical handicaps referred to in Article 33(2) of this Law.

2. A prosecutor may also be dismissed from office on the following grounds:

- 1) Violation of the procedure stipulated by this Law for the prosecutors’ appointment to office;
- 2) Failing to attend work for more than six consecutive months during a year due to temporarily inability to work; or
- 3) A decision referred to in Paragraph 14(6) of Article 54 of this Law.

3. In the cases stipulated by Paragraphs 1(5) and 1(6) of this Article, prosecutors shall be included in the reserve of prosecutors. They shall retain their salaries for three months after being included in the reserve.

An exception to the right of the unlimited mandate term is the fact that the RA Prosecutor General is appointed by the National Assembly for a period of six years. In addition, the same person may not be appointed Prosecutor General for more than twice.

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

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

No

Comments

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

Yes, what is the length of the mandate (in years)?

No

Comments

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

Yes, what is the length of the mandate (in years)?

No, what is the length of the mandate (in years)?

5.2. Training

5.2.1. Training of judges

127. Types of different trainings offered to judges

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

Comments Before being appointed as a Judge, a Judge candidate attends initial training program at the Academy of Justice, which also includes practicing at courts.

Initial training program is not attended by Former Judges, who have been working as a Judge at least 2 years during the last 10 years, as well as by the citizens of the Republic of Armenia who have Doctor of Laws degree and have constantly been teaching Law in higher educational institutions or working in a scientific institution during the last 5 years.

Courses included in the training program for acting judges are divided into general, related and special professional ones.

Within the frames of mandatory academic hours defined by law, the Judges select preferable courses from the offered list, selecting on a mandatory basis from the list of both special professional courses, as well as general and related ones.

Special professional courses are divided into spheres according to the specialization of Judges.

According to the annual program of training of acting judges general and related professional courses include courses for management functions, for example, "Management Skills and Impact Psychology".

Training programs for Judges are changed each year depending on the necessity emerged in judicial practice, legislative amendments and other circumstances, as well as taking into account the suggestions presented by trainees and other interested organizations. Taking the above-mentioned into consideration courses on computer skills have not been included in 2017 and 2018 annual training programs.

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

	Frequency of the judges training
General in-service training	[X] Regularly (for example every year) [] Occasional (as needed) [] No training proposed
In-service training for specialised judicial functions (e.g. judge for economic or administrative issues)	[X] Regularly (for example every year) [] Occasional (as needed) [] No training proposed

In-service training for management functions of the court (e.g. court president)	<input checked="" type="checkbox"/> Regularly (for example every year) <input type="checkbox"/> Occasional (as needed) <input type="checkbox"/> No training proposed
In-service training for the use of computer facilities in courts	<input type="checkbox"/> Regularly (for example every year) <input type="checkbox"/> Occasional (as needed) <input checked="" type="checkbox"/> No training proposed

Comments - Please indicate any information on the periodicity of the continuous training of judges: According to the Law on Justice Academy, the acting judges shall attend an annual mandatory training. During a year judges attend the training program at the Academy of Justice in two periods. The special professional courses are attended in the form of full-time education, while the general and related professional courses are attended in the form of full-time education or distance learning, depending on their choice. Training courses on management skills (if chosen) are included in the module of general and related professional training courses in the annual training program of judges.

The same will apply to training courses on computer skills, if they are included in the annual training programs of judges.

It should also be noted that besides the mentioned mandatory courses, the Academy of Justice periodically organizes additional training courses, seminars, conferences on various actual issues.

5.2.2. Training of prosecutors

129. Types of different trainings offered to public prosecutors

	Compulsory	Optional	No training proposed
Initial training	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
General in-service training	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
In-service training for specialised functions (e.g. public prosecutors specialised on organised crime)	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
In-service training for management functions in the courts (e.g. Head of prosecution office, manager)	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
In-service training for the use of computer facilities in office	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

Comments Initial training, once a year (for not less than 7 and no more than 10 months) is conducted for prosecutors' candidates included in the list of prosecutors nominees (from which appointments are made) - Law on the Justice Academy (Article 22 Part 4). Article 34 of the Law on Prosecution Services set forth the following:

9. A person included in the list of prosecutor candidates shall, in accordance with the procedure defined by the Prosecutor General, complete a program of studies in the Prosecutor School and take a qualification exam. A person that has not passed the qualification exam shall be removed from the list of prosecutor candidates.

10. A person shall be relieved of the requirement to study and take a qualification exam, if such person:

- 1) Has three years of professional work experience as a prosecutor, judge, investigator, or advocate, unless more than five years have passed since the person stopped performing such work;
- 2) Has a PhD degree in Law; or
- 3) Has a PhD Candidate degree in law and five years of experience working as a lawyer.

Article 60 set forth:

1. All prosecutors, with the exception of the Prosecutor General and his deputies, must undergo annual training in accordance with the

procedure defined by the Prosecutor General.

2. In addition to participating in mandatory training programs, a prosecutor shall have the right to participate in other educational training programs, conferences, and other professional gatherings of lawyers. Permission to be absent during work hours for up to two days in connection with participation in such events shall be given by the respective Deputy Prosecutor General. Permission for a longer term may be given by the Prosecutor General. If a prosecutor has received permission, then the prosecutor's absence in connection with participation in such events shall be considered excusable, and the prosecutor shall retain his salary.

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

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

Comments - Please indicate any information on the periodicity of the in-service training of prosecutors: Article 60 of the law on Prosecution services provides rules for Prosecutor's Participation in Educational Programs, according to which:

1. All prosecutors, with the exception of the Prosecutor General and his deputies, must undergo annual training in accordance with the procedure defined by the Prosecutor General.
2. In addition to participating in mandatory training programs, a prosecutor shall have the right to participate in other educational training programs, conferences, and other professional gatherings of lawyers. Permission to be absent during work hours for up to two days in connection with participation in such events shall be given by the respective Deputy Prosecutor General. Permission for a longer term may be given by the Prosecutor General. If a prosecutor has received permission, then the prosecutor's absence in connection with participation in such events shall be considered excusable, and the prosecutor shall retain his salary.

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

	Initial training only	Continuous training only	Initial and continuous training
One institution for judges	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
One institution for prosecutors	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
One single institution for both judges and prosecutors	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Comments Academy of Justice of the Republic of Armenia is in charge of judges and prosecutors' training.

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

	Budget of the institution for the reference year, in €
One institution for judges	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
One institution for prosecutors	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
One single institution for both judges and prosecutors	517679 <input type="checkbox"/> NA <input type="checkbox"/> NAP

Comments Academy of Justice of the Republic of Armenia is in charge of judges and prosecutors' training.

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

. Following the dissolution of the Prosecutor's Office School in 2013, professional training and annual retraining of prosecutors is carried out by the Justice Academy based on the RA Law on Justice Academy.

5.3. Practice of the profession

5.3.1. Salaries and benefits of judges and prosecutors

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

	Gross annual salary, in €	Net annual salary, in €	Gross annual salary, in local currency	Net annual salary, in local currency
First instance professional judge at the beginning of his/her career	16955 <input type="checkbox"/> NA <input type="checkbox"/> NAP	11748 <input type="checkbox"/> NA <input type="checkbox"/> NAP	8684182 <input type="checkbox"/> NA <input type="checkbox"/> NAP	6017295 <input type="checkbox"/> NA <input type="checkbox"/> NAP
Judge of the Supreme Court or the Highest Appellate Court (please indicate the average salary of a judge at this level, and not the salary of the Court President)	32043 <input type="checkbox"/> NA <input type="checkbox"/> NAP	23761 <input type="checkbox"/> NA <input type="checkbox"/> NAP	16412266 <input type="checkbox"/> NA <input type="checkbox"/> NAP	12170289 <input type="checkbox"/> NA <input type="checkbox"/> NAP
Public prosecutor at the beginning of his/her career	9576 <input type="checkbox"/> NA <input type="checkbox"/> NAP	6629 <input type="checkbox"/> NA <input type="checkbox"/> NAP	4904940 <input type="checkbox"/> NA <input type="checkbox"/> NAP	3395448 <input type="checkbox"/> NA <input type="checkbox"/> NAP
Public prosecutor of the Supreme Court or the Highest Appellate Instance (please indicate the average salary of a public prosecutor at this level, and not the salary of the Attorney General).	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP

Comments The term "Prosecutor General of the Supreme Court of Appeals" does not contain in the Armenian legislation, and such

position does not exist in the Prosecutor's Office.

Legal relations related to the remuneration of prosecutors, including the calculation of salaries, are regulated by the RA Law on Remuneration of State Employees, under Article 6 of which, salaries of public officials are composed of the basic salary, additional salaries and bonuses established by the law. The additional salary includes supplements and surcharges.

133. Do judges and public prosecutors have additional benefits?

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

Comments Article 56 on the Law of Prosecution service states.

The social, including pension security of public servants in the Prosecution shall be provided in accordance with the procedure stipulated by the Republic of Armenia legislation.

According to the Law of the Republic of Armenia "On Social Guarantees of State Officials", the right to pension has

1. The one who worked for at least ten years, who has been dismissed from office under Article 50, part 1, paragraphs 2 and 9 of the RA Law on Prosecutor's Office (the maximum age for prosecutors is 65, getting ill with one of the diseases incompatible with the position of the prosecutor or getting physical disabilities), as well as on the basis of the court's decision recognizing the person as dysfunctional.
2. The prosecutors in case of being recognized with a 3rd degree disability to perform as a prosecutor as a result of injury or negligence in performing their official duties or performance of their duties.

Article 57 of the Law on Prosecution services states.

The state shall safeguard Prosecutors the following:

- 1) Safe and appropriate working conditions for the performance of official duties; 2) An annual paid leave;
- 3) Training, during which the prosecutors shall retain their positions and remuneration;
- 4) In case of disability acquired during the performance of work duties, an appropriate payment to the prosecutor or, in case of his death, payment to his family members, in accordance with the procedure stipulated by the Republic of Armenia legislation; and
- 5) In case of work-related trips outside the place of the prosecutor's permanent residence, compensation of work-related travel costs in the amount and procedure stipulated by the legislation.

Judges get Reimbursement for transportation services.

134. If "other financial benefit", please specify:

. Reimbursement of transportation expenses

[] NAP

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

	With remuneration	Without remuneration
Teaching	(X) Yes () No	(X) Yes () No

Research and publication	(X) Yes () No	() Yes (X) No
Arbitrator	() Yes (X) No	() Yes (X) No
Consultant	() Yes (X) No	() Yes (X) No
Cultural function	() Yes (X) No	() Yes (X) No
Political function	() Yes (X) No	() Yes (X) No
Other function	() Yes (X) No	() Yes (X) No

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

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

	With remuneration	Without remuneration
Teaching	(X) Yes () No	(X) Yes () No
Research and publication	(X) Yes () No	(X) Yes () No
Arbitrator	() Yes (X) No	() Yes (X) No
Consultant	() Yes (X) No	() Yes (X) No
Cultural function	(X) Yes () No	() Yes (X) No
Political function	() Yes (X) No	() Yes (X) No
Other function	() Yes (X) No	() Yes (X) No

Comments - If rules exist in your country (e.g. authorisation needed to perform these activities), please specify. If “other function”, please specify. The article 43 of the Law on prosecution services states.

1. A prosecutor may not occupy a state or local government position unrelated to the performance of his duties, or a position in for-profit organizations, or perform other paid work, with the exception of scientific, pedagogic, and creative work.
2. Payment to the prosecutor for scientific, pedagogic, and creative work may not exceed the reasonable amount, i.e. the amount that would be paid to a non-prosecutor of similar qualification for the same work.
3. A prosecutor may not be a sole entrepreneur.
4. A prosecutor may not be a participant in economic companies or a depositor in a trust-based association, if, in addition to participation in the General Meeting of the company, the prosecutor is to engaged in the performance of managerial or other leadership functions in the organization.

139. Productivity bonuses: do judges receive bonuses based on the fulfilment of quantitative objectives in relation to the delivery of judgments (e.g. number of judgments delivered over a

given period of time) or cases examination?

Yes

No

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

5.4. Disciplinary procedures

5.4.1. Authorities responsible for disciplinary procedures and sanctions

140. Who is authorised to initiate disciplinary proceedings against judges (multiple options possible)?

Court users

Relevant Court or hierarchical superior

High Court / Supreme Court

High Judicial Council

Disciplinary court or body

Ombudsman

Parliament

Executive power (please specify): Minister of Justice

Other (please specify): Chairman of the Court of Cassation only against judges of the Court of Cassation

This is not possible

Comments The "executive power" mentioned above refers to the Ministry of Justice. "Other" checked in the above box refers to the Chairman of the Court of Cassation who has the right to initiate disciplinary proceeding against the chairman and a judge of the Court of Cassation base on allegations on violation of ethics and disciplinary rules by the mentioned judges.

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

Citizens

Head of the organisational unit or hierarchical superior public prosecutor

Prosecutor General / State public prosecutor

Public prosecutorial Council (and Judicial Council)

Disciplinary court or body

Ombudsman

Professional body

Executive power (please specify):

Other (please specify):

This is not possible

Comments Article 48 of the Law on Prosecution services states.

1. In relation to the fact of a disciplinary offence, the Prosecutor General or the appropriate higher-ranking prosecutor shall instigate disciplinary proceedings against a prosecutor.

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

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

Comments

143. Which authority has disciplinary power over public prosecutors? (multiple options possible):

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

Comments Under Article 8, paragraph 30 of the Regulation of the RA Prosecutor General's Office, approved by the RA Prosecutor General's Order No. 59, the implementation of the disciplinary proceedings against the prosecutor and compiling relevant conclusion were entrusted to the jurisdiction of the Department for Organizational-Supervisory and Legal Support of the RA Prosecutor General's Office.

5.4.2. Number of disciplinary procedures and sanctions

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

	Judges	Prosecutors
Total number (1+2+3+4)	8 <input type="checkbox"/> NA <input type="checkbox"/> NAP	9 <input type="checkbox"/> NA <input type="checkbox"/> NAP
1. Breach of professional ethics	2 <input type="checkbox"/> NA <input type="checkbox"/> NAP	2 <input type="checkbox"/> NA <input type="checkbox"/> NAP
2. Professional inadequacy	6 <input type="checkbox"/> NA <input type="checkbox"/> NAP	7 <input type="checkbox"/> NA <input type="checkbox"/> NAP

3. Criminal offence	0 [] NA [] NAP	0 [] NA [] NAP
4. Other	0 [] NA [] NAP	0 [] NA [] NAP

Comments - If “other”, please specify: 9 disciplinary proceedings against 9 prosecutors have been initiated from 2016 until October 1, 2017. Basis for 6 out of 9 disciplinary proceedings was the improper execution of official duties by a prosecutor (Article 46, Paragraph 1, Part 1 of the RA Law on Prosecution), the basis for one was the improper fulfillment of official duties and harsh or systematic breach of law while exercising its authority by the prosecutor and (Article 46, Paragraph 1, 1 and 2 part of the RA Law on Prosecutor's Office), and the basis for the other two was the violation of the requirements of the Code of Conduct of the Prosecutor (RA Law on Prosecution Article 46 paragraph 1, part 3).

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

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

Comments - If “other”, please specify. If a significant difference exists between the number of disciplinary proceedings and the number of sanctions, please indicate the reasons. On 144 issues 3 disciplinary proceedings have been instituted by the Ethics and Disciplinary Committee of the General Assembly of the Judges of the Republic of Armenia in 2016, 2 of which were based on the gross violation of judge's conduct rule, and 1 was based on the ground of obvious and gross violations of procedural norms. 1 of the initiated disciplinary

proceedings was dropped. During the same period, the RA Minister of Justice initiated 5 disciplinary proceedings, 3 of which were based on obvious and gross violation of the material and procedural norms, and 2 - on the basis of obvious and gross violations of procedural norms. 2 of the initiated disciplinary proceedings were dropped. On 145 issues, in 2016, the RA Justice Council has examined 4 petitions to subject a judge to disciplinary liability. As a result, 1 judge was declared wanted, and 3 disciplinary cases were dropped.

E3. Please indicate the sources for answering questions 144 and 145:

Sources: Data was provided by the General Prosecutor's Office of the Republic of Armenia and the Judicial Department.

6.Lawyers

6.1.Profession of lawyer

6.1.1.Status of the profession of lawyers



146. Total number of lawyers practising in your country:

[1848]

[] NA

[] NAP

Comments

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

Yes ()

No (X)

Comments See Comments to the Question 149

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

[]

[X] NA

[] NAP

Comments

149. (Modified question) Do lawyers have a monopoly on legal representation in (multiple options are possible):

	First instance	Second instance	Highest instance court (Supreme Court)
Civil cases	(X) Yes () No [] NAP	(X) Yes () No [] NAP	(X) Yes () No [] NAP

Dismissal cases	(X) Yes () No [] NAP	(X) Yes () No [] NAP	(X) Yes () No [] NAP
Criminal cases - Defendant	(X) Yes () No [] NAP	(X) Yes () No [] NAP	(X) Yes () No [] NAP
Criminal cases - Victim	() Yes (X) No [] NAP	() Yes (X) No [] NAP	() Yes (X) No [] NAP
Administrative cases	() Yes (X) No [] NAP	() Yes (X) No [] NAP	() Yes (X) No [] NAP
There is no monopoly	() Yes (X) No [] NAP	() Yes (X) No [] NAP	() Yes (X) No [] NAP

Comments - Please, indicate any useful clarifications regarding the content of lawyers' monopoly: According to Article 39 of the Civil Procedure Code, citizens can try their cases in court in person or through a representative. A citizen's participation in the case does not deprive him/her of the right to have a representative for the case.

According to the Article 40 of the Civil Procedure Code, a representative in a case may be any person who possesses an appropriate authority/power of attorney given by a party in the case authorizing him/her to conduct the case in the court. Exceptions from this rule are set forth in Article 5 of the Law on Advocacy.

According to Article 5 of the Law on Advocacy, representation in courts is conducted only by licensed advocates unless when a person represents her/his close relatives or the legal entity in which more than a half of share belongs to a persons' close relative. The same procedure is also defined by the Administrative and Criminal Procedure Codes.

149-0. (New question) If there is no monopoly, please specify the organisations or persons that may represent a client before a court:

	First instance	Second instance	Highest instance court (Supreme Court)
Civil society organisation	(X) Yes () No [] NAP	(X) Yes () No [] NAP	(X) Yes () No [] NAP
Family member	(X) Yes () No [] NAP	(X) Yes () No [] NAP	(X) Yes () No [] NAP
Self-representation	(X) Yes () No [] NAP	(X) Yes () No [] NAP	(X) Yes () No [] NAP
Trade union	(X) Yes () No [] NAP	(X) Yes () No [] NAP	(X) Yes () No [] NAP
Other	() Yes () No [X] NAP	() Yes () No [X] NAP	() Yes () No [X] NAP

Comments - If "other", please specify. In addition, please specify for the categories mentioned, the types of cases concerned by this/these representation(s): See the comment to Question 149

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

- Notarial activity
- Arbitration / mediation
- Proxy / representation
- Property manager
- Real estate agent
- Other law activities (please specify):Bankruptcy, administrator

Comments According to Article 5 of the Law on Advocacy, Practice of the profession of advocate shall include:

- (1) advice, including advising clients on their rights and obligations, on activities of the judicial system with respect to the rights of the client, as well as examination of documents and drawing up of other documents of a legal nature; (2) representation, including court representation;
- (3) defense in criminal cases. (4) providing legal assistance to the witness in cases and in the manner prescribed by law.

149-2. What are the statuses for exercising the legal profession in court?

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

Comments

150. Is the lawyer profession organised through:

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

Comments

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

- Yes
- No

Comments - If not, please indicate if there are other specific requirements as regards diplomas or university degrees: To become a lawyer, a person must be admitted to the School of Advocates, after which he/she acquires the status of the Listener/Audience of the Advocates' School. Then there is a probation period during which a two-stage training is organized - theoretical training and practical training. The total duration of the training can not be less than six months. After graduating from the School of Advocates, the listener must participate in the qualifying exams and after successfully passing the exams, he/she is admitted to practice law as an advocate (Law on Advocacy: Articles 45.6-45.11).

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

- Yes
- No

Comments The advocate must take training courses according to the procedure and timetable established by the Chamber of Advocates, which can not be less than forty-eight hours in two years. (Law on Advocacy: Articles 45.12).

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

- Yes

(X) No

Comments - If yes, please specify:

F1. Please indicate the sources for answering questions 146 and 148:

Sources: Information is provided by the the General Department of the Chamber of Advocates of RA.

6.1.2. Practicing the profession

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

(X) Yes

() No

Comments The Council of the Chamber of Advocates may establish an average recommended price list for lawyers/advocates' fees that can be used by courts in determining the reasonable amount of remuneration of a lawyer/advocate's within the litigation costs. The price list can not be used for any other purpose. (Law on Advocacy: Article 6, Paragraph 5).

155. Are lawyers' fees freely negotiated?

(X) Yes

() No

Comments

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

[] Yes laws provide rules

[X] Yes standards of the bar association provide rules

[] No neither laws nor bar association standards provide rules

Comments The Council of the Chamber of Advocates may establish an average recommended price list for lawyers/advocates' fees that can be used by courts in determining the reasonable amount of remuneration of a lawyer/advocate's within the litigation costs. The price list can not be used for any other purpose. (Law on Advocacy: Article 6, Paragraph 5).

6.1.3. Quality standards and disciplinary procedures

157. Have quality standards been determined for lawyers?

() Yes

(X) No

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

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

[] the bar association

[] the Parliament

other (please specify):

Comments

159. Is it possible to file a complaint about:

the performance of lawyers

the amount of fees

Comments - Please specify: Everybody can file a complaint about the performance of lawyers/advocates to the Chamber of Advocates and if the complaint includes elements of violation of the law on Advocacy or Code of Conduct, then a disciplinary proceeding will be initiated.

160. Which authority is responsible for disciplinary procedures?

the judge

the Ministry of Justice

a professional authority

other (please specify):

Comments The Council of the Chamber of Advocates of the Republic of Armenia.

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

	Number of disciplinary proceedings
Total number of disciplinary proceedings initiated (1 + 2 + 3 + 4)	1629 <input type="checkbox"/> NA <input type="checkbox"/> NAP
1. Breach of professional ethics	452 <input type="checkbox"/> NA <input type="checkbox"/> NAP
2. Professional inadequacy	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
3. Criminal offence	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
4. Other	1177 <input type="checkbox"/> NA <input type="checkbox"/> NAP

Comments - If "other", please specify: The significant increase of the disciplinary proceedings is for failure to pay membership dues and for failure to participate in training courses.

162. Sanctions pronounced against lawyers.

	Number of sanctions
Total number of sanctions (1 + 2 + 3 + 4 + 5)	518 <input type="checkbox"/> NA <input type="checkbox"/> NAP

1. Reprimand	416 [] NA [] NAP
2. Suspension	[X] NA [] NAP
3. Withdrawal from cases	[X] NA [] NAP
4. Fine	76 [] NA [] NAP
5. Other	26 [] NA [] NAP

Comments - If "other", please specify. If a significant difference between the number of disciplinary proceedings and the number of sanctions exists, please indicate the reasons. "Other" is the participation in additional training courses and termination of license. The difference is due to the fact that some of the disciplinary proceedings initiated have been dismissed and no sanction has been imposed on advocates.

7. Alternative dispute resolutions

7.1. Mediation

7.1.1. Details on mediation procedures and other ADR

163. Does the judicial system provide for judicial mediation procedures? If this is not the case you will go directly to question 168.

Yes

No

Comments

163-1. In some fields, does the judicial system provide for mandatory mediation procedures?

Before going to court

Ordered by a judge in the course of a judicial proceeding

Comments - If there are mandatory mediation procedures, please specify which fields are concerned: Judicial mediation: Upon consent or motion of the parties, the court may refer parties to a mediation at any stage of the hearing of the civil case in the first instance or appellate court. For example, in civil disputes or divorce cases, judges may refer parties to a mediator if they believe that there is a chance of amicable settlement between the parties.

164. Please specify, by type of cases, the organisation of judicial mediation:

	Court annexed mediation	Private mediator	Public authority (other than the court)	Judge	Public prosecutor
Civil and commercial cases	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Family law cases (ex. divorce)	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

Administrative cases	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Employment dismissals	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Criminal cases	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

Comments The amendments into the Civil Procedure Code and the Judicial Code that were referred to in the previous section, limit the scope of mediation's application by the civil, family and labor cases. The Republic of Armenia has not introduced mediation in penal and administrative cases at this time.

It is worth mentioning that new provisions have been included in the Family Code of the Republic of Armenia specifying cases when a court is obliged to offer to the parties in a divorce case to use mediation. Other provisions stipulate the right of parties in divorce cases to use arbitration in disputes over property issues in divorce cases.

165. Is there a possibility to receive legal aid for judicial mediation procedures?

- Yes
- No

Comments - If yes, please specify:

166. Number of accredited or registered mediators who practice judicial mediation:

[55]

- NA
- NAP

Comments

167. Number of judicial mediation procedures.

	Number of judicial mediation procedures
Total number of mediation cases (total 1 + 2 + 3 + 4 + 5)	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
1. Civil and commercial cases	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
2. Family cases	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
3. Administrative cases	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
4. Employment dismissal cases	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
5. Criminal cases	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP

Comments - Please indicate the source:

168. Does the legal system provide for the following alternative dispute resolutions (ADR):

mediation other than judicial mediation

arbitration

conciliation

other ADR (please specify):

Comments

G1. Please indicate the source for answering question 166:

Source: The mediators are registered at the Ministry of Justice. The data is taken from the database of the Ministry of Justice.

8.Enforcement of court decisions

8.1.Execution of decisions in civil matters

8.1.1.Functioning

169. Do you have enforcement agents in your judicial system?

Yes

No

Comments

170. Number of enforcement agents

[369]

NA

NAP

Comments

171. Are enforcement agents (multiple options are possible):

judges

bailiffs practising as private professionals under the authority (control) of public authorities

bailiffs working in a public institution

other

Comments - Please specify their status and powers: According to the Article 9 of the Law of RA “On Judicial Acts Compulsory Enforcement Service”,

the right to take office in the Judicial Acts Compulsory Enforcement Service as a compulsory enforcement officer shall be vested in nationals of the Republic of Armenia with higher education, who, irrespective of sex, national origin, race, social origin, property or other status:

(1) have completed compulsory military service (except for female citizens and for cases referred to in the third paragraph of this part);

(2) have a command of Armenian;

(3) their professional knowledge, practical and individual qualities and health condition enable

them to perform the duties of compulsory enforcement officer.

Professional requirements as well as requirements for the health condition of compulsory enforcement officers shall be established by the Government of the Republic of Armenia.

Citizens serving in the Compulsory Enforcement Service are government servants.

According to the Article 18 of the Law of RA “On Judicial Acts Compulsory Enforcement Service”, rights of compulsory enforcement officers shall be the following:

- (1) acquainting themselves with the legal acts laying down their rights and duties in the position held;
- (2) acquainting themselves with all the materials of their personal files, i. e., their performance evaluations and other documents concerning their official practice, and furnishing explanations thereon;
- (3) receiving, in the prescribed manner, information and materials necessary for the performance of official duties;
- (4) taking decisions within the scope of their competence;
- (5) receiving pecuniary satisfaction;
- (6) social protection and security;
- (7) legal protection;
- (8) promotion in title in the prescribed manner;
- (9) appealing against appointment to position and performance appraisal results;
- (10) submitting proposals on issues pertaining to organisation and improvement of service.

Compulsory enforcement officers may have other rights as prescribed by this Law, other laws and legal acts.

The rights and duties of compulsory enforcement officers in the compulsory enforcement of judicial acts are prescribed by the Article 24 of the Law of RA “On Judicial Acts Compulsory Enforcement Service”.

171-1. Do enforcement agents have the monopoly in exercising their profession?

Yes

No

Comments - Please indicate any useful clarifications regarding the content of the enforcement agents’ monopoly or on the opposite regarding the competition they have to deal with: There is only one state body of enforcement in the Republic of Armenia.

According to the Article 2 of the Law of RA “On Judicial Acts Compulsory Enforcement Service”, the Judicial Acts Compulsory Enforcement Service shall ensure the compulsory enforcement of judicial acts specified in the Law of RA “On compulsory enforcement of judicial acts”. The Compulsory Enforcement Service is a special type of government service and its peculiarities are defined by the Law of RA “On Judicial Acts Compulsory Enforcement Service”.

171-2. Can the enforcement agent carry out the following civil enforcement proceedings:

	Option
Seizure of movable tangible properties	<input checked="" type="checkbox"/> Yes with monopole <input type="checkbox"/> Yes without monopole <input type="checkbox"/> No <input type="checkbox"/> NAP
Seizure of immovable properties	<input checked="" type="checkbox"/> Yes with monopole <input type="checkbox"/> Yes without monopole <input type="checkbox"/> No <input type="checkbox"/> NAP

Seizure from a third party of the debtor claims regarding a sum of money	(X) Yes with monopole () Yes without monopole () No [] NAP
Seizure of remunerations	(X) Yes with monopole () Yes without monopole () No [] NAP
Seizure of motorised vehicles	(X) Yes with monopole () Yes without monopole () No [] NAP
Eviction measures	(X) Yes with monopole () Yes without monopole () No [] NAP
Enforced sale by public tender of seized properties	(X) Yes with monopole () Yes without monopole () No [] NAP
Other	() Yes with monopole () Yes without monopole () No [X] NAP

Comments

171-3. Apart of the enforcement of court decisions, what are the other activities that can be carried out by enforcement agents?

- [] Service of judicial and extrajudicial documents
- [] Debt recovery
- [] Voluntary sale of moveable or immoveable property at public auction
- [X] Seizure of goods
- [] Recording and reporting of evidence
- [] Court hearings service
- [] Provision of legal advice
- [] Bankruptcy procedures
- [] Performing tasks assigned by judges
- [] Representing parties in courts
- [] Drawing up private deeds and documents
- [] Building manager
- [X] Other

Comments Enforcement of administrative acts, enforcement of notary writ of execution (Article 1 of Law of RA "On Judicial Acts Compulsory Enforcement")

172. Is there a specific initial training or exam to become an enforcement agent?

Yes

No

Comments According to the Article 12.1 of the Law of RA “On Judicial Acts Compulsory Enforcement Service”, in case of a vacant leading position of compulsory enforcement officer and inspector of the Compulsory Enforcement Service, the Chief Compulsory Enforcement Officer shall call a competition within a month following the vacancy of the position.

The competition shall be held in two stages: test and interview.

According to the Article 12.2 of the same Law, a person filling a Compulsory Enforcement Service position for the first time shall be appointed with a probation period of up to six months. The duration of the probation for each officer shall be set by the Chief Compulsory Enforcement Officer.

172-1. Is there a system of mandatory general continuous training for enforcement agents?

Yes

No

Comments According to the Article 14 of the Law of RA “On Judicial Acts Compulsory Enforcement Service”, the compulsory enforcement officers holding chief and leading positions of the Compulsory Enforcement Service shall be subject to mandatory training at least once in five years.

173. Is the profession of enforcement agents organised by (the answer NAP means that the profession is not organised):

a national body

a regional body

a local body

NAP

Comments Ministry of Justice.

174. Are enforcement fees easily established and transparent for the court users?

Yes

No

Comments According to the Article 66 of the Law of RA “On Judicial Acts Compulsory Enforcement”, expenses of carrying out enforcement actions are means spent by the compulsory enforcement officer for arranging and carrying out such actions as well as means spent by the parties to enforcement proceedings and other persons.

Expenses of carrying out enforcement actions are means that have been spent for:

- (1) discovery, examination, imposing attachment, transportation, putting into storage, evaluation and realisation of the debtor’s property;
- (2) remunerating the experts;
- (3) transferring to the claimant the amounts levied in execution;
- (4) searching for the debtor and/or his property;
- (5) carrying out other enforcement actions.

175. Are enforcement fees freely negotiated?

Yes

No

Comments Enforcement fees are specifically defined by the Article 67 of the Law of RA “On Judicial Acts Compulsory Enforcement”.

176. Do laws provide any rules on enforcement fees (including those freely negotiated)?

Yes

No

Comments According to the Article 67 of the Law of RA “On Judicial Acts Compulsory Enforcement”, expenses of carrying out enforcement actions shall be levied from the debtor:

(a) in the amount of five per cent of the amount intended for satisfying the claim in the amount of AMD 100 000 and more in enforcement proceedings of property nature, and in the amount of five per cent of the property's value in case of delivery of property;

(b) in the amount of AMD 5000 in enforcement proceedings targeted at satisfying a claim in the amount from 10 000 AMD up to AMD 100 000 and in enforcement proceedings of non-property nature,

(c) in the amount of fifty per cent of the amount intended for satisfying the claim in the amount of up to AMD 10 000 in enforcement proceedings of property nature.

No enforcement expenses shall be levied in alimony enforcement proceedings, enforcement proceedings on levy of execution on salary and on compensation of damage caused to life and health.

H0. Please indicate the sources for answering question 170

Source: The total number of staff working in the Judicial Acts Compulsory Enforcement Service is 568, from which the judicial officers are 369.

The data and information in this chapter were submitted by the Judicial Acts Compulsory Enforcement Service of the Republic of Armenia.

8.1.2. Efficiency of enforcement services

177. Is there a body entrusted with supervising and monitoring the enforcement agents' activity?

Yes

No

Comments

178. Which authority is responsible for supervising and monitoring enforcement agents?

a professional body

the judge

the Ministry of Justice

the public prosecutor

other (please specify):

Comments

179. Have quality standards been determined for enforcement agents?

Yes

No

Comments - If yes, what are the quality criteria used? According to the Article 9 of the Law of RA “On Judicial Acts Compulsory Enforcement

Service”, the right to take office in the Judicial Acts Compulsory Enforcement Service as a

compulsory enforcement officer shall be vested in nationals of the Republic of Armenia with higher education, who, irrespective of sex, national origin, race, social origin, property or other status:

- (1) have completed compulsory military service (except for female citizens and for cases referred to in the third paragraph of this part);
- (2) have a command of Armenian;
- (3) their professional knowledge, practical and individual qualities and health condition enable them to perform the duties of compulsory enforcement officer.

Professional requirements as well as requirements for the health condition of compulsory enforcement officers shall be established by the Government of the Republic of Armenia. A citizen may not take office in the Compulsory Enforcement Service as a compulsory enforcement officer, who:

- (1) has been judicially declared as having no or limited active legal capacity;
- (2) has been judicially deprived of the right to hold a position in civil or other service;
- (3) has been convicted of committing a crime, and the conviction has not been cancelled or has not expired in the prescribed manner;
- (4) is under criminal prosecution;
- (5) does not meet the requirements laid down in part 1 of the mentioned Article.

The professional and health requirements for a compulsory enforcement officer are laid down also by the Decision of the Government of the Republic of Armenia N 926-N, from 25 June, 2004.

180. If yes, who is responsible for establishing these quality standards?

- a professional body
- the judge
- the Ministry of Justice
- other (please specify):

Comments The quality standards for the compulsory enforcement officers are established by the Law of RA “On Judicial Acts Compulsory Enforcement Service”.

The professional and health requirements for a compulsory enforcement officer are laid down also by the Decision of the Government of the Republic of Armenia N 926-N, from 25 June, 2004.

181. Is there a specific mechanism for executing court decisions rendered against public authorities, including supervising such execution?

- Yes
- No

Comments - If yes, please specify:

182. Is there a system for monitoring how the enforcement procedure is conducted by the enforcement agent?

- Yes
- No

Comments - If yes, please specify: The Inspection and Analytical Department of the Judicial Acts Compulsory Enforcement Service of RA is inspecting the enforcement procedure carried out by the departments of the Service.

The same power also has the Control Service of the Ministry of Justice of RA.

183. What are the main complaints made by users concerning the enforcement procedure? Please indicate a maximum of 3.

- no execution at all
- non execution of court decisions against public authorities
- lack of information
- excessive length
- unlawful practices
- insufficient supervision
- excessive cost
- other (please specify):

Comments

184. Has your country prepared or established concrete measures to change the situation concerning the enforcement of court decisions – in particular as regards decisions against public authorities?

- Yes
- No

Comments - If yes, please specify: According to Part 1 of the Article 353 of the Criminal Code of RA, willful failure by an official of state or local government body to carry out an effective court sentence, verdict or other court act, is punished with a fine in the amount of 400 to 600 minimal salaries, or with arrest for the term of 1-3 months, or with imprisonment for the term of up to 2 years.

185. Is there a system measuring the length of enforcement procedures:

	Existence of the system
for civil cases	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
for administrative cases	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

Comments According to the Article 34 of the Law of RA “On Judicial Acts Compulsory Enforcement”, a time limit of two months is established for carrying out enforcement actions, except for several cases provided by the law.

Periods of auctioning stage of enforcement proceedings, realisation of property through direct sale, search for the debtor or his property, as well as periods of adjourning or staying enforcement proceedings shall not be counted in the time limit of two months for carrying out enforcement actions.

186. As regards a decision on debt collection, please estimate the average timeframe to notify the decision to the parties who live in the city where the court sits (one option only):

- between 1 and 5 days
- between 6 and 10 days
- between 11 and 30 days

(X) more (please specify):

Comments Not applicable.

187. Number of disciplinary proceedings initiated against enforcement agents. (If a disciplinary proceeding is undertaken because of several reasons, please count the proceedings only once and for the main reason.)

	Number of disciplinary proceedings initiated
Total number of initiated disciplinary proceedings (1+2+3+4)	19 [] NA [] NAP
1. For breach of professional ethics	1 [] NA [] NAP
2. For professional inadequacy	17 [] NA [] NAP
3. For criminal offence	1 [] NA [] NAP
4. Other	[] NA [X] NAP

Comments - If "other", please specify:

188. Number of sanctions pronounced against enforcement agents:

	Number of sanctions pronounced
Total number of sanctions (1+2+3+4+5)	9 [] NA [] NAP
1. Reprimand	6 [] NA [] NAP
2. Suspension	[X] NA [] NAP
3. Withdrawal from cases	[X] NA [] NAP
4. Fine	[X] NA [] NAP
5. Other	3 [] NA [] NAP

Comments - If "other", please specify. If a significant difference between the number of disciplinary proceedings and the number of sanctions exists, please indicate the reasons: Other is the dismissal from Service.

According to the Article 35 of the Law of RA "On Judicial Acts Compulsory Enforcement Service", disciplinary sanctions are applicable to compulsory enforcement officers.

In cases of non-performance or improper performance of official duties without good reason, abuse of official position, excess of official powers, as well as in cases of violation of rules of conduct of compulsory enforcement officers, the following disciplinary sanctions shall be applied to compulsory enforcement officers:

- (1) reprimand;
- (2) severe reprimand;
- (3) demotion in position;
- (4) demotion in title by one level;
- (5) dismissal from Service.

H1. Please indicate the sources for answering questions 186, 187 and 188:

Source: The data are taken from the Inspection and Analytical Department of the Judicial Acts
Compulsory Enforcement Service of RA.

8.2. Execution of decisions in criminal matters

8.2.1. Functioning of execution in criminal matters

189. Which authority is in charge of the enforcement of judgments in criminal matters? (multiple options possible)

- Judge
- Public prosecutor
- Prison and Probation Services
- Other authority (please specify):

Comments - Please specify his/her functions and duties (e.g. initiative or monitoring functions). One of the main issues of the Penitentiary Service is the execution of the sanctions envisaged by the Criminal Code of the Republic of Armenia, imposed by the court (hereinafter, the penalties) in accordance with the procedure prescribed by law. The Penitentiary Service ensures implementation of its tasks through its central body, which is the the Penitentiary Department and through its structural subdivisions and penitentiary institutions.

/Law on the Penitentiary Service of RA: Articles 4, 6/

The Probation Service deals with the sanctions not related to deprivation of liberty. /Law on The Probation Service Service of RA: Articles 4, 5/

190. Are the effective recovery rates of fines decided by a criminal court evaluated by studies?

- Yes
- No

Comments

191. If yes, what is the recovery rate?

- 80-100%
- 50-79%
- less than 50%

9. Notaries

9.1. Profession of notary

9.1.1. Number and status of notaries

192. Number and type of notaries in your country. If you do not have notaries skip to question 197.

	Number of notaries
TOTAL	113 [] NA [] NAP
Private professionals (without control from public authorities)	[X] NA [] NAP
Private professionals under the authority (control) of public authorities	113 [] NA [] NAP
Public agents	[X] NA [] NAP
Other	[] NA [X] NAP

Comments - If "other", please specify the status: A notary is a person performing public services and facilitating the delivery of justice who, on behalf of the Republic of Armenia and in accordance with the Constitution and the laws of the Republic of Armenia makes notarial actions and renders notarial services provided by the Law on Notary. Features and the status of the notary are established by the Law on Notary.

The notary is independent and subject only to the law. Any influence on or interference with activities of the notary is forbidden. In the cases and manner prescribed by the Law on Notary, the Ministry of Justice supervises over notarial actions and other services provided by notaries, as well as over the compliance of notaries with ethical rules.

192-1. What are the access conditions to the profession of notary:

- diploma
- payment of a fee (e.g. purchasing office)
- co-opting of peers
- other

Comments In the manner prescribed by the Law on Notary, any citizen who is at least 25 years old, has a Bachelor's Degree in jurisprudence, has no criminal record, has completed at least one year of internship under the supervision of at an acting notary (in case of a 3-year legal professional experience or academic degree, at least 3 months internship experience is required) and has passed the notary's qualification exam and an interview thereafter, may be appointed as a notary.

192-2. (Modified question) What is the duration of appointment of a notary?

- Limited duration, please indicate it in years:
- Unlimited duration

194. Do notaries have duties (multiple options possible):

- within the framework of civil procedure
- in the field of legal advice
- to certify the authenticity of legal deeds and certificates
- in the field of mediation
- other (please specify):

Comments According to the Article 36.1 Notary implements the following notary actions:

- 1) Ratify transactions (contracts, wills, power of attorney, agreements, etc.);
- 2) Take measures for the protection of hereditary property;
- 3) Give inheritance certificates;
- 4) Issue certificates of ownership to the share of the property under shared ownership or joint ownership rules;
- 5) Ratify the authenticity of copies of the documents or their extracts;
- 6) Ratify the authenticity of the signature on the documents;
- 7) Ratify the authenticity of the translation;
- 8) Confirms that the citizen is alive;
- 9) Confirms the fact that the citizen is in a certain place;
- 10) Confirms the identity of the person and the citizen depicted in the photo;
- 11) Approve the time for submission of documents;
- 12) Transmit applications, declarations or other documents of individuals or organizations to other individuals or organizations;
- 13) Deposit, deliver or return cash or securities, precious metals, stones and issue a certificate;
- 14) Keep records of documents;
- 15) Provide evidence;
- 16) Ratify the minutes of the Organization's general meeting or the collegial body of other organization;
- 17) Hand over inheritable property to trust management;
- 18) Give Certification of Examiner's Power of Attorney;
- 19) With the consent of all the heirs, revokes previous certificates of inheritance rights;
- 20) Ratify the authenticity of the signature of the translator he / she has trusted;
- 21) Give a performance record sheet;
- 22) Provide duplicates of notary acts;
- 23) Carry out other notary actions prescribed by law.

Since October 19 of 2016, Notaries' powers have expanded by the law "On making amendments and additions to the Law of the Republic of Armenia On Notary " to include issuing enforcement orders for certain types of contacts notarized by notaries, as well as certain types of legally relevant facts that previously had to be established by the court (e.g. the kinship relations of persons; the guardianship of the person by another one; records concerning birth, adoption, marriage, divorce and death; acceptance of inheritance and the place of commencement of inheritance; the ownership of documents which establish rights, except the passport and military documents; management of property in the form of ownership - Article 81.1 of the Law on Notary).

194-1. Do notaries have the monopoly when exercising their profession:

- in civil procedure
- in the field of legal advice
- to authenticate deeds/certificates
- in the field of mediation
- other

Comments - Please indicate any useful clarifications regarding the content of the notaries' monopoly or on the opposite regarding the competition they have to deal with: According to the Article 36.1 Notary implements the following notary actions:

Ratify transactions (contracts, wills, power of attorney, agreements, etc.);
Give inheritance certificates.

194-2. As well as these activities, what are the other ones that can be carried out by notaries?

- Real estate transaction
- Settlement of estates
- Legality control of gambling activities
- Authentication of documents
- Translations
- Signatures
- Other

Comments See the answer to the question 19 According to the Article 36.1 Notary implements the following notary actions:

- 1) Ratify transactions (contracts, wills, power of attorney, agreements, etc.);
- 2) Take measures for the protection of hereditary property;
- 3) Give inheritance certificates;
- 4) Issue certificates of ownership to the share of the property under shared ownership or joint ownership rules;
- 5) Ratify the authenticity of copies of the documents or their extracts;
- 6) Ratify the authenticity of the signature on the documents;
- 7) Ratify the authenticity of the translation;
- 8) Confirms that the citizen is alive;
- 9) Confirms the fact that the citizen is in a certain place;
- 10) Confirms the identity of the person and the citizen depicted in the photo;
- 11) Approve the time for submission of documents;
- 12) Transmit applications, declarations or other documents of individuals or organizations to other individuals or organizations;
- 13) Deposit, deliver or return cash or securities, precious metals, stones and issue a certificate;
- 14) Keep records of documents;
- 15) Provide evidence;
- 16) Ratify the minutes of the Organization's general meeting or the collegial body of other organization;
- 17) Hand over inheritable property to trust management;
- 18) Give Certification of Examiner's Power of Attorney;
- 19) With the consent of all the heirs, revokes previous certificates of inheritance rights;
- 20) Ratify the authenticity of the signature of the translator he / she has trusted;
- 21) Give a performance record sheet;
- 22) Provide duplicates of notary acts;
- 23) Carry out other notary actions prescribed by law.

Since October 19 of 2016 Notaries' powers expanded by the law "On making amendments and additions to the Law of the Republic of Armenia On Notary ". The institute for issuing a performance notarization by the notary has been introduced, as a result of which the notary acts of notary activities were added to the issuance of a writ of execution (Article 36 Paragraph 1 of Part 1 of Article 21), as well as notary confirms legal acts.

195. Is there an authority entrusted with supervising and monitoring the notaries' work?

- Yes
- No

Comments

196. If yes, which authority is responsible for supervising and monitoring notaries?

- a professional body

- the judge
- the Ministry of Justice
- the public prosecutor
- the Ministry of Interior
- other (please specify):

Comments According to Article 19 of the Law on Notary,

1. The supervision over the performance of notary or other acts performed by the notary shall be carried out by the Ministry of Justice in the manner prescribed by the Minister. In order to supervise, the notary may be requested the necessary documents or other materials. Notarized acts of a notary may be taken at the written request of the Minister of Justice. Before making a check in the notary's office The General notarial chamber is informed, the representative of the latter has the right to participate in the inspection.

The notaries are examined by the Justice Minister or the Notary Chamber.

2. Other public authorities may exercise control over the notary within the limits of law directly. Minister of Justice and notary's office should be notified before other authorities carry out checks in the notary office. They should be also provided with copies of acts (protocols) on the results of the inspection.

196-1. Is there a system of general continuous training mandatory for all notaries?

- Yes
- No

Comments According to Article 23 (1) (7) of the Law on Notary, the notary is required to undergo retraining yearly organized by the Notary Chamber in the manner and terms defined by the Notary Chamber.

I1. Please indicate the sources for answering question 192:

Sources: Notary Chamber of Republic of Armenia

10.Court interpreters

10.1.Details on profession of court interpreter

10.1.1.Status of court interpreters

197. Is the title of court interpreters protected?

- Yes
- No

Comments The Services of Interpreters are being obtained via State Procurement procedures where the quality requirements are a must. Binding provisions regarding the quality of court interpretation defines by the Article 6 of the Procurement Law of the Republic of Armenia.

In accordance with the paragraph 3 of the Article 6 of the Procurement Law "The participant must meet the qualification criteria set out in the invitation. The participant must have some qualities for the performance of obligations under the contract, such as 1.compliance with the professional activity of the contract.

- 2.professional experience.
- 3.technical measures.
- 4.financial measures.

5.working resources".

In accordance with the paragraph 4 of the Article 6 of the Procurement Law "Some criteria, connected with the right to participate in purchases and qualifications, that are not define in this Article, that are discriminatory and restrict competition, that are not adequate and directly do not derived from the necessity of fulfillment of obligations under the contract can not be set for the participant".

198. Is the function of court interpreters regulated by legal norms?

Yes

No

Comments The function of court interpreters is regulated by the Article 19 of the Judicial Code, Article 46 of the Civil Procedure Code, Article 83 of the Criminal Procedure Code, Article 9 Paragraphs 5-7 of the Administrative Procedure Code.

According to Article 46 of the Civil Procedure Code, the interpreter is the person who masters the languages necessary for interpretation. The court is entitled to appoint the interpreter as suggested by the party which pays for the interpretation services. The interpreter is entitled to ask questions to make the interpretation more accurate.

According to the Article 83 of the Criminal Procedure Code, an interpreter is a person, disinterested personally in the criminal case, invited by a body conducting criminal trial, for interpretation. The interpreter shall have a free command of the language of criminal proceedings, as well as the language, from which the translation is conducted. The judge and as well as the prosecutor, the officer of the body of inquiry, the defense attorney, the representative and other participants of the trial, the witness to a search, the expert, the witness are not entitled to be interpreters. An interpreter, pursuant to this Code, is considered also a person, who understands the signs of the deaf-mutes people and is capable to communicate with the deaf though signs.

4. The interpreter has the following obligations:

- 1) to arrive upon the call of the body, conducting the criminal trial, for conduct of translation;
- 2) to present to the body, conducting the criminal trial, documents, verifying his/her qualification as an interpreter;
- 3) to communicate, upon the demand of the body, conducting the criminal trial and also the parties, information on his/her professional experience and on relations with the people participating in the proceedings of respective criminal case;
- 4) to be at the location of the implementation of investigatory or other procedure action, in the room of court session during all the time, until it is necessary for him/her to provide interpretation, and not to leave the location of the implementation of the named action (not official copy) without the permission of the person, conducting it, and from the room of court session, without the permission of the presiding person;
- 5) to conduct interpretation fully, correctly and timely;
- 6) to obey the lawful instructions of the prosecutor, the investigator, the body of inquiry, of the presiding person;
- 7) to observe order at the court session;
- 8) to verify with his/her signature the fullness and the correctness of the translation in the protocol of investigatory or other procedure action, in the proceedings of which he/she participated, and also the correctness of the translation in the documents, issued in translation to the persons, participating in the proceedings of the criminal case;
- 9) to not divulge, without the permission of the body, conducting the criminal trial, the information, became known to him/her in connection with the participation in the investigatory action or during the closed-door session of the court.

5. Failure to perform one's obligations by the interpreter produces responsibility, prescribed by the law.

6. The interpreter has the right:

- 1) to ask questions to the persons, present during the interpretation, to make the translation more accurate;
- 2) to acquaint himself/herself with the protocols of investigatory or other procedure action, in which he/she participated, and also, in the respective part, with the protocol of the court

session and to make remarks, subject to inclusion to the protocol, on the fullness and correctness of the record of translation;

3) to receive compensation of the expenses, incurred during the proceedings of the criminal case.

199. Number of accredited or registered court interpreters:

[]

[] NA

[X] NAP

Comments There are no registered interpreters but there is always a procurement to buy this services, which is being done for each case.

200. Are there binding provisions regarding the quality of court interpretation within judicial proceedings?

(X) Yes

() No

Comments - If yes, please specify: The Services of Interpreters are being obtained via State Procurement procedures where the quality requirements are a must.

Binding provisions regarding the quality of court interpretation defines by the Article 6 of Procurement law.

See, also, the questions 197, 198.

201. Are the courts responsible for selecting court interpreters?

[] Yes, for recruitment and/or appointment for a specific term of office

[] Yes, for recruitment and/or appointment on an ad hoc basis, according to the specific needs of given proceedings

[X] No, please specify which authority selects court interpretersJudicial Department

Comments When there are grounds requiring involvement/appointment of an interpreter in a case, the court, according to the relevant procedural laws, makes a decision on involving an interpreter in a case. The appointment procedure, the size and procedure of remuneration of interpreters is set forth by the Government Decree (The decision of the RA government on appointment of court interpreters by RA courts and settlement of the size and order of their remuneration(No. 265, 20.03.2008). According to the relevant provisions of the mentioned Decree, after the court decision is received, the Judicial Department is processing the procurement.

J1. Please indicate the sources for answering question 199

Sources: There is no official registration or equivalent system for qualified interpreters.

11.Judicial experts

11.1.Profession of judicial expert

11.1.1.Status of judicial experts

202. In your system, what type of experts can be requested to participate in judicial procedures (multiple choice possible):

"expert witnesses", who are requested by the parties to bring their expertise to support their argumentation,

"technical experts" who put their scientific and technical knowledge on issues of fact at the court's disposal,

"legal experts" who might be consulted by the judge on specific legal issues or requested to support the judge in preparing the judicial work (but do not take part in the decision).

Other (please specify):

Comments According to the Criminal Procedure Code, an expert is a person, personally disinterested in the case, appointed, upon his/her consent, by a body, conducting the trial, or upon its demand, by the head of expertise institution or invited by a party for the conduct of research of the materials of the case with the utilization of special knowledge in sciences, technology, arts, crafts and for drawing a conclusion on that basis. The expert may be appointed from among the persons, offered by the participant of the trial.

The expert shall possess the right qualifications and have sufficient special skills and knowledge of science, technology, arts or crafts. The person instructed to perform an expert examination must appear by court summons and give an objective conclusion based on the questions asked.

According to the Civil Procedure Code, in order to clarify issues requiring specialized knowledge which arise during case trial, the court can by motion of a party (parties) or by its own initiative, appoint expert examination. The costs of an expert examination appointed by a motion of a party are covered by this party. The costs of an expert examination appointed by initiative of the court of the parties are covered at the expense of the court. Persons participating in the case are entitled to propose questions to the court which must be clarified during the expert examination. The court makes a decision about conducting an expert examination in which the list of questions and their content is described. The persons participating in the case are entitled to ask questions to the experts to find out their competence in the appropriate sphere of knowledge. The court makes a decision about the appointment of an expert. The court forewarns the expert about the criminal liability for providing obviously false conclusions. The court takes the expert signature about the warning which is attached to the record of the court session. The expert's conclusions are examined at the court session and are appraised together with other evidence. In case the expert's conclusion is insufficiently clear or incomplete, the court can appoint additional expert examination or appoint repeated expert examination, instructing another experts to carry it out.

202-1. Are there lists or databases of technical experts registered?

Yes

No

Comments - Please, indicate any useful comment regarding these lists of experts if they do exist (e.g. : who decide of the registration on the list ? Is the registration limited in time ? does the expert take the oath ? how is his/her skill evaluated ? by whom ?)

203. Is the title of judicial experts protected?

Yes

No

Comments - If appropriate, please explain the meaning of this protection: According to the Order N 151-N of the Minister of Justice of the Republic of Armenia dated 20.03.2000 "On Approval of the Qualification Procedure of Judicial Experts in the System of the Ministry of Justice of the Republic of Armenia", qualification is awarded to a specialist who possesses special knowledge in the field of science, technology, art and crafts, certified by a graduation certificate from a state or accredited non-state higher education institution, as a formal recognition of his/her competences and ability to conduct a specific type or sub-type of judicial expert examinations. Qualification is awarded by the Judicial Expert Qualification Commission of the Ministry of Justice of the Republic of Armenia.

203-1. Does the expert have an obligation of training?

	Obligation of training
Initial training	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

Continuous training	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
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Comments

203-2. If yes, does this training concern:

the proceeding

the profession of expert

other

Comments

204. Is the function of judicial experts regulated by legal norms?

Yes

No

Comments Legal norms are, particularly, set forth in Article 39 of Administrative Procedure Code of the Republic of Armenia, Article 61.1. of Civil Procedure Code of the Republic of Armenia and Article 85 of Criminal Procedure Code of the Republic of Armenia.

204-1. On the occasion of a mission entrusted to him/her, does the expert have to report any potential conflicts of interest?

Yes

No

Comments There is no direct obligation of an expert, stipulated in the law, to disclose a conflict of interests; though several provisions refer to the objectivity of the examination. For instance, according to the Article 45 of the Civil Procedure Code, the person instructed to perform an expert examination must appear by court summons and give an objective conclusion based on the questions asked. Article 62 set forth the following - if there are doubts about the reliability or validity of the expert opinion, or there are contradictions in the conclusions of several experts, the court may order the second examination which is assigned to another expert.

205. Number of accredited or registered judicial / technical experts:

[]

NA

NAP

Comments

205-1. Who sets the expert remuneration?

- A judge sets the remuneration by his/her decision. The remuneration is paid by the Judicial Department.

206. Are there binding provisions regarding the exercise of the function of judicial expert within judicial proceedings?

Yes

No

Comments - If yes, please specify, in particular the given time to provide a technical report to the judge: Procedural Codes of the Republic of Armenia set forth provisions regulating experts' status and their functions, though no binding provisions exist pertaining to the time limits within which an expertise should be conducted.

207. Are the courts responsible for selecting judicial experts?

- Yes, for recruitment and/or appointment for a specific term of office
- Yes, for recruitment and/or appointment on an ad hoc basis, according to the specific needs of given proceedings
- No, please specify which authority selects judicial experts

Comments

207-1. Does the judge control the progress of investigations?

- Yes
- No

Comments

K1. Please indicate the sources for answering question 205

Sources: Data have been provided by the Judicial Department of the Republic of Armenia.

12.Reforms in judiciary

12.1.Foreseen reforms

12.1.1.Reforms

208. Can you provide information on the current debate in your country regarding the functioning of justice? Are there foreseen reforms? Please inform whether these reforms are under preparation or have only been envisaged at this stage. Have innovative projects been implemented? If possible, please observe the following categories:

1. (Comprehensive) reform plans Strategic planing of reforms in the justice sector of the Republic of Armenia became a periodic tool and activity of the policy makers in this field since the independence of the Republic of Armenia in 1991. The effective five-year Strategic document, i.e., the Strategy on the Legal and Judicial Reforms of the Republic of Armenia for 2012-2017 and its Action Plan, is going to its end. The new Draft Strategy and Action Plan for 2018-2023 Judicial and Legal reforms is developed by the Ministry of Justice with the involvement of main stakeholders in the field and submitted to the RA Government for approval which is expected to be by the end of this year. Below is a introductory note on the progress of the judicial and legal reforms of the Republic of Armenia. Relevant texts of the mentioned documents may be provided upon request or interest. The legal and judicial reforms in the Republic of Armenia, launched by the adoption of the Constitution of the Republic of Armenia in 1995, entered a qualitatively new stage based on the amendments to the Constitution of the Republic of Armenia on 27 November 2005, which were aimed at the improvement of the already existing legal and judicial system, targeting as a priority at the establishment of fair and efficient judiciary including the formation of the independent judicial system enjoying the public confidence. In accordance with the Executive Order of the President of the Republic of Armenia of 21 April 2009, the 2009-2011 Strategic Action Plan for Judicial and Legal Reforms and the List of Measures deriving therefrom were approved, and the 2012-2017 Strategic Plan of Legal and Judicial Reforms of the

Republic of Armenia served as a more comprehensive strategic document, with the List of Measures and the Schedule of Implementation deriving therefrom (hereinafter referred to as "the Plan"). The Plan was aimed at enhancement of the rule of law in Armenia and the legal system complying with the standards of a modern legal state. For implementation of this key goal, the Plan envisaged reforms in several areas of intervention including ensuring a fair and effective judiciary accountable before the public, raising the effectiveness of the civil, administrative, criminal justice and the system of criminal punishments, improvement of the activities of the Prosecutor's Office and the advocacy, restructuring of the system of general legal training and legal education, and improvement of services provided to the citizens. In particular, the following were the outcome of the measures implemented in the mentioned key areas of intervention:

- (1) the composition and functions, the structure and interrelations of self-government bodies of judges were revised by fostering development of the guarantees for self-governance of the judiciary, the internal independence of judges and the maximum participation of judges in their own self-governance;
- (2) the procedures for qualification checks for being included in the list of candidates for judges, contesting the outputs thereof and conducting interviews in the Council of Justice were improved; the Law of the Republic of Armenia "On the Academy of Justice" was adopted;
- (3) the entities competent to initiate disciplinary proceedings against judges and those competent to make decisions concerning the disciplinary actions were differentiated, the legislative guarantees for independence and protection of judges within the initiated disciplinary proceedings were strengthened, the principle of random distribution of cases between judges was established;
- (4) the Law "On Probation" was adopted; as an outcome, a shift from the traditional ideology of imprisonment to the ideology of the restorative justice was made; steps were taken to promote application of alternative measures of restraint, to reduce recidivism;
- (5) with the view of raising the effectiveness of applying the institution of the early release on parole, a shift from the three-level institutional model of "Administration of the punishment execution establishment - Independent Commission - Court" to the two-level institutional model of "Independent Commission - Court" was made; the functions of the independent commission and the court were specified by excluding implementation of similar functions, the list for the representatives to be involved in the composition of the independent commission was specified, the number of independent commissions increased, clear criteria were set which must underlie the opinions of the independent commissions and the decisions of the courts. Moreover, the convicts were entitled to participate in rendering the opinions related thereto and to implement relevant protection, in other words the right of convicts to be heard was ensured; a probation period was set in case of the early release on parole;
- (6) the list of diseases incompatible with serving the punishment and the criteria thereof were specified and brought in line with the 10th revised version of the International Classification of Diseases;
- (7) the concept of the new Code of the Administrative Offences of the Republic of Armenia was approved. The new draft Criminal Code of the Republic of Armenia was approved by the Government and submitted to the National Assembly. A number of amendments were made to the Civil Code of the Republic of Armenia based on which the code was brought in line with the modern approaches in regulations of the private legal relations. The amendments made to the Civil Procedure Code of the Republic of Armenia led to the thorough revision of the acceptability criteria for a cessation appeal, the requirements to a cessation appeal were specified, the requirements to a judgment were revised, the procedure for postponing the sessions was specified, the relationship for holding circuit court sessions was clearly regulated;
- (8) the framework of the free-of-charge legal assistance was specified, criteria for provision of the free-of-charge legal assistance were developed, based on which it will be possible to assess the property status of a person; alternative mechanisms for provision of the free-of-charge legal assistance were developed;
- (9) in compliance with the international practice, the rules of ethics of arbitrators and the model rules of arbitration proceedings were developed; also, the legal grounds for mediation-conciliation were stipulated by legislation;
- (10) an electronic notary system was established, combined with the systems of State Register of Population and the State Committee of Real Estate Cadastre. The introduction of an electronic notary system resulted in emergence of an opportunity to provide services through "one-stop shop" principle, as a result of which the quality of services provided has been sufficiently enhanced;
- (11) about 67 services implemented by the state (including services provided by the Agency for State Registration of Legal Entities, State Unified Cadastre of Real Estate, the Agency for Civil Status Acts Registration, the Ministry of Foreign Affairs of the Republic of Armenia, the Road Police of the Republic of Armenia and others) have been delegated to operators implementing functions of 7 service offices.

The above mentioned positive outputs are part of other outputs of the measures defined by the Plan, the attainment and ensuring of sustainability of which was accompanied by the process of the constitutional reforms for 2015. Among other innovations, the Supreme Judicial Council, as an independent state body guaranteeing the independence of courts and judges, was established under the Constitution amended in 2015, the composition, procedure for its formation and the powers thereof were enshrined, the requirements for judge candidates, the procedure for the election and appointment of judges, mechanisms for ensuring the independence of the judiciary were amended. All this resulted in launching of the process of bringing the main legal acts regulating the field in conformity with the Constitution, including — in the drawing up of the new draft Judicial Code.

The 2018-2023 Strategy for Judicial and Legal Reforms is impacted by the above mentioned realities — as for the part referring to the judiciary the Strategy has adopted the approach of practical feasibility of guarantees enshrined by the new Judicial Code, and among other goals has provided for such goals which may have tangible outputs internally — through building the professional potential and institutional capacities of judges and the self-government bodies of the judiciary. For instance, goals aimed at strengthening the role and participation of judges and the self-government bodies of the judiciary in the process of drawing up the legislation and reforms of the field, improving their skills and capacities related to budget planning and financial management, improving the practice of public relations and collaboration (PR), developing the means for assessing the quality of judicial services (including, through the tool assessing the satisfaction of court users), improving the uniform application of the law, etc.

At the same time, the 2018-2023 Strategy for Strategic Reforms, as a comprehensive programme ensuring sustainability of development of the field, taking into account issues still persisting in the field as a result of analysis of outputs of previous reforms, provides for new solutions or new methods of solution thereof. These issues are the following: issues of ensuring full independence of the judiciary, elimination of corruption phenomena, effective application of the institute of disciplinary liability of judges, issues of overload of courts, balancing of the number of judges, the number of their staff and the number of cases examined, full application of alternative means of dispute resolution, observing reasonable time limits of examination of cases, expanding accessibility of legal assistance and enhancement of the quality thereof, proportionate and fair application of detention as a measure of restraint, issues of juvenile justice, raising the effectiveness of the system of criminal punishments, and of restorative justice, issues of full introduction of electronic justice, enhancement of quality of services provided to citizens, raising the public confidence in the judiciary and other entities in the field of justice, as well as other issues existing in the system.

2. Budget The New Draft Judicial Code which is going to be admitted by the Parliament by the end of 2017, provides for modified rules for courts' budget planning, management and implementation. According to the draft provisions, the Supreme Judicial Council shall carry out financing of courts within the scope of funding provided for by the State Budget. Financing of the staffs of the courts shall be reflected in the Budget Bid and by a separate line in the State Budget entitled "Courts of the Republic of Armenia."

The Draft Budget Bid of a court shall be prepared by the Staff of the relevant court. The Medium-Term Expenditure Program and the Budget Bid of courts shall be prepared based on the bids submitted by the Staffs of the courts. The chairperson of the court may make necessary modifications to the Budget Bid and submit it to the approval of the Supreme Judicial Council. The approved Budget Bid and the Medium-Term Expenditure Program, shall be submitted to the Government (Ministry of Finance) for inclusion in the Draft State Budget by the decision on launching the following year's budgeting process and within the prescribed time limits.

The Government shall accept the Budget Bid of courts and include it in the Draft State Budget, and in case of objections it shall be submitted to the National Assembly together with the Draft State Budget. The Government shall present detailed substantiation of objections thereof concerning the Budget Bid to the National Assembly and the Supreme Judicial Council.

In case the Budget Bid is not accepted or the State Budget is not approved within the prescribed time limits, prior to acceptance or approval thereof, the expenditures shall be incurred in the proportions of the budget for the previous year.

The Budget Bid shall include all the expenditure necessary to ensure the normal operation of courts.

The position of the Supreme Judicial Council on the Budget Bid and the Medium-Term Expenditure Program shall be presented in the National Assembly by the representative of the Supreme Judicial Council.

A judicial reserve fund shall be envisaged to fund unforeseen expenditure needed to ensure the normal operation of courts, which shall be presented by a separate budget line. The size of the reserve fund shall be equal to two percent of expenditure envisaged for courts

by the law on State Budget for the current year. Allocations from the reserve fund shall be made by the decision of the Supreme Judicial Council.

The Supreme Judicial Council shall apply to the Government where the resources of the judicial reserve fund are insufficient. Where the judicial reserve fund is insufficient to ensure the normal operation of courts, the Government shall make up the shortfall from the reserve fund of the Government.

3. Courts and public prosecution services (e.g. powers and organisation, structural changes - e.g. reduction of the number of courts -, management and working methods, information technologies, backlogs and efficiency, court fees, renovations and construction of new buildings) For reducing the caseload of judges, the following steps have been undertaken:

1) Delegation of some court functions to notaries (establishing legal facts; issuing enforcement orders for certain types of contracts notarized by notaries). 2) Merging seven first-instance courts operating in Yerevan into one - the Yerevan First Instance court. This is mainly to balance the workload of seven courts by a unified distribution system of cases. 3) Development of electronic filing system is in progress. 4) A new Draft Civil Procedure Code has been developed and is submitted for the Government approval to be send to the Parliament. The Draft Code provides for many new concepts and institutions, simplified procedures for small disputes etc. which when adopted will significantly improve the situation with regard to high workload, backlogs and the time management of case proceeding.

3.1. Access to justice and legal aid The Draft Strategy provides for an objective to improve access to justice. One component is to expand the circle of beneficiaries of free legal assistance and improve the quality of the legal assistance provided. Another component of improving access to justice is to expand the mechanisms of providing free legal aid, including advancement of pro-bono services, legal clinics etc. And the third component of this objective is to enhance the capacities of public defenders.

4. High Judicial Council The Constitutional Amendments adopted through a referendum held on 6 December 2015, strengthened the guarantees for judicial independence introducing a new constitutional independent body, the High Judicial Council as the the guarantor for ensuring the judicial independence in the Republic of Armenia. Following the Constitutional Amendments, a new Judicial Code was drafted. The Draft Judicial Code is in the Parliament at the moment. It is expected to adopt it by the end of this year. Here are some highlights of the Draft pertaining to the Supreme Judicial Council. Chapters 14 and 15 (the Supreme Judicial Council: composition and powers).

The SJC has ten members and is composed in equal parts of judges elected by their peers and of non-judicial members (“lay members”) elected by Parliament from among the “prominent lawyers” of the country, by a qualified majority of votes.

The five lay members are elected by the National Assembly with the qualified majority of three fifths; they are proposed by the Bar, by the higher education institutions and “professional NGOs”. Detailed provisions on the election on the lay members shall be established by the constitutional law “Rules of Procedure of the National Assembly”.

Draft Article 85 defines the powers of the SJC, which can grossly be divided in two groups: core constitutional tasks (related to the recruitment and career of judges, judicial discipline and dismissals – those described in Article 175 of the Constitution) and support functions (related to budget of the courts, procurement, maintenance of court buildings,

management of nonjudicial staff, such as bailiffs and secretaries, organisation of IT services and publications, etc.). As part of the reform, the SJC will receive powers related to the courts' administration and support functions, which are currently performed by the Judicial Department (the JD), which operates as an administrative unit of the CCC (the Council of Courts' Chairpersons, a permanent self-governing body of the judiciary which is to be abolished under the Draft Code).

Some of those administrative tasks will be de-centralised and given to the chairpersons of local courts. The Constitution does not set a closed list of powers for the SJC; "other powers" of this body may be defined by the Judicial Code. Those "other powers" have reasonable connection with the core constitutional powers of the SJC, namely the appointment of judges, their promotion, transfers, and disciplinary issues. The main role of the SJC is to ensure the independence of the judiciary.

5. Legal professionals (judges, public prosecutors, lawyers, notaries, enforcement agents, etc.): organisation, education and training, etc. One of the pillars of the draft Strategy for 2018-2023 is capacity building and increase in professionalism of judges and non-judge staff. The Strategy, therefore, provides for concrete activities directed to modernizing procedures and programmes for training of judges and judicial servants, including revising curricula and teaching materials, improving teaching methods. The Strategy also includes activities such as to advance capacity of the Justice Academy, the institutions responsible for judicial training.

6. Reforms regarding civil, criminal and administrative laws, international conventions and cooperation activities The New Draft Criminal Code and New Draft Criminal Procedure Code are currently in progress.

7. Enforcement of court decisions A new Draft Law on Judicial Acts Compulsory Enforcement Service is in progress.

8. Mediation and other ADR The Draft Strategy provides for strategic goals aiming to expand applicability of alternative dispute resolution mechanisms. The following activities are set forth in the Action Plan to the Strategy: 1. envisaging a possibility for compelling arbitration to the parties at the discretion of a judge under certain cases; 2. envisaging a possibility of binding arbitration upon joint agreement of the parties; 3. envisaging a possibility for introducing the institute of non-binding arbitration; implementing a pilot programme in order to find out the possibility of further introduction; 4. envisaging the composition of arbitrators in several courts. 5. Where necessary, develop relevant manuals and organise training of operating judges for clarifying the functions and the role of mediators in the field of dispute settlement. 6. Where necessary, organise conferences, scientific and educational events, practical courses, moot court competitions aimed at introducing the concept of mediation to professional and non-professional community and increasing the role thereof.

9. Fight against crime N/A

9.1. Prison system The Draft Strategy on Judicial and Legal Reforms sets forth the following goals: 1) Enhance effectiveness and purposefulness of the system of criminal punishments, including conduct, taking into consideration the positions of the European Court of Human rights, reports of the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT), of the Human Rights Defender of the Republic of Armenia, reports of the Group of Public Observers Conducting Public Monitoring of Penitentiary Institutions and Bodies of the Ministry of Justice of the Republic of Armenia, a comprehensive study of the system of criminal punishments by highlighting the key tasks; Draft a long-term strategy for development of the system of execution of criminal punishments based on the study. Analyse the existing management model of penitentiary service by juxtaposing it with the effectively functioning management models available in international practice. Draft a new Penitentiary Code. Carry out the assessment of vocational education needs of the convicts; Study the current vocational education programmes for detained persons and convicts; Develop — based on the study and assessment of the needs of convicts — new vocational education programmes for detained persons and convicts or modify the already existing programmes; Establish verifiable criteria which will allow for checking the level of effectiveness of educational programmes. Improve the level of employment of detained persons and convicts. Implement a study of the facility conditions of penitentiary institutions, the conditions of keeping convicts, submit a proposal based thereon and take further steps. Implement a study of international expertise, draft and submit a proposal on improvement of conditions of provision of secondary (in-patient) medical assistance and service to persons in confinement based thereon. Conduct an effective programme on reforming the working conditions and the system of social guarantees for employees of the penitentiary system. Implement a study of international criteria of protection of rights of disabled convicts; Draft a programme on improvement of protection of rights of disabled convicts based on the study.

2) Raising the effectiveness of re-socialisation and the system of restorative justice, including enhance the capacity of the Probation Service. Develop effective measures and programmes for re-socialisation of probation beneficiaries.

9.2 Child friendly justice There has been foreseen a reform for child friendly justice within child rights and human rights reforms spheres: activities for the reform have been incorporated into child rights national strategy for 2017-2021, human rights national strategy for 2017-2019. Within the reform, it is foreseen to conduct trainings on child friendly justice for officials and specialists working with children in justice system: judges, prosecutors, investigators, probation officers, prison staff. Also, it is foreseen to develop comprehensive assistance framework and services for child offenders and victims by improving legislation and enhancing access to social services for them.

Prior a project has already been implemented in partnership with UNICEF for the last two years 2015-2016. Within the project an inter-agency Council on child friendly Justice was established approved by the Decree of the Minister of Justice. The Council is aimed at developing a platform and promote reform, programs and projects within the justice for children. Within the project also revision of the criminal legislation was carried out and recommendations were developed for the new criminal legislation.

9.3. Violence against partners The law on Domestic Violence was adopted by the Parliament in December 2017.

10. New information and communication technologies The Government of the Republic of Armenia attaches high importance to the use of IT tools and solutions in the government system and the judiciary. As regards the judiciary, currently there are two integrated systems operating in the court system of the Republic of Armenia. Those systems are:

1) Court Automation and Skills Transfer (CAST) System – A solution that automates court case management process and is used by all courts of Republic of Armenia. CAST is a distributed web based system that connects all courts of Republic of Armenia into one information system, standardizing workflows, business processes, and management of the full cycle of court cases. 2) Datalex.am – A public information portal for information on court cases. Datalex.am uses advanced data mining and big data technology to convert the case data from CAST system into new data representation structures, which allows fast and efficient search for public users. The system also features smart search functionality, powered by natural language understanding algorithms as well as interactive infographics module, which represents aggregated court case data in user-friendly chart based interfaces.

11. Other The Draft Strategy for Judicial and Legal Reform 2018-2023 set forth the following goals: 1) Development of effective mechanisms of comprehensive protection of rights and lawful interests of minors, including analyse the legislation for ensuring the protection of rights of and accessibility of justice for children appearing as offenders, victims and witnesses in criminal, civil and family cases, regulation of participation of a child in judicial procedures, as well as submit proposals for improvement thereof. Draft — upon the proposal and where necessary — the relevant package of legislative amendments and submit it to the National Assembly. Based on the study of advanced practice, draft and adopt a concept paper on services of rehabilitation and protection of children appearing as offenders, witnesses and victims of crime and violence in the field of justice.

The Draft Strategy includes measures and concrete activities deriving from the following seven pillars of the Strategy: 1. Ensuring independence and impartiality of the judiciary. The strategic goals of this area of intervention shall be aimed at continuous development of the independent judiciary counterbalancing other branches of the power, where the judges and the staff thereof shall refrain during their activities from any internal or external intervention hindering the administration of justice, where discrimination is eliminated and equal opportunities for equal treatment, for exercising and protection of rights under equal conditions are guaranteed for everyone.

This include enhancement of transparency and increasing the effectiveness of the Supreme Judicial Council and the General Assembly of Judges; Strengthening of the participation of the judiciary in the process of drafting laws and other regulatory legal acts concerning the judiciary; Enhancement of perception of the role of the judiciary among the public and raising the trust and confidence thereto. 2. Ensuring professionalism of judges and judicial servants. The strategic goals of this area of intervention shall be aimed at continuous development of judiciary with professional, intelligent and skilled judges, which provides qualitative support to judges, ensures effective and transparent communication between the court and the court users and is staffed with judicial servants with high professional qualities. It is possible by way of implementing ongoing comprehensive programs of professional development and training, based on real needs and complying with the international standards. 3. Ensuring the effectiveness of justice. 3.1. Ensuring the effectiveness of the judiciary. The strategic goals of this area of intervention shall be aimed at the establishment and continuous development of a judiciary where the resources are used and managed in an effective manner, the cases are examined and the decisions are made within reasonable time limits, the judicial procedures and services are simplified and facilitated to the extent possible since a modern electronic system of justice is introduced and innovative solutions are widely used, the time and costs spent for the courts are saved, and the maximum accessibility to the judicial and legal information is ensured.

3.2. Ensuring the effectiveness of the advocacy system. The strategic goals of this area of intervention shall be aimed at development of the chamber of advocates as an institute, raising the effectiveness of the activities of chamber bodies, improvement of rules of conduct and integrity of an advocate, grounds and procedures for disciplinary liability, enhancement of continuous training of advocates.

3.3. Ensuring the effectiveness of the notary system. The strategic goals of this area of intervention shall be aimed at development of notary as an entity contributing to administration of justice and guaranteeing security of persons' property rights, transactions and processes (including in digital environment) and raising the public confidence thereto.

3.4. Ensuring the effectiveness of the activities of bankruptcy administrators. The strategic goals of this area of intervention shall be

aimed at strengthening the institute of bankruptcy administrators, development of mechanisms for accountability of bankruptcy administrators and improvement of professionalism thereof. 4. Ensuring the public accountability of the judiciary. The strategic goals of this area of intervention shall be aimed at ensuring accountability of the judiciary, the judges and the judicial servants to the public, in relation to the quality of the activities, proper performance of the functions thereof, hence the effective use of the public funds. 5. Ensuring a judiciary free from corruption and patronage, enhancing the effectiveness of investigation of corruption crimes. The strategic goals of this area of intervention shall be aimed at identification of corruption risks and prevention of corruption in the judicial system, strengthening of integrity and improvement of the current situation by way of arrangement of educational and training courses on anti-corruption and ethics.

6. Ensuring legal certainty and effective law enforcement

6.1 Ensuring the effectiveness of criminal justice. The strategic goals shall be aimed at establishment and development of effective mechanisms for application of the new Criminal Procedure Code and the new Criminal Code, as well as raising public awareness of the new legal institutes mentioned therein, development of professional knowledge and skills of law enforcement entities. The strategic goals of this area of intervention include also enhancement of effectiveness of the activities of Prosecutor's Office and inquest bodies, as well as improvement of the system of mutual legal assistance.

6.2 Ensuring accessibility of juvenile justice. The strategic goals of this area of intervention shall be aimed at establishment and development of mechanisms ensuring accessibility of juvenile justice, introduction of mechanisms for the protection of the rights of children which are offenders, victims, witnesses under the legislation and their practical applicability.

6.3 Upgrading and ensuring purposefulness of the system of criminal punishments. The strategic goals of this area of intervention shall be aimed at establishment of mechanisms required for protecting the rights of the persons serving their punishment and those detained and for achieving the goals of the punishment as prescribed by law, introduction of a system of restorative justice, enhancement of effectiveness of targeted activities of the probation service, reduction of recidivism, radical revision and the optimization of the role of the institutional system of criminal penalty execution.

6.4 Ensuring the effectiveness of administrative and civil justice. Strategic goals of this area of intervention shall be aimed at improvement of substantive and procedural legislation in the fields of civil law and administrative law in line with development of public relations and provision of prerequisites for effective implementation of new legislation, which, inter alia, implies proper raising of awareness of the public beneficiaries of the nature and peculiarities of the newly introduced institutions and conducting trainings thereon.

6.5 Ensuring the effectiveness of the enforcement system. Strategic goals of this area of intervention shall be aimed at enforcement of acts subject to compulsory enforcement, through effective and proportional observance, within short time frames, of the established requirements and of the rights of the parties, meanwhile ensuring the combination of the information systems with the improvement of the business environment. 6.6 Ensuring the effectiveness of legal expert examination. Strategic goals of this area of intervention shall be aimed at continuous improvement and development of a legal system that has clear, perceived, definite and specified legal regulations in line with international standards, including predictable laws free of flaws and ambiguities and other normative legal acts.

6.7 Protection of personal data. Strategic goals of this area of intervention shall be aimed at raising awareness of personal data subjects of their right to protection of personal data and of personal data processors – of the personal data processing rules.

7 Providing quality justice-related services. 7.1 Expansion of "e-justice" domain and ensuring effectiveness. Strategic goals of this area of intervention shall be aimed at development of a comprehensive and effective e-justice system, development of electronic management tools in courts and other institutions of justice, thus transferring all possible services to electronic domain, combining all electronic databases in the fields of justice and public administration, providing services on-line or through "one-stop shop" principle, reducing and simplifying administration, the time limits and the price for provision of services, as well as the contact between citizens and service providers.

7.2 Ensuring the effectiveness of the system of public registers Strategic goals of this area of intervention shall be aimed at modernisation of the Civil Status Acts Registration System due to the latest electronic solutions, development of the system of registration of legal persons through establishment of a new institutional system of business registry, as well as modernisation of the system of service centres performing functions of service offices of state bodies, which will contribute to improvement of the quality of services provided to citizens and other beneficiaries, and ensuring facilitation and transparency of procedures, as well as improvement of the business environment.

