

Council of Europe Group on Access to Information (AIG)

**Report submitted by Armenia
pursuant to Article 14 paragraph 2 of the Council of Europe
Convention on Access to official Documents
(CETS No.205)**

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I - GENERAL INFORMATION

- a. The existence or not of a State body/agency responsible for the preparation of the report, as well as the State bodies/agencies that contributed to the report by providing relevant information.

The Agency for Protection of Personal Data, which is a functionally independent authorized body of the Republic of Armenia, is responsible for the preparation of this revised and updated report.

Individuals can request access to information relating to themselves for the protection of their rights (including gaining access to official documents). If the public authority/information holder rejects a request, the individual can appeal to the Agency for Protection of Personal Data, which oversees and enforces this process, to gain access to the requested information.

- b. The involvement, participation or consultation with relevant non-state stakeholders, including NGOs, civil society, and any other relevant stakeholder in the implementation of the Convention.

Non-governmental organizations and civil society groups specializing in the field of freedom of information have had the opportunity to be involved in both the ratification process of the Convention and its subsequent implementation in the Republic of Armenia.

II - LEGISLATIVE AND OTHER MEASURES TAKEN TO GIVE EFFECT TO THE PROVISIONS OF THE CONVENTION

The State has circulated a draft of the Law on Public Information, which represents another step towards fulfilling the obligations assumed under the Convention. The draft Law on Public Information will significantly ease the process for information seekers to access information, including official documents.

Additionally, in its strategic documents, the Agency has outlined plans that will be implemented in 2025 aimed at increasing public awareness of access to official documents. Furthermore, the Agency conducts courses and information campaigns to educate individuals about their rights under the Convention.

Ongoing discussions are also taking place regarding the establishment of an authorized body for freedom of information.

To date, no issues have arisen in the implementation of the Convention.

Article 1 – General provisions

1. The principles set out hereafter should be understood without prejudice to the domestic laws and regulations and to international treaties that recognize a wider right of access to official documents.
2. For the purposes of this Convention:
 - a. (i) “public authorities” means:
 1. government and administration at the national, regional and local level;
 2. legislative bodies and judicial authorities, insofar as they perform administrative functions according to national law;
 3. natural or legal persons, insofar as they exercise administrative authority.
 - (ii) Each Party may, at the time of signature or when depositing its instrument of ratification, acceptance, approval, or accession, submit a declaration addressed to the Secretary General of the Council of Europe, stating that the definition of “public authorities” also includes one or more of the following:
 1. legislative bodies regarding their other activities;
 2. judicial authorities regarding their other activities;
 3. natural or legal persons, insofar as they perform public functions or operate with public funds, according to national law.
 - b. “official documents” means all information recorded in any form, drawn up, received and held by public authorities.

- 1.1. The **definition of “public authorities”** as adopted in national legal and policy frameworks relating to access to official documents. It includes specifications and examples of the authorities covered by this definition.

Public authorities as information holders.

According to Article 3 of the RA Law on Freedom of Information, public authorities designated as “information holders” include:

- 1) State and local self-governing bodies that possess information;***
- 2) State institutions;***
- 3) Organizations funded by the state budget ;***
- 4) Organizations of public importance and their officials, including non-governmental organizations with a monopoly or dominant market position, as well as organizations providing public services in healthcare, sports, education, culture, social security, transportation, and utilities.***

- 1.2. The **definition of “official documents”** as adopted in relevant national legal and/or policy frameworks, including specific information as to whether this definition covers information stored electronically or in databases.

Article 3 of the RA Law on Freedom of Information provides a definition for “information”, which refers to records or data related to facts, individuals, subjects, events, phenomena, or processes. This information can be created or obtained as prescribed by law, regardless of how it is stored or its format, which includes electronic or hard copy documents, records, videos, films, photos, drawings, schemes, notes, maps, and similar materials.

In the RA law, the definition for “official documents” is not directly provided, but since state bodies are among the public authorities (as mentioned above) who are considered information holders, it can be understood that the information mentioned in the Article 3 of the RA law on Freedom of Information, which is held by these state bodies, can be considered official documents.

- 1.3. Do official documents transferred to archives remain within the scope of national legal and/or policy frameworks relating to access to official documents?

Archived documents remain within the scope of the RA Law on Freedom of Information. Moreover, according to article 9 of the RA Law on Freedom of Information, archives are also considered information holders in possession of information that can be accessed by information seekers.

The RA Law on Archiving thoroughly explains the archiving process for various documents, particularly the timelines for keeping archived documents, which are stored either temporarily or permanently. According to Article 19 of the aforementioned law, the maximum terms for temporarily storing documents within the archival collection of the Republic of Armenia, before transferring them to national or community archives for permanent preservation, are:

- 1) For documents from the President of the Republic of Armenia, legislative, executive, and judicial authorities, as well as other state bodies and organizations performing state administrative functions established by law: 10 years;***
- 2) For documents from local self-governing bodies and community organizations: 5 years;***
- 3) For specific types of archival documents within the archival collection of the Republic of Armenia***
 - Records of civil registration: 100 years;***
 - Registrations of notarial transactions: 10 years;***
 - Cadastral documents and registration books from state real estate cadastre management bodies: 100 years;***
 - Economic logbooks: 75 years,***
 - Project documents for completed capital construction: 20 years,***
 - Patented technological and experimental design documents: 20 years,***

- **Research and patent documents: 15 years,**
- **Film and photo documents created with state support: 5 years,**
- **Video and audio documents created with state support: 3 years.**

Article 2 – Right of Access to official Documents

1. Each Party shall guarantee the right of everyone, without discrimination on any ground, to access official documents held by public authorities upon request.
2. Each Party shall take the necessary measures in its domestic law to give effect to the provisions for access to official documents as set out in this Convention.
3. These measures shall be taken no later than the time of entry into force of this Convention with respect to that Party.

- 2.1. The **legal and/or policy framework** guarantees the right of access to official documents, including specific information on relevant domestic laws, regulations, and policies recognizing this right.

The principal legal framework guaranteeing the right of access to official documents is enshrined in Article 51 of the Constitution of the Republic of Armenia, which states: each individual has the right to receive information about the activities of state and local self-governing bodies and officials, and to access their documents.

Furthermore, Article 15 of the law on Personal Data Protection states that the subject of data has the right to receive information about their personal data, the grounds and purposes of data processing, information about the data processor and their location, as well as the scope of individuals to whom the personal data may be transferred.

The right of access to official documents is also covered by The RA Law on Freedom of Information.

- 2.2 Specifications as to whether the right of access to official documents is guaranteed to **everyone**, including non-nationals of the Party.

The above-mentioned laws do not distinguish between citizens and non-citizens regarding the right to access official documents and information; hence, the right of access is guaranteed to everyone.

Furthermore, Paragraph 1 of the Article 6 of the RA Law on Freedom of Information states that each person has the right to submit a request to an information holder to access and/or receive the information sought by the applicant, as defined by law.

Additionally, Article 51 of the RA Constitution establishes the right to access information for every individual, without specifying exceptions based on citizenship.

- 2.3 Whether the Party guarantees the right of access to official documents **irrespective of the use** of the information received by the requestors of access.

According to Paragraph 4 of Article 9 of the RA Law on Freedom of Information, the applicant does not need to justify the request to access official documents.

Moreover, there are no such restrictions in the RA Law on Personal Data Protection.

Article 3 – Possible Limitations to Access to Official Documents by the Parties

1. Each Party may limit the right of access to official documents. Such limitations must be precisely defined in law, be necessary in a democratic society, and be proportionate to the aim of protecting:

- a. national security, defense and international relations;
- b. public safety;
- c. the prevention, investigation, and prosecution of criminal activities;
- d. disciplinary investigations;
- e. inspection, control, and supervision by public authorities;
- f. privacy and other legitimate private interests;
- g. commercial and other economic interests;
- h. the economic, monetary, and exchange rate policies of the State;
- i. the equality of parties in court proceedings and the effective administration of justice;
- j. the environment; or
- k. deliberations within or between public authorities concerning the examination of a matter.

Concerned States may, at the time of signature or when depositing their instrument of ratification, acceptance, approval, or accession, declare—via a declaration addressed to the Secretary General of the Council of Europe—that communication with the reigning Family and its Household or the Head of State shall also be included among the possible limitations.

2. Access to information contained in an official document may be refused if its disclosure would, or would likely, harm any of the interests mentioned in paragraph 1, unless there is an overriding public interest in disclosure.

3. The Parties shall consider setting time limits beyond which the limitations mentioned in paragraph 1 would no longer apply.

3.1 Whether the Party has introduced **limitations** to the right of access to official documents, including specific information on such limitations, whether they are set by law, and whether the relevant legal and/or policy frameworks provide for limitations of the right of access to official documents which pursue aims not listed in Article 3(1), and if so, specifying which ones.

According to paragraph 4 of article 34 of the RA Constitution, the right to access personal data can only be limited by law for the purposes of national security, the economic well-being of the country, the prevention or detection of crimes, public order, health and morals, or the protection of the fundamental rights and freedoms of others.

Limitations to the right of access to official documents are introduced in Article 8 of the RA Law on Freedom of Information. According to this article, the information holder, with the exception of cases defined in the third clause of the same Article, may refuse to provide the requested information if:

- a. it contains state, official, bank or trade secrets;
- b. it infringes the privacy of a person and their family, including the privacy of correspondence, telephone conversations, postal, telegraph, or other communications;
- c. it contains pre-investigation data not subject to publicity;
- d. it discloses data that require restricted access due to professional activity (such as medical, notarial, or attorney-client confidentiality);
- e. it infringes copyright and associated rights.

If part of the requested information contains data whose disclosure is subject to denial under the provisions mentioned above, then only the other part of the information will be provided.

According to the same article, an information request cannot be declined if:

- a. it concerns urgent cases threatening public security and health, as well as natural disasters (including officially forecasted ones) and their aftermaths;
- b. it presents the overall economic situation of the Republic of Armenia, as well as the current situation regarding environmental protection, health, education, agriculture, trade, and culture.
- c. if declining the requested information would negatively influence the implementation of state programs of the Republic of Armenia related to socio-economic, scientific, spiritual, and cultural development.

The applicant does not have to justify the request.

3.2. Whether the relevant legal and/or policy frameworks provide for limitations of the right of

access to official documents that pursue aims not listed in Article 3(1), and if so, specifying which ones.

The grounds for limiting the right of access to official documents are provided in Article 8 of the RA Law on Freedom of information and are consistent with the limitations listed in Article 3(1).

3.3. Specification as to why the limitations to the right of access to official documents are **necessary** and as to their **proportionality** to the aims listed in Article 3, paragraph 1.

Article 8 of the RA Law on Freedom of Information, similar to Article 3 of the Convention, defines the possible grounds (aims) for limiting the right of access to official documents. Any specific document (information) is classified as restricted (confidential) by separate sectorial laws.

3.4. Whether the Party's legal and/or policy framework contains provisions that permit **refusal** of access to official documents in compliance with Article 3, paragraph 2.

Paragraph 1 of Article 8 of the RA Law on Freedom of Information exhaustively lists the grounds for refusal of information as mentioned above.

3.5. How the Party ensures that an **evaluation takes place of any overriding public interest** in the disclosure of information contained in an official document that would harm, or would be likely to harm, any of the interests listed in Article 3, paragraph 1.

The evaluation of whether an overriding public interest exists is largely not left to the discretion of information holders, although they may have some degree of assessment when interpreting the criteria provided by the law in relation to the overriding public interest, as stated in Article 8 of the RA Law on Freedom of Information.

Paragraph 3 of the article provides a list of criteria where the information request cannot be declined:

a. If it concerns urgent cases threatening public security and health, as well as natural disasters (including officially forecasted ones) and their aftermaths;

b. If it presents the overall economic situation of the Republic of Armenia, as well as the real situation in the spheres of nature and environment protection, health, education, agriculture, trade and culture;

c. If declining the information request would negatively influence the implementation of state programs of the Republic of Armenia related to socio-economic, scientific, spiritual and cultural development.

This regulation effectively excludes the refusal of information in cases of overriding public interest.

Article 4 – Requests for Access to Official Documents

1. An applicant requesting an official document shall not be required to provide reasons for seeking access.
2. Parties may allow applicants to remain anonymous, except when disclosure of identity is essential for processing the request.
3. Formalities for requests shall not exceed what is necessary to process the request.

4.1. Whether the Party's legal and/or policy framework on access to official documents guarantees that the applicant shall not be obliged to **give reasons** for requesting access to official documents.

Article 34 of the RA Constitution states that the right to access personal data can only be limited by law for purposes such as national security, the economic well-being of the country, the prevention or detection of crimes, public order, health and morals, or the protection of the fundamental rights and freedoms of others.

As already mentioned, Article 15 of the Law on Personal Data Protection states that the subject of the data has the right to receive information about their personal data, the grounds and purposes of processing the data, information about the processor and their location, as well as the scope of the individuals to whom the personal data may be transferred.

Furthermore, paragraph 4 of Article 9 of the RA Law on Freedom of Information guarantees

that the applicant does not have to justify their request to access to relevant documents and information.

- 4.2. Whether **anonymous** requests for access to official documents are authorized and if so, how public authorities implement this in practice and how applicants are informed about this possibility.

Anonymous requests are not authorized by the law of Republic of Armenia.

Paragraph 1 of Article 9 of the RA Law on Freedom of Information states that a written request must be signed and include the applicant's name, surname, citizenship, place of residence, work or study, and in the case of legal persons: name and physical address.

Paragraph 5 of the same article states that in the case of oral inquiries, the applicant must provide his/her name and surname in advance. However, in practice, strict identification of the applicant is not enforced because information holders do not have the means to identify individuals solely by name, signature, or address. For example, unified platforms such as yesem.am and egov.am (governmental websites) allow submission of unsigned requests, which in practice are treated the same as signed requests.

Additionally, anonymous emails sent to government and state agency addresses can be accepted and processed depending on the importance of the subject matter.

- 4.3. Measures taken to assess the necessity of the **formalities** applicable to requests for access to official documents or to periodically review such formalities.

According to Article 5 of the RA Law on The Fundamentals of Administration and Administrative Proceedings, administrative bodies are prohibited from burdening individuals with unnecessary duties or denying them their rights solely to fulfill formal requirements if the necessary content has already been provided. This means that prioritizing formalities over the substance of a request is prohibited when the essential information has been supplied.

The formalities applicable to requests are designed solely to ensure swift and uncomplicated access to the requested information. This process is clearly outlined in various RA laws, including Article 9 of the RA Law on Freedom of Information and Article 13 of the same law.

Article 5 – Processing of Requests for Access to Official Documents

1. The public authority shall assist the applicant, as far as reasonably possible, to identifying the requested official document.
2. A request for access to an official document shall be handled by any public authority holding the document. If the public authority does not hold the requested official document or is not authorized to process the request, it shall, wherever possible, refer the application or the applicant to the appropriate public authority.
3. Requests for access to official documents shall be handled on an equal basis.
4. A request for access to an official document shall be dealt with promptly. The decision shall be made, communicated, and executed as soon as possible or within a reasonable time limit that has been specified in advance.
5. A request for access to an official document may be refused:
 - (i) if, despite assistance from the public authority, the request remains too vague to identify the official document;
 - Or
 - (ii) if the request is manifestly unreasonable.
6. A public authority refusing access to an official document, wholly or in part, shall provide the reasons for the refusal. The applicant has the right, upon request, to receive a written justification from the public authority for the refusal.

- 5.1. Which public authority is competent to decide on a request for access to an official document? Which other authorities are consulted? How is a request for access to an official document processed when received by the public authority that does not hold the requested document or is not authorized to process the request? Which public authority deals with such request?

Since there is no separate authority for Freedom of Information in Armenia, with which public authorities (the information holders) are required to consult, each authority bears the responsibility of addressing and responding to the requests sent to them, using their

own discretion.

According to Article 33 of the RA Law on The Fundamentals of Administration and Administrative Proceedings, if the addressed public authority or information holder does not possess the requested information, the administrative body that received the application must forward it to the relevant administrative body within three days and notify the applicant.

In addition, Paragraph 10 of Article 9 of the RA Law on Freedom of Information states that if the information holder does not have the requested information, or if its provision is beyond its powers, the authority must inform the applicant within five days in writing, and, if possible, direct them to the appropriate information holder (including an archive) that has the requested information.

5.2. Measures taken by public authorities to **process requests** for access to official documents and to **provide assistance** to a person requesting such access;

Both the RA Law on Freedom of Information and the Law on The Fundamentals of Administration and Administrative Proceedings contain articles that clearly state that information holders and administrative bodies are obliged to provide assistance and explain the process where needed.

As mentioned above, Article 33 of the RA Law on The Fundamentals of Administration and Administrative Proceedings requires administrative bodies to assist applicants and to redirect them to the relevant administrative body when necessary.

Furthermore, Point 2 of Paragraph 2 of Article 13 of the RA Law on Freedom of Information mandates that the official information holder responsible for ensuring the freedom of information must explain the procedure, conditions, and forms of information provision to the requester in an accessible manner, according to the procedure established by law.

5.3. Measures taken by public authorities to ensure that requests for access to official documents are dealt with on an equal basis and that **no distinction** is made on the basis of the nature of the request or the status of the requestor.

Article 28 of the Constitution of the Republic of Armenia clearly states that everyone is equal before the law. Therefore, no distinction is made based on the nature of the request or the status of the requestor—everyone is treated equally.

5.4. Whether a maximum **time limit** is set for public authorities by law, any other applicable policy framework, or through practice, to reach a decision on a request for access to official documents, notify the applicant of the decision, make the document available if the decision is favorable, and inform the applicant about any possible delays.

According to Article 11 of the RA Law on The Fundamentals of Administration and Administrative Proceedings, when exercising its powers, the administrative body is required to act in a way that ensures the most efficient use of the resources, aiming to achieve the best results in the shortest time possible without compromising its duties. Therefore, it is preferred to perform duties promptly.

Additionally, the RA Law on Freedom of Information sets a 5-day deadline for all cases of responding to an information request (providing information, refusing to provide information, or informing the applicant about the absence of the requested information, etc.). If additional work is required to provide the requested information, the information holder can extend the period by up to 30 days. In this case, a written notice (explaining the reasons for the delay and the final deadline for when the information will be provided) must be given to the applicant within 5 days.

5.5 Whether the public authority gives **reasons in cases of refusal** of access to official documents, wholly or in part, on its own initiative, and whether it provides justification in writing to the applicant upon his/her request for explanations about the refusal.

According to Paragraph 3 of Article 11 of the RA Law on Freedom of Information, when declining a written information request, the information holder must inform the applicant within 5 days in writing, stating the grounds for the refusal (with reference to the relevant law), as well as the procedure for appealing the decision.

Article 6 – Forms of Access to Official Documents

1. When access to an official document is granted, the applicant has the right to choose whether to inspect the original, view a copy, or receive a copy in any available form or format of their choice, unless the preference expressed is unreasonable.
2. If a limitation applies to some of the information in an official document, the public authority should still grant access to the remainder of the information it contains. Any omissions should be clearly indicated. However, if the partial version of the document is misleading, meaningless, or if releasing the remainder poses a manifestly unreasonable burden on the authority, such access may be refused.
3. The public authority may provide access to an official document by directing the applicant to easily accessible alternative sources.

- 6.1. The form or **format** in which official documents are made available to the applicant once access to these documents is granted, and information on whether the applicant has the possibility to choose the form of the document he/she wishes to consult, in compliance with Article 6, paragraph 1.

According to Paragraph 8 of Article 9 of the RA Law on Freedom of Information, the response to a written request is provided in the format specified in that request. If the format is not specified by the information seeker and it is impossible to clarify this within the legal time limits, the response is provided in the format that is most suitable for the information holder.

- 6.2. How the public authority deals with requests to access official documents for which some of the information cannot be disclosed due to applicable limitations. Information on whether the rest of the document is released and whether the relevant decision of the public authority gives clear indications as to where and how much information is **deleted** and indicates the limitation justifying each deletion.

According to Paragraph 2 of Article 8 of the RA Law on Freedom of Information, if part of the requested information contains data whose disclosure is subject to denial, only the other parts of the information will be provided. Paragraph 7 of Appendix 2 of RA Government Decision No. 1204 of 2015 specifies that the information must be provided by making the rejected parts illegible (through covering, blacking out, or erasing) without editing the rest of the document. If a significant portion (fifteen percent or more) of the information must be rendered illegible, the information may be provided as excerpts or permitted pages.

Article 7 – Charges for access to official document

1. Inspection of official documents on the premises of a public authority shall be free of charge. This does not prevent the Parties from imposing charges for services provided by archives and museums in this regard.
2. A fee may be charged to the applicant for a copy of the official document. The fee should be reasonable and must not exceed the actual costs of reproduction and delivery of the document. Tariffs for these charges shall be published.

- 7.1. Whether inspection of official documents on the premises of the public authority is ensured **free of charge**.

The RA Law on Freedom of Information does not impose a fee for accessing information at the premises of the information holder.

- 7.2. Whether the applicant can obtain a copy of the requested official documents free of charge. In cases where **fees** are charged, information about how those fees are calculated, whether tariffs are published, and if so, how and where, will be provided.

According to Article 15 of the RA Law on Personal Data Protection, information (pertaining to the individual) is provided to the data subject free of charge unless otherwise stipulated by law.

Furthermore, Article 10 of the RA Law on Freedom of Information states that there are no charges for providing information in the following cases:

- 1) Responses to oral requests;***

- 2) *For up to 10 pages of printed or copied information;*
- 3) *For information provided via e-mail (the internet);*
- 4) *For responses to written requests concerning information whose publication could pose risks to state and public security, public order, public health and morals, the rights and freedoms of others, the environment, or individuals' property (as detailed in Paragraph 2 of Article 7 of the Law);*
- 5) *Notifying changes in the deadline for providing information (Part 3 of Paragraph 7 of Article 9 of the Law) or informing about the absence of requested information (Paragraph 10 of Article 9 of the Law);*
- 6) *Declining a request for information.*

However, compensation for the costs associated with providing information can be charged while adhering to the aforementioned requirements of the Law. The tariffs for providing information are defined by the RA Government Decision No. 1204 of 2015. According to Paragraph 10 of the Appendix 2 of Decision No. 1204, the amount charged for information exceeding ten pages (or for information presented in a non-standard format, such as color copies or large format copies) must not exceed the actual and reasonable costs incurred in providing that information.

Additionally, different fields may have their own regulations regarding fees; however, such fees must not exceed the cost of providing the document.

7.3. Whether fees are charged for access to official documents in archives

For archived information that continues to be held by a state body/information holder, the regulations mentioned in the previous point apply. Charges that differ from the aforementioned may be instituted for access to documents in archives depending on factors such as the type of access or tools required. According to Article 23 of the RA Law on Archiving, state and municipal archives must provide users with the necessary conditions for searching and studying archived documents free of charge. However, these archives can also offer paid information services and enter into contracts with users for the commercial use of archival documents and their reference-search tools.

Article 8 – Review procedure

1. *An applicant whose request for an official document has been denied, whether expressly or implicitly, in part or in full, shall have access to a review procedure before a court or another independent and impartial body established by law.*
2. *An applicant shall always have access to an expeditious and inexpensive review procedure, which may involve either reconsideration by a public authority or a review in accordance with paragraph 1.*

8.1. Whether the relevant legal and/or the policy framework provides for a **review procedure** before a court or another independent and impartial body established by law, which is accessible to the person whose request for access to official documents has been denied.

According to Article 3 of the RA Law on The Fundamentals of Administration and Administrative Proceedings, each natural or legal person has the right to appeal to the administrative court regarding the actions or inactions of a state or local self-governing body or its official.

Additionally, Article 69 of the RA Law on The Fundamentals of Administration and Administrative Proceedings grants individuals the right to appeal administrative decisions or acts in order to protect their rights.

The RA Law on Freedom of Information, in Paragraph 4 of Article 11, provides for the possibility of appeal to both a court and an authorized state administration body. The judicial mechanism of appeal is applicable in cases where a request for access to information has been rejected. Appeals regarding access to official documents, as noted, fall under administrative regulations and are subject to review by the administrative court.

- 8.2. The **type of decisions** made by the court or the independent body, notably whether the latter can overturn decisions taken by public authorities that it considers non-compliant with applicable law/s, or to request the public authority in question to reconsider its position.

According to Article 25 of the administrative proceeding code, if the claim is satisfied, the administrative court issues a judicial act resolving the case on its merits. This may include declaring the administrative act completely or partially invalid, obliging the involved parties and other individuals to perform certain actions, or refraining from performing specific actions.

- 8.3. The **duration** of the review procedure involving either reconsideration by a public authority or by the court or the independent body, and whether fees are charged for it.

According to the RA Law on The Fundamentals of Administration and Administrative Proceedings, the review procedure is to be completed within a 30-day period. However, the duration for court proceedings is not specifically defined (in cases relating to personal data protection, the proceedings are free of charge). Fees are assessed in accordance with the RA Law on State Tax.

Article 9 – Complementary Measures

The Parties shall inform the public about their right of access to official documents and how this right may be exercised. They shall also take appropriate measures to:

- a. Educate public authorities about their duties and obligations regarding the implementation of this right;*
- b. Provide information about the matters or activities for which they are responsible;*
- c. Manage their documents efficiently to ensure easily accessible; and*
- d. Apply clear and established rules for the preservation and destruction of their documents.*

- 9.1. Measures taken by public authorities to **inform** the public about their right of access to official documents.

The RA Law on Freedom of Information does not provide specific regulations for implementing information campaigns to educate the public about their right to access information. In the absence of an authorized body for Freedom of Information, no systematic efforts are currently being made in this direction. However, the state is considering the possibility of implementing such a function in the near future.

Additionally, the Agency for the Protection of Personal Data has taken measures to raise public awareness regarding their rights. This includes publishing information to educate individuals about their right to request and gain access to information and documents pertaining to themselves. Furthermore, the Agency is organizing information campaigns focused on personal data protection, with even more extensive campaigns planned for the near future.

- 9.2. **Training** (pre-service and during service) and other measures to ensure public authorities are aware of their duties regarding access to official documents.

In relevant cases, issues concerning freedom of information (access to official documents) are discussed during training sessions conducted by the Agency for the Protection of Personal Data. Within the framework of courses developed by the Agency, special attention is given to the subject of freedom of information, which fulfills the requirement for training and raising awareness among public authorities.

Moreover, questions about freedom of information are included in the questionnaires for civil service and public service competitions, thus forming part of the training for these individuals. Training for state servants is conducted on a case-by-case basis within various programs or events, often with the support of sectoral non-governmental organizations and international organizations.

9.3. Measures taken by public authorities to establish effective systems for **managing and storing** official documents, including how these measures facilitate access to them.

The procedure for registration, classification, and storage of information developed by information holders, or delivered to them, as well as the procedures for providing information or copies by state and local self-governing bodies, state institutions, and organizations, are defined by RA Government Decision No. 1204 of 2015. Digitization plays a crucial role in enhancing the accessibility of official documents; in particular, the national identification unified platform for online requests, yesem.am, has been launched. Through this platform, individuals can send requests, track the progress of their requests, and access the responses.

Furthermore, the state is currently developing a draft law on Public Information, which will significantly facilitate access to official documents. The management and storage of official documents are also extensively regulated by the RA Law on Archiving.

9.4. Rules applied for the preservation and destruction of documents by public authorities.

The preservation and destruction of documents by public authorities are regulated by various laws. In particular, according to the RA Law on Archiving, archived documents are temporarily stored based on their type, ranging from a minimum of three years to a maximum of one hundred years, after which they are transferred and permanently stored in the national archive.

At its own initiative and where appropriate, a public authority shall take the necessary measures to make public the official documents it holds, in the interest of promoting transparency and efficiency in public administration and encouraging informed public participation in matters of general interest.

Article 10 – Documents made public at the initiative of the public authorities

10.1. Measures taken to promote transparency by public authorities through the **proactive** publication of official documents, including the criteria used to determine which documents should be published.

The scope of information (documents) to be proactively published is defined by Paragraphs 2, 3 and 4 of Article 7 of the RA Law on Freedom of Information. According to this law, an information holder must urgently publish or otherwise make public, through accessible means, any information that could help prevent dangers to state and public security, public order, public health and morals, the rights and freedoms of others, the environment, or personal property.

Unless otherwise specified by the Constitution or other laws, an information holder must publish the following details related to their activities or any changes at least once a year:

- 1) Activities and services provided (or to be provided) to the public;***
- 2) Budget;***
- 3) Forms for written enquiries and instructions for completing them;***
- 4) Lists of personnel, including last name, education, profession, position, salary, business phone numbers, and e-mails of officers;***
- 5) Recruitment procedures and vacancies;***
- 6) Environmental impact;***
- 7) Public***

events' program;

8) *Procedures, day, time and place for accepting citizens;*

9) *Policies regarding cost creation and expenses related to services and activities;*

10) *List of maintained information and the procedures for providing it;*

11) *Statistical data on inquiries received, including reasons for refusal to provide information;*

12) *Sources for the development or acquisition of the information mentioned in this section;*

13) *Contact information for individuals responsible for clarifying the information listed in this section.*

Any changes to the aforementioned information must be published within 10 days.

In addition, Paragraph 14 of Appendix 2 of RA Government Decision No. 1204, stipulates that the official website of a state body should have a "frequently asked questions" (FAQ) section or similar, where responses to questions asked five or more times are published to increase accessibility for the public.

Moreover, as previously mentioned, the state is actively working to promote transparency, notably through the development of the Law on Public Information, which aims to expand the scope of documents subject to publication.

10.2. How these official documents are **made public**, in what format, and measures are taken to facilitate public understanding.

According to Paragraph 7 of Article 23 of the RA Law on Normative Legal Acts, internal legal acts must be published in a dedicated section on the official website of the body that issued the decision. If the body does not have an official website, the acts must be displayed in a visible and accessible location for the intended recipients. The decision-making body is required to indicate the date of publication and update the published version of the act after any amendments or additions.

Article 25 of the same law provides a more detailed explanation of the publication process for official documents. It states that the official publication of normative legal acts must be done through the unified website for the publication of normative legal acts, managed by the Ministry.

Additionally, Paragraph 5 of Article 7 of the RA Law on Freedom of Information states that proactively published information must be made available through means accessible to the public. If the information holder has a website, the information must also be published on that site.