



**Reference data 2018 (01/01/2018 - 31/12/2018)**

**Start/end date of the data collection campaign : 01/03/2019 - 01/10/2019**

**Objective :**

The CEPEJ decided, at its 31th plenary meeting, to launch the eighth evaluation cycle 2018 – 2020, focused on 2018 data. The CEPEJ wishes to use the methodology developed in the previous cycles to get, with the support of its national correspondents' network, a general evaluation of the judicial systems in the 47 member states of the Council of Europe as well as three observer states (Israel, Morocco and Kazakhstan). This will enable policy makers and judicial practitioners to take account of such unique information when carrying out their activities.

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

**Instruction :**

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

- User manual
- Explanatory note

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

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## 1.General and financial 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)**

[ 2 962 000 ]

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	2 931 132 075 <input type="checkbox"/> NA <input type="checkbox"/> NAP
Regional / federal entity level (total for all regions / federal entities)	232 321 428 <input type="checkbox"/> NA <input type="checkbox"/> NAP

Comments The figure indicated above is the sum of annual public approved expenditure for 2018, while the implemented sum for 2018 was 2607356777

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

[ 3 544 ]

Comments

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

[ 3 840 ]

NA

Comments EUR ~320 (AMD 172.727) was the average monthly nominal wage for 2018, the average annual salary is EUR~3840.

The basis for calculations was the exchange rate 554.8~555 (please see the next question).

The slight decrease is due to fluctuations in the exchange rate and a small decrease in average monthly nominal wage.

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

[ 554.8 ]

Allow decimals : 5

NAP

Comments

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

Sources: [www.armstat.am](http://www.armstat.am),  
<https://www.armstat.am/en/?nid=12&id=17012&submit=Search>

### 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 NA to the question 7.

	Approved budget (in €)	Implemented budget (in €)
<b>TOTAL - Annual public budget allocated to the functioning of all courts (1 + 2 + 3 + 4 + 5 + 6 + 7)</b>	16 189 798 [ ] NA [ ] NAP	15 473 539 [ ] NA [ ] NAP
<b>1. Annual public budget allocated to (gross) salaries</b>	12 894 415 [ ] NA [ ] NAP	12 729 889 [ ] NA [ ] NAP
<b>2. Annual public budget allocated to computerisation</b>	124 628 [ ] NA [ ] NAP	89 559 [ ] NA [ ] NAP
<b>3. Annual public budget allocated to justice expenses (expertise, interpretation, etc.)</b>	28 755 [ ] NA [ ] NAP	28 737 [ ] NA [ ] NAP
<b>4. Annual public budget allocated to court buildings (maintenance, operating costs)</b>	12 643 [ ] NA [ ] NAP	325 [ ] NA [ ] NAP
<b>5. Annual public budget allocated to investments in new (court) buildings</b>	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP
<b>6. Annual public budget allocated to training</b>	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP
<b>7. Other (please specify)</b>	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP

Please indicate any useful comment to explain the figures provided. If the annual public budget allocated to the functioning of all courts actually implemented is different from the approved annual public budget allocated to the functioning of all courts, please indicate the main reasons for the differences: The reserve fund of courts: approved-311666.4, implemented-120655.5 Providing social packages of employees of state's institution and organization: approved-294814.4, implemented-244576.3

Maintenance of courts of RA: approved-2522876.5, implemented-2259797.7

The change in some figures is due to the change in needs and change in prices for different services.

For this year, the funding of Academy of Justice is included in the budget allocated to the functioning of the Ministry of Justice.

Previously, the Ministry of Finance had no a practice of providing funds to ensure technical furnishment of the courts. However, in 2018 funding was provided to procure Rapiscan X-ray technology for court buildings to ensure the security and social order during court proceedings. That is the reason behind the raise of budget for computerization. At the same time, in 2018 the demand for translation in judicial proceedings has declined, which resulted in decrease of expenses.

The discrepancy between 2016 and 2018 regarding implemented budget for court buildings is due to the fact that no procurement for court building reconstruction was implemented for this cycle.

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

	Approved budget (in €)	Implemented budget (in €)
<b>Total annual public budget allocated to all courts and the public prosecution services together</b>	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP

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

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

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

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

If there are exceptions to the rule to pay these court fees, could you please provide comments on those exceptions? There is no state fee for payment orders.

The Article 22 of the “Law on State 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. Also, there is no state fee for administrative proceedings applications.

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

- The Article 9 of the “Law on State Fee” regulates the rates of state fees for claims and appeals, as well for getting the copies of the documents by parties of a case. The fee for pecuniary claims is 2% from the cost of the lawsuit, the fee for appeals is 3% and the fee for non-pecuniary claim is approximately EUR 7.2.

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

[ 60 ]  
 NA  
 NAP

Comments

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

[ 2 700 003 ]  
 NA  
 NAP

Comments

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

	TOTAL	Criminal cases	Other than criminal cases
<b>TOTAL - Annual approved public budget allocated to legal aid (12.1 + 12.2)</b>	679 769 [ ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP
<b>12.1 for cases brought to court (court fees and/or legal representation)</b>	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP
<b>12.2 for cases not brought to court (legal advice, ADR and other legal services)</b>	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP

Comments

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

	TOTAL	Criminal cases	Other than criminal cases
<b>TOTAL - Annual implemented public budget allocated to legal aid (12-1.1 + 12-1.2)</b>	679 762 [ ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP
<b>12-1.1 for cases brought to court (court fees and/or legal representation)</b>	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP
<b>12-1.2 for cases not brought to court (legal advice, ADR and other legal services)</b>	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP

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

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

	Approved budget (in €)	Implemented budget (in €)
<b>Total annual public budget allocated to the public prosecution services, in € (including 13.1)</b>	7 993 002 [ ] NA [ ] NAP	7 989 991 [ ] NA [ ] NAP
<b>13.1. Annual public budget allocated to training of public prosecution services</b>	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP

Please indicate any useful comment to explain the figures provided. Moreover, if the annual public budget allocated to the public prosecution services actually implemented is different from the approved annual public budget, please indicate the main reasons for the differences: Please see the budget for training in the budget of the Academy of Justice.

### 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

<b>Ministry of Justice</b>	( ) Yes (X) No <input type="checkbox"/> NAP	( ) Yes (X) No <input type="checkbox"/> NAP	( ) Yes (X) No <input type="checkbox"/> NAP	( ) Yes (X) No <input type="checkbox"/> NAP
<b>Other ministry</b>	( ) Yes (X) No <input type="checkbox"/> NAP	( ) Yes (X) No <input type="checkbox"/> NAP	( ) Yes (X) No <input type="checkbox"/> NAP	(X) Yes ( ) No <input type="checkbox"/> NAP
<b>Parliament</b>	( ) Yes (X) No <input type="checkbox"/> NAP	(X) Yes ( ) No <input type="checkbox"/> NAP	( ) Yes (X) No <input type="checkbox"/> NAP	(X) Yes ( ) No <input type="checkbox"/> NAP
<b>Supreme Court</b>	( ) Yes (X) No <input type="checkbox"/> NAP	( ) Yes (X) No <input type="checkbox"/> NAP	( ) Yes (X) No <input type="checkbox"/> NAP	( ) Yes (X) No <input type="checkbox"/> NAP
<b>High Judicial Council</b>	(X) Yes ( ) No <input type="checkbox"/> NAP	( ) Yes (X) No <input type="checkbox"/> NAP	(X) Yes ( ) No <input type="checkbox"/> NAP	( ) Yes (X) No <input type="checkbox"/> NAP
<b>Courts</b>	( ) Yes (X) No <input type="checkbox"/> NAP	( ) Yes (X) No <input type="checkbox"/> NAP	( ) Yes (X) No <input type="checkbox"/> NAP	( ) Yes (X) No <input type="checkbox"/> NAP
<b>Inspection body</b>	( ) Yes ( ) No <input checked="" type="checkbox"/> NAP	( ) Yes ( ) No <input checked="" type="checkbox"/> NAP	( ) Yes ( ) No <input checked="" type="checkbox"/> NAP	( ) Yes ( ) No <input checked="" type="checkbox"/> NAP
<b>Other</b>	( ) Yes ( ) No <input checked="" type="checkbox"/> NAP	( ) Yes ( ) No <input checked="" type="checkbox"/> NAP	( ) Yes ( ) No <input checked="" type="checkbox"/> NAP	( ) Yes ( ) No <input checked="" type="checkbox"/> NAP

If any other Ministry and/or inspection body and/or other, please specify: Art 38 of the Judicial Code states that: 1. The courts and Supreme Judicial Council shall be financed from the State Budget, in which each court and the Supreme Judicial Council shall have a separate row designated for that court or the Supreme Judicial Council. 3. The medium-term expenditure programme and the draft budget bid of the courts and Supreme Judicial Council shall be prepared by the Judicial Department. 4. Upon receiving the draft medium-term expenditure programmes or draft budget bids prepared by the staffs of the courts, the central body of the Judicial Department shall draft the medium-term expenditure programme or the budget bid of the courts and Supreme Judicial Council. 5. The head of the Judicial Council shall submit the draft medium-term expenditure programme or the draft budget bid of the courts and Supreme Judicial Council for approval to the Supreme Judicial Council. 6. The budget bid or the medium-term expenditure programme approved by the Supreme Judicial Council shall be submitted to the Government within the time limits prescribed by the decision on launching the budgeting process.

The High Judicial Council performs one projects to ensure the performance of judiciary, and the courts are parts of that general project. Therefore, in the state budget courts are represented in separated rows, however, the main responsible body for the project is the High Judicial Council .

Ministry of Finance evaluates the total use of budget at national level.

#### 014-1. (Former question 61) Who is entrusted with responsibilities related to the budget within the court?

	<b>Preparation of the budget</b>	<b>Arbitration and allocation of the budget</b>	<b>Day to day management of the budget</b>	<b>Evaluation and control of the use of the budget</b>
<b>Management Board</b>	( ) Yes (X) No	( ) Yes (X) No	( ) Yes (X) No	( ) Yes (X) No
<b>Court President</b>	( ) Yes (X) No	( ) Yes (X) No	( ) Yes (X) No	( ) Yes (X) No

<b>Court administrative director</b>	( X ) Yes ( ) No	( X ) Yes ( ) No	( X ) Yes ( ) No	( X ) Yes ( ) No
<b>Head of the court clerk office</b>	( ) Yes ( X ) No	( ) Yes ( X ) No	( ) Yes ( X ) No	( ) Yes ( X ) No
<b>Other</b>	( ) Yes ( X ) No	( ) Yes ( X ) No	( ) Yes ( X ) No	( ) Yes ( X ) No

Comments - If "other", please specify:

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

Sources: "Law on State Budget of 2018", information provided by the Judicial Department and Prosecutor General's office

### 1.1.3. Budgetary data concerning the whole justice system

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

	Approved budget (in €)	Implemented budget (in €)
<b>Total annual public budget allocated to the whole justice system in €</b>	46 124 357 [ ] NA [ ] NAP	45 087 859 [ ] NA [ ] NAP

Please indicate any useful comment to explain the figures provided above and specify if a large portion of the budget allocated to the whole justice system comes from an international organisation. Moreover, if the annual public budget allocated to the whole justice system actually implemented is different from the approved annual public budget, please indicate the main reasons for the differences: 1) The approved budget includes: apart from courts, prosecutor services and legal aid budget already introduced in the above questions: prison services-14692969, Enforcement service-2444608, Forensic service-396900, functioning of the Ministry of Justice (including Probation)-3727311, 2) The implemented budget-prison services-14488059, Enforcement service-2406073, Forensic service-396900, functioning of the Ministry of Justice (including Probation)-3653535

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

	Included	Not included	Does not exist (NAP)
<b>Courts (see question 6 or 7)</b>	( X )	( )	( )
<b>Legal aid (see question 12 or 7)</b>	( X )	( )	( )
<b>Public prosecution services (see question 13 or 7)</b>	( X )	( )	( )

Please see the budget for the courts, prosecution and legal aid in the previous section.

### **015-3. Other budgetary elements**

	Included	Not included	Does not exist (NAP)
Prison system	( X )	( )	( )
Probation services	( X )	( )	( )
High Judicial Council	( X )	( )	( )
Constitutional court	( )	( X )	( )
Judicial management body	( X )	( )	( )
State advocacy	( )	( )	( X )
Enforcement services	( X )	( )	( )
Notariat	( )	( X )	( )
Forensic services	( X )	( )	( )
Judicial protection of juveniles	( X )	( )	( X )
Functioning of the Ministry of Justice	( X )	( )	( )
Refugees and asylum seekers services	( )	( X )	( )
Immigration Service	( )	( X )	( )
Some police services (e.g. : transfer, investigation, prisoners' security)	( )	( X )	( )
Other	( )	( )	( X )

If "other", please specify: There is no public budget for Notariat. As regards the judicial protection of juveniles, if legal aid is meant, it is included in general legal aid budget. In addition, there is a dedicated agency under the Ministry of Justice that deals with legal education and rehabilitation programs targeting also juveniles. In any case, there is no specific budget allocated for the judicial protection of juveniles.

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

Sources: "Law on State Budget of RA",  
Information provided by the Judicial Department, Prosecutor General's Office, Chamber of Advocates and Ministry of Justice

## 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	( X ) Yes ( ) No <input type="checkbox"/> NA <input type="checkbox"/> NAP	( X ) Yes ( ) No <input type="checkbox"/> NA <input type="checkbox"/> NAP
Legal advice, ADR and other legal services	( X ) Yes ( ) No <input type="checkbox"/> NA <input type="checkbox"/> NAP	( X ) Yes ( ) No <input type="checkbox"/> NA <input type="checkbox"/> NAP

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

- Legal aid in the Republic of Armenia is provided by the Public Defender's Office within the Chair of Advocates. It extends to all persons and all types of legal cases, including legal consultation, examination and preparation of documents and representation in courts.

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

- ( ) Yes  
( X ) No  
 NAP

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  
( X ) No  
 NAP

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

<b>Legal aid granted for other costs</b>	<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
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Comments - If yes, please specify:

## 2.1.2.Information on legal aid

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

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

Comments - Please specify when appropriate: There is no such consolidated data on the mentioned question.

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

	Assisted by a free of charge lawyer
<b>Accused individuals</b>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
<b>Victims</b>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

Comments - If yes, please specify:

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

	free selection of lawyer
<b>Accused individuals</b>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP
<b>Victims</b>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP

Comments They are entitled to claim substitution of the lawyer provided by the Public Defender Office if they substantiate his or her malpractice.

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

( ) Yes

( X ) No

Comments - Please indicate if any other criteria are taken into account for the granting of legal aid and any comment that could explain the data provided above: Article 41 paragraph 5 (4) provides that the families having more than 0 level of social insecurity are entitled to free legal aid. However, those levels and scores are calculated by the Ministry of Labour and Social Affairs and not particularly for the purposes of legal aid.

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

	Annual income value (for one person), (in €)	Assets value (for one person), (in €)
Full legal aid to the applicant for criminal cases	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP
Full legal aid to the applicant for other than criminal cases	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP
Partial legal aid to the applicant for criminal cases	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP
Partial legal aid to the applicant for other than criminal cases	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP

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

( ) Yes

( X ) No

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

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

( ) the court

( ) an authority external to the court

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

Comments The Public Defender's Office within the Chamber of Advocates.

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

## 2.2. Court users and victims

### 2.2.1. Rights of the users and victims

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

	Yes	Internet adresse(es)
legal texts (e.g. codes, laws, regulations, etc.)	( )	( X ) www.arlis.am
case-law of the higher court/s	( )	( X ) www.datalex.am
other documents (e.g. downloadable forms, online registration)	( )	( X ) www.e-draft.am

Please specify what documents and information are included in “other documents”: www. e-draft.am is an online platform for public discussions regarding the drafts of normative legal acts. In addition, almost all state 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: www.e-register.am, www.e-apostille.am, www.e-notary.am, etc.

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

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

Comments - If yes, only in some specific situations, please specify:

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

- ( X ) Yes  
( ) No

Comments - If yes, please specify: Such a system exists not for all kinds of offences. Nevertheless, a good example are the newly established support centers for domestic violence victims as well as a hotline. Other than that, the police also has a hotline which might be a useful toll to obtain information and seek for help.

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

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

Comments - If “other vulnerable person” and/or “other special arrangements”, please specify: It is envisaged that the Istanbul Convention will be ratified which enable special favorable arrangements to be applied to the victims of domestic and sexual violence.

**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 minor benefit from legal aid, be represented by a lawyer, etc.): A minor can be a party to a criminal proceeding as a victim or offender (above 16 or in certain cases 14 years old). In the latter case a free legal aid is always provided unless the minor has a lawyer. In civil cases the minor is introduced by his/her guardian.

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

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

Comments

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

- (X) Yes
- ( ) No

Comments

**033. If yes, does this compensation come from:**

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

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

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

- Yes
- No

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

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

- Yes
- No

Comments - If yes, please specify: The prosecutor may eliminate the violation of the victim's rights in the scope of his/her control over the lawfulness of pretrial investigation. The prosecutor has a right to repeal decision of investigator on dismissing criminal case. So, if the prosecutor finds that there was a violation of victims rights, he repeals the decision. He also has a right to initiate criminal proceedings.

**036. Do victims of offences have the right to dispute a public prosecutor's decision to discontinue a case? Please verify the consistency of your answer with that of the 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:

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

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

<b>Wrongful arrest</b>	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
<b>Wrongful conviction</b>	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
<b>Other</b>	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP

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): There is no consolidated data regarding those questions. However, the law provides for compensation scheme.

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

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

Comments - Please, indicate the references and links to the satisfaction surveys you mentioned above: <https://www.coe.int/en/web/cdcj/-/analysis-of-the-results-of-court-users-satisfaction-survey-of-all-courts-of-all-instances-of-armenia>

This survey was conducted not by the Government, it was CoE and EU financed and the report was published in 2017.

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

Yes

No

Comments

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

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

Comments A complaint may be lodged through an appeal procedure to the higher court against a judgments or decision or through the disciplinary proceedings against the particular judge, but not against the judicial system itself. The bodies that can initiate a disciplinary proceeding are Minister of Justice and the Disciplinary Commission of the General Assembly of judges. The Judicial Code adopted in 2018, Art. 147 states that the time limit from the initiation of disciplinary proceeding till submission of a motion to High Judicial Council, shall not exceed 6 weeks. Art. 150 of the same code states that the High Judicial Council shall decide the case on disciplinary sanction against a judge within one month after receiving the motion. The deadline can be postponed only once based on reasonable justification and by another month, or for a period necessary for relevant expertise. The final decision is made by the Supreme Judicial Council.

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

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

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



see the previous comment. Please find the information on envisaged changes in the disciplinary proceedings against judges in the section on disciplinary liability.

### 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)	10 <input type="checkbox"/> NA <input type="checkbox"/> NAP
42.2 First instance specialised courts (legal entities)	2 <input type="checkbox"/> NA <input type="checkbox"/> 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)	16 <input type="checkbox"/> NA <input type="checkbox"/> NAP

Comments First instance general jurisdiction courts of Yerevan, Ararat and Vayots Dzor regions, Armavir region, Aragatsotn region, Gegharkhunik region, Shirak region, Tavush region, Syunik region, Lori region and Kotayk region, Administrative Court, Criminal Court of Appeal, Civil Court of Appeal, Administrative Court of Appeal, Supreme Court. From 2019 Armenia also has a specialized Bankruptcy (Incolvency) Court. In 2019 the total number of courts is 16.

The change in number of courts is because the organization of first instance courts of general jurisdiction was changed. The separate courts in Yerevan united to form one court as a legal entity with different geographical locations across the city.

#### 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)	2 <input type="checkbox"/> NA <input type="checkbox"/> NAP
Commercial courts (excluded insolvency courts)	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
Insolvency courts	1 <input type="checkbox"/> NA <input type="checkbox"/> NAP
Labour courts	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
Family courts	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
Rent and tenancies courts	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP

<b>Enforcement of criminal sanctions courts</b>	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
<b>Fight against terrorism, organised crime and corruption</b>	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
<b>Internet related disputes</b>	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
<b>Administrative courts</b>	1 <input type="checkbox"/> NA <input type="checkbox"/> NAP
<b>Insurance and / or social welfare courts</b>	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
<b>Military courts</b>	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
<b>Other specialised 1st instance courts</b>	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP

Comments - If “other specialised 1st instance courts”, please specify: The Insolvency Court operates from 1 January 2019.

The change in number of courts is because the organization of first instance courts of general jurisdiction was changed. The separate courts in Yerevan united to form one court as a legal entity with different geographical locations across the city.

**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 - Please specify: It is envisaged to establish a new Anti-Corruption court

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

	Number of courts
<b>a debt collection for small claims</b>	10 <input type="checkbox"/> NA <input type="checkbox"/> NAP
<b>an employment dismissal</b>	11 <input type="checkbox"/> NA <input type="checkbox"/> NAP
<b>a robbery</b>	10 <input type="checkbox"/> NA <input type="checkbox"/> NAP
<b>an insolvency case</b>	1 <input type="checkbox"/> NA <input type="checkbox"/> NAP

Comments The general jurisdiction first instance courts have 43 geographic locations across the country. The Administrative Courts has 5 and the Insolvency Court, established in 1 January 2019 has 3. The appeal courts and the Supreme Court have one geographic location each in Yerevan.

### 045-1. Is your definition for small claims the same as the one in the Explanatory note?

( ) Yes

( X ) No

Comments - If not, please give your definition for small claims: Civil Procedure Code provides that small claims shall be tried in simplified procedures. The financial value of the claim of small cases is under AMD 2.000.000.

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

[ 3 604 ]

Comments 2.000.000/555=-~3604

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

Sources: Judicial Code of RA,  
The 2019-2013 Judicial and Legal Reforms Strategy, information provided by the Judicial Department.

## 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
<b>Total number of professional judges (1 + 2 + 3)</b>	236 [ ] NA [ ] NAP	176 [ ] NA [ ] NAP	60 [ ] NA [ ] NAP
<b>1. Number of first instance professional judges</b>	175 [ ] NA [ ] NAP	131 [ ] NA [ ] NAP	44 [ ] NA [ ] NAP
<b>2. Number of second instance (court of appeal) professional judges</b>	44 [ ] NA [ ] NAP	32 [ ] NA [ ] NAP	12 [ ] NA [ ] NAP
<b>3. Number of Supreme Court professional judges</b>	17 [ ] NA [ ] NAP	13 [ ] NA [ ] NAP	4 [ ] NA [ ] NAP

Comment - Please provide any useful comment for interpreting the data above: It must be noted that the 2019-2023 Strategy of Judicial and Legal Reforms envisages the increase of the number of judges and their staff. Also, as of 27.12.2019 the number of judges has increased up to 241 and there are 3 vacant positions for the first instance general jurisdiction courts.

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

Total	Males	Females
-------	-------	---------

<b>Total number of court presidents (1 + 2 + 3)</b>	15 <input type="checkbox"/> NA <input type="checkbox"/> NAP	15 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
<b>1. Number of first instance court presidents</b>	11 <input type="checkbox"/> NA <input type="checkbox"/> NAP	11 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
<b>2. Number of second instance (court of appeal) court presidents</b>	3 <input type="checkbox"/> NA <input type="checkbox"/> NAP	3 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
<b>3. Number of Supreme Court presidents</b>	1 <input type="checkbox"/> NA <input type="checkbox"/> NAP	1 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> 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
<b>Gross figure</b>	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
<b>In full-time equivalent</b>	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP

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

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

- Yes If yes, please give specifications on the types of cases and an estimate in percentage. ....
- No
- NAP

Comments

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

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

Comments

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

which types of cases:

	Yes	No	Echevinage
criminal cases (severe)	( )	( )	( )
criminal cases (misdemeanour and/or minor)	( )	( )	( )
family law cases	( )	( )	( )
labour law cases	( )	( )	( )
social law cases	( )	( )	( )
commercial law cases	( )	( )	( )
insolvency cases	( )	( )	( )
other civil cases	( )	( )	( )

NAP

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

Criminal cases

Other than criminal cases

Comments

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

[ ]

NA

NAP

Comments

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

Total	Males	Females

<b>Total non-judge staff working in courts (1 + 2 + 3 + 4 + 5)</b>	1 976 [ ] NA [ ] NAP	872 [ ] NA [ ] NAP	1 084 [ ] NA [ ] NAP
<b>1. Rechtspfleger (or similar bodies) with judicial or quasi-judicial tasks having autonomous competence and whose decisions could be subject to appeal</b>	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP
<b>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)</b>	767 [ ] NA [ ] NAP	118 [ ] NA [ ] NAP	649 [ ] NA [ ] NAP
<b>3. Staff in charge of different administrative tasks and of the management of the courts (human resources management, material and equipment management, including computer systems, financial and budgetary management, training management)</b>	139 [ ] NA [ ] NAP	39 [ ] NA [ ] NAP	100 [ ] NA [ ] NAP
<b>4. Technical staff</b>	409 [ ] NA [ ] NAP	167 [ ] NA [ ] NAP	242 [ ] NA [ ] NAP
<b>5. Other non-judge staff</b>	641 [ ] NA [ ] NAP	548 [ ] NA [ ] NAP	93 [ ] NA [ ] NAP

Comments - If "other non-judge staff", please specify:

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

	<b>Total</b>	<b>Males</b>	<b>Females</b>
<b>Total non-judge staff working in courts (1+2+3)</b>	767 [ ] NA [ ] NAP	118 [ ] NA [ ] NAP	649 [ ] NA [ ] NAP
<b>1. Total non-judge staff working in courts at first instance level</b>	596 [ ] NA [ ] NAP	86 [ ] NA [ ] NAP	510 [ ] NA [ ] NAP
<b>2. Total non-judge staff working in courts at second instance (court of appeal) level</b>	126 [ ] NA [ ] NAP	23 [ ] NA [ ] NAP	103 [ ] NA [ ] NAP
<b>3. Total non-judge staff working in courts at Supreme Court level</b>	45 [ ] NA [ ] NAP	9 [ ] NA [ ] NAP	36 [ ] NA [ ] NAP

Comments

**053. 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
- NAP

Comments - Please briefly describe their status and duties:

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

- Yes
- No

Comments

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

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

Comments

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

Sources: Data provided by the Judicial Department (the staff of the Supreme Judicial Council)

**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
<b>Total number of prosecutors (1 + 2 + 3)</b>	329	290	39
	<input type="checkbox"/> NA	<input type="checkbox"/> NA	<input type="checkbox"/> NA
	<input type="checkbox"/> NAP	<input type="checkbox"/> NAP	<input type="checkbox"/> NAP

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

Please indicate any useful comment for interpreting the data above: It must be noted that the 2019-2023 Strategy of Judicial and Legal Reforms provides for increase in number of prosecutors.

### 056. Number of heads of prosecution offices.

	<b>Total</b>	<b>Males</b>	<b>Females</b>
<b>Total number of heads of prosecution offices (1 + 2 + 3)</b>	28 <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	28 <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	0 <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
<b>1. Number of heads of prosecution offices at first instance level</b>	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
<b>2. Number of heads of prosecution offices at second instance (court of appeal) level</b>	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
<b>3. Number of heads of prosecution offices at Supreme Court level</b>	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP

Please provide any useful comment for interpreting the data above: It is worth to note that the Prosecutor General is not involved in the number mentioned above. If we count him, the answer to question will be 28+1, that is 29.

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

Yes

No

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

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

[            ]  
 NA

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

Yes

No

NAP

Comments

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



**violence ?**

Yes

No

Comments Currently in almost all territorial prosecution units there is at least one prosecutor specialized in domestic violence cases and it is envisaged to ensure the availability of the specialized prosecutors in all units.

**060. Number of staff (non-public prosecutors) attached to the public prosecution services (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	314 [ ] NA	107 [ ] NA	207 [ ] NA

Comments In previous circle only the number of civil servants was provided. The number provided this year also includes the technical support staff.

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

Sources: Data provided by the Prosecutor General's office

**3.4. Gender equality**

**3.4.1 Specific provisions for facilitating gender equality**

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

	Yes, please specify	No
judges	<input checked="" type="checkbox"/> According to Article 109 (5) of Judicial Code Where the number of judges of either sex is less than twenty-five per cent of the total number of judges, up to fifty per cent of the places in the list of contenders for judge candidates shall be reserved to the persons of the sex concerned who have received the maximum number of "for" votes, but not less than at least more than half of those of all the members of the Supreme Judicial Council.	<input type="checkbox"/>

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

[ ] NA

Comments - if the situation changed since the reference year, please specify in the comments. If you have additional comments please specify: According to Article 109 (5) of Judicial Code, where the number of judges of either sex is less than twenty-five per cent of the total number of judges, up to fifty per cent of the places in the list of contenders for judge candidates shall be reserved to the persons of the sex concerned who have received the maximum number of “for” votes, but not less than at least more than half of those of all the members of the Supreme Judicial Council.

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

	Yes, please specify	No
<b>judges</b>	( )	( X )
<b>prosecutors</b>	( )	( X )
<b>non-judge staff</b>	( )	( X )
<b>lawyers</b>	( )	( X )
<b>notaries</b>	( )	( X )
<b>enforcement agents</b>	( )	( X )

[ ] NA

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

**3.4.2 At national level**

**061-4. Do you have, at national level, one or more recent surveys or reports related to - wholly or partly - the distribution males/females within the judicial system concerning:**

	Yes	No
<b>judges</b>	( X )	( )
<b>prosecutors</b>	( X )	( )
<b>non-judge staff</b>	( )	( X )

<b>lawyers</b>	( )	( X )
<b>notaries</b>	( )	( X )
<b>enforcement agents</b>	( )	( X )

Comments - If the situation changed since the reference year, please specify in the comments. Could you specify the reference or internet link of this/these document(s) or send it/them to us? Some information is available in the CoE sponsored Training Manual on Ensuring Women's Access to Justice published in 2017

<https://rm.coe.int/training-manual-women-access-to-justice/16808d78c5>

**061-5. Is there a national programme or an orientation document to promote males/females equality within the judicial system?**

( X ) Yes

( ) No

Comments - if the situation changed since the reference year, please specify in the comments. Could you specify the reference or internet link of this/these document(s) or send it/them to us? The Gender Policy Strategy adopted in 2019 aims at promoting women's representation in decision-making positions and eliminate the gender bias regarding certain professions, which may include also judiciary

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

	Yes, please specify	No
<b>the recruitment of judges</b>	( )	( X )
<b>the promotion of judges</b>	( )	( X )
<b>the recruitment of prosecutors</b>	( )	( X )
<b>the promotion of prosecutors</b>	( )	( X )
<b>the recruitment of non-judge staff</b>	( )	( X )
<b>the promotion of non-judge staff</b>	( )	( X )

Comments - if other than recruitment and/or promotion, please specify. If the situation changed since the reference year, please specify in the comments Currently there is no such institution. Nevertheless, the Government plans to introduce the comprehensive law on Ensuring Equality Before the Law to the Parliament. The draft law establishes the Equality Body which is the Human Rights Defender. The latter will have extended powers in ensuring equality, including gender equality.

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

(title, date, nature of the text)

[ X ] NAP

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

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

[ X ] NAP

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

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

[ X ] NAP

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

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

	Yes	No
in courts (judges)	( )	( X )
in public prosecution services (prosecutors)	( )	( X )
for courts' non-judge staff	( )	( X )

Comments - If yes, please specify their titles and tasks. If the situation changed since the reference year, please specify in the comments.

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

	Yes	No
Assignment in different positions	( )	( X )
Workload distribution	( )	( X )
Working hours	( )	( X )
Modalities of teleworking and presence in the work space	( )	( X )

<b>Replacement of absent persons</b>	( )	( X )
<b>Organisation of the hearings</b>	( )	( X )
<b>Other</b>	( )	( X )

Comments - If other, please specify. Could you also indicate concrete examples referring to the various possibilities mentioned? If the situation changed since the reference year, please specify in the comments. There is no such practice.

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

have been already implemented (please specify) :

are planned (please specify) :

Comments - If the situation changed since reference year, please specify in the comments.

NAP

**061-10. In your judicial system, and eventually based on evaluation, studies or official reports, what are the main causes of inequalities in:**

recruitment procedures (please specify):

promotion procedures and access to the functions of responsibility (please specify) :

Comments - If the situation changed since reference year, please specify in the comments.

**061-11. In your courts, is there particular attention given to gender issues regarding the public and users of justice, in particular:**

	Yes, please specify	No
judges and court staff are more chosen among males or females according to the type of cases	( )	( X )
the composition of hearings with several judges is always mixed	( )	( X )
statistics exist concerning males and females who initiate a case/victims, accused persons, etc.	( )	( X )

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

### 3.5 Use of information technologies in courts

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

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

	Organisation
IT policies and strategies	( X ) defined and coordinated at national level by one institution ( ) defined and coordinated at national level by several institutions ( ) defined and coordinated at unit/stakeholder level ( ) other
IT Governance	( X ) governed on national level by one institution ( ) governed on national level by several institutions ( ) organised at unit/stakeholder level ( ) other

Comments The RA Ministry of High Technology Industry develops and implements Government policy in the fields of communication, information technology and information security, mail, licensing and permitting, military industry.

Deputy Prime minister Tigran Avinyan’s office coordinates the work of state bodies in the sphere of e-governance.

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

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

Comments - (please specify if there are other modernisation approaches that have been implemented): Mixed teams of Ministry of justice representatives and judicial staff

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

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

Comments - please also describe in case of “other alternatives” The technical descriptions of systems and the scope of work are mainly developed by the Ministry of Justice and experts hired by donor organizations with the participation of judges, advocates and other professionals. The implementation of the project is done by external IT companies.

**065-3. Is there a device of detection and promotion of innovations regarding IT coming from personal and/or local/court level initiatives?**

- (X) Yes
- ( ) No

Comments (please specify projects that have experienced national developments) The initiatives from the lower courts may go to the Supreme Judicial Council, which alone or most likely with the assistance of the Ministry of Justice may proceed with the implementation.

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

- ( ) Yes
- (X) No

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

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

Comments (please specify examples of the impact)

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

**065-5. Are there independent audits or other mechanisms to contribute to the global security**

## policy regarding the information system of the judiciary ?

Yes

No

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

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

Yes

No

Comment - If yes, please specify among others: if there are authorities specifically responsible for protection of personal data; the extent of the rights granted to citizens in the specific framework of software used by courts; if there are controls or limitations by law regarding the sharing of databases managed by courts with other administrations (police, etc.) The issues concerning personal data protection are dealt with in the "Law on Personal Data Protection". Apart from that, the Judicial Code provides that personal and other sensitive data shall be published in a manner that excludes identification. The regulation of this type of publication shall be adopted by the Supreme Judicial Council.

## 3.5.3 Centralised databases for decision support

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

Yes

Non

Comments

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

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

Comments - if it exists in other matters please specify www.datalex.am is the national portal of court decisions. The portal is based on Cast court management system which includes over 2 million files of court cases. Datalex portal consists of civil, criminal, administrative,



bankruptcy and payment order cases.

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

- Yes
- No

Comments

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

- Linkage with other European records of the same nature
- Content directly available through computerised means for judges and/or prosecutors
- Content directly available for purposes other than criminal (civil and administrative matters)

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

**3.5.4 Writing assistance tools**

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

- Yes
- No

Comment – if it exists in other matters please specify

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

	Availability rate
<b>Civil and/or commercial</b>	<input type="checkbox"/> 100% <input type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input type="checkbox"/> 0% (NAP) <input type="checkbox"/> NA
<b>Criminal</b>	<input type="checkbox"/> 100% <input type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input type="checkbox"/> 0% (NAP) <input type="checkbox"/> NA
<b>Administrative</b>	<input type="checkbox"/> 100% <input type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input type="checkbox"/> 0% (NAP) <input type="checkbox"/> NA

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

- Yes
- No

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

	<b>Availability of simple dictation tools</b>	<b>Availability of multiple speakers recording tools</b>	<b>Voice recognition feature</b>
<b>Civil and/or commercial</b>	<input type="checkbox"/> in all courts <input type="checkbox"/> in most of the courts <input type="checkbox"/> in some courts / some pilot phases <input checked="" type="checkbox"/> not available for this matter <input type="checkbox"/> NA	<input type="checkbox"/> in all courts <input checked="" type="checkbox"/> in most of the courts <input type="checkbox"/> in some courts / some pilot phases <input type="checkbox"/> not available for this matter <input type="checkbox"/> NA	<input type="checkbox"/> Yes <input type="checkbox"/> Pilot testing <input checked="" type="checkbox"/> No <input type="checkbox"/> NA
<b>Criminal</b>	<input type="checkbox"/> in all courts <input type="checkbox"/> in most of the courts <input type="checkbox"/> in some courts / some pilot phases <input checked="" type="checkbox"/> not available for this matter <input type="checkbox"/> NA	<input type="checkbox"/> in all courts <input checked="" type="checkbox"/> in most of the courts <input type="checkbox"/> in some courts / some pilot phases <input type="checkbox"/> not available for this matter <input type="checkbox"/> NA	<input type="checkbox"/> Yes <input type="checkbox"/> Pilot testing <input checked="" type="checkbox"/> No <input type="checkbox"/> NA
<b>Administrative</b>	<input type="checkbox"/> in all courts <input type="checkbox"/> in most of the courts <input type="checkbox"/> in some courts / some pilot phases <input checked="" type="checkbox"/> not available for this matter <input type="checkbox"/> NA	<input checked="" type="checkbox"/> in all courts <input type="checkbox"/> in most of the courts <input type="checkbox"/> in some courts / some pilot phases <input type="checkbox"/> not available for this matter <input type="checkbox"/> NA	<input type="checkbox"/> Yes <input type="checkbox"/> Pilot testing <input checked="" type="checkbox"/> No <input type="checkbox"/> NA

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

**Availability rate:**

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

NA

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

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

- Yes
- No

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

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

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

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

<b>Deployment rate</b>	<b>Data consolidated at national level</b>	<b>Service available online</b>	<b>Statistical module integrated or connected</b>
------------------------	--	---------------------------------	---

<b>Land registry</b>	<input type="checkbox"/> 100% <input type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input checked="" type="checkbox"/> 0% (NAP) <input type="checkbox"/> NA	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
<b>Business registry</b>	<input type="checkbox"/> 100% <input type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input checked="" type="checkbox"/> 0% (NAP) <input type="checkbox"/> NA	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

Comment – if it exists in other matters please specify The business registry is managed by the state register of the legal entities of the Ministry of Justice of RA. The registry contains data on legal entities and sole proprietors. The registry provides the possibility to register online LLC-s and sole proprietors. The land registry is managed by the State Committee of Real Estate Cadastre.

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

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

Comments Client Treasury electronic system of managing treasury accounts, LS finance program, other accounting systems

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

Yes

No

Comments

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

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

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

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

- Yes  
 No

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

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

	<b>Availability rate</b>	<b>Simultaneous submission of cases in paper form remains mandatory</b>	<b>Specific legislative framework authorising the submission of a case</b>	<b>An integrated/connect ed tool with the CMS</b>
<b>Civil and/or commercial</b>	<input type="checkbox"/> 100% <input type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input type="checkbox"/> 0% (NAP) <input type="checkbox"/> NA	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP

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

Comments - if it exist in other matters please specify

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

Yes

No

Comments

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

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

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

Yes

( ) No

Comments

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

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

Comments According to article 97 of RA Civil Procedure Code, legal entities, state bodies, local self governing authorizes, sole proprietors are notified electronically through official email. Besides, within the framework of the “Digitalization of Judicial Documents and Implementation of Electronic Court System in Armenia” electronic court system in Armenia software has been created which is under "Test System Operation and Error Correction" phase. The system will provide possibility to submit documents to court, file lawsuits, to follow case proceedings, get notifications and other functions electronically (in civil cases). After launch of the system it is planned that court users will be notified through email, e-citizen official email, www.azdarar.am (public notification website). Besides, according to Article 95 of Civil Procedure Code, the judicial notice is also posted on the official website of the Public Notices of the Republic of Armenia. On the 15th day after performing the actions provided for in this section, the person shall be deemed notified. According to point 6 of Article 63 of Administrative Procedure Code notices shall be sent to the address specified by the person, and in the absence of such address, to the address provided for in Article 76 of this Code, the notice shall at the same time be published on the official website of the Public Notices of the Republic of Armenia.

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

**Communication between court and lawyers representing parties**

( ) Yes

( X ) No

**Communication between court and parties not represented by lawyer**

( ) Yes

( X ) No

Comments

**064-6-1. If yes, please specify the following information:**

	<b>Tool deployment rate</b>	<b>Trial phases concerned</b>	<b>Modalities (if there are different according to the trial phases or if other, please specify in a comment)</b>	<b>Specific legal framework</b>
<b>Civil and/or commercial</b>	<input type="checkbox"/> 100% <input type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input type="checkbox"/> 0% (NAP) - for this matter <input type="checkbox"/> NA	<input type="checkbox"/> Submission of a case to a court <input type="checkbox"/> Phases preparatory to a hearing <input type="checkbox"/> Schedule of hearings and/or appeals management <input type="checkbox"/> Transmission of court decisions	<input type="checkbox"/> E-mail <input type="checkbox"/> Specific computer application <input type="checkbox"/> Other	<input type="checkbox"/> Yes
<b>Criminal</b>	<input type="checkbox"/> 100% <input type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input type="checkbox"/> 0% (NAP) - for this matter <input type="checkbox"/> NA	<input type="checkbox"/> Submission of a case to a court <input type="checkbox"/> Phases preparatory to a hearing <input type="checkbox"/> Schedule of hearings and/or appeals management <input type="checkbox"/> Transmission of court decisions	<input type="checkbox"/> E-mail <input type="checkbox"/> Specific computer application <input type="checkbox"/> Other	<input type="checkbox"/> Yes
<b>Administrative</b>	<input type="checkbox"/> 100% <input type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input type="checkbox"/> 0% (NAP) - for this matter <input type="checkbox"/> NA	<input type="checkbox"/> Submission of a case to a court <input type="checkbox"/> Phases preparatory to a hearing <input type="checkbox"/> Schedule of hearings and/or appeals management <input type="checkbox"/> Transmission of court decisions	<input type="checkbox"/> E-mail <input type="checkbox"/> Specific computer application <input type="checkbox"/> Other	<input type="checkbox"/> Yes

Comments

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



	Tool deployment rate	Modalities (if there are different according to the deeds or if other, please specify in a comment)	Specific legal framework
Enforcement agents (as defined in Q169 and following)	<input type="checkbox"/> 100% <input checked="" type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input type="checkbox"/> 0% (NAP) <input type="checkbox"/> NA	<input type="checkbox"/> E-mail <input checked="" type="checkbox"/> Specific computer application <input type="checkbox"/> Other	<input checked="" type="checkbox"/> Yes
Notaries (as defined in Q192 and following)	<input type="checkbox"/> 100% <input type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input checked="" type="checkbox"/> 0% (NAP) <input type="checkbox"/> NA	<input type="checkbox"/> E-mail <input type="checkbox"/> Specific computer application <input checked="" type="checkbox"/> Other	<input type="checkbox"/> Yes
Experts (as defined in Q202 and following)	<input type="checkbox"/> 100% <input type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input checked="" type="checkbox"/> 0% (NAP) <input type="checkbox"/> NA	<input type="checkbox"/> E-mail <input type="checkbox"/> Specific computer application <input type="checkbox"/> Other	<input type="checkbox"/> Yes
Judicial police services	<input type="checkbox"/> 100% <input type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input checked="" type="checkbox"/> 0% (NAP) <input type="checkbox"/> NA	<input type="checkbox"/> E-mail <input type="checkbox"/> Specific computer application <input type="checkbox"/> Other	<input type="checkbox"/> Yes

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

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

- ( ) Yes  
 ( X ) No

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

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

- ( ) Yes  
 ( X ) No

Comments

**064-10-1. If yes, please specify the following information and describe in comments of this section the cases of actual use of videoconferencing and the expected benefits (for example,**

the use of this device to reduce the number of detainees' transfers to the court):

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

Comments

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

Yes

No

Comments

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

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

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

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

Comments

## 3.6. Performance and evaluation

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

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

Yes

No

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

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

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

Comments

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

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

( ) Yes

( X ) No

Comments There are no such indicators for courts as such, however there is a procedure in place for evaluation of performance of individual judges by the Supreme Judicial Council.

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

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

Comments

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

( ) Yes

( X ) No

Comments

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

- number of incoming cases
- length of proceedings (timeframes)
- number of resolved cases
- number of pending cases
- backlogs
- productivity of prosecutors and prosecution staff
- satisfaction of prosecution staff

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

Comments

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

- Yes
- No

Comments

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

- Annual
- Less frequent
- More frequent

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

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

- Yes
- No

Comments

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

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

Comments

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

- Yes
- No

Comments

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

- Annual
- Less frequent
- More frequent

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

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

- Yes
- No

Comments

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

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

Comments

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

- High Judicial Council
- Ministry of Justice
- Inspection authority
- Supreme Court
- External audit body
- Other (please specify): .....

Comments

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

- Public prosecutorial Council
- Ministry of Justice
- Head of the organisational unit or hierarchical superior public prosecutor
- Prosecutor General /State public prosecutor
- External audit body
- Other (please specify): .....

Comments

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

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

- number of incoming cases

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

Comments There is no specific monitoring mechanism, however above mentioned data is revealed through statistics.

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

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

Comments

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

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

Comments

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

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

Comments

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

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

( X ) Yes (please indicate the name and the address of this institution):Judicial Department

( ) No

Comments

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

( X ) Yes, on internet

( ) No, only internally (in an intranet website)

( ) No

Comments

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

( X ) Yes (please indicate the name and the address of this institution):A specialized unit in the Prosecutor General's office.

( ) No

Comments 5 Vazgen Sargsyan, Yerevan, Armenia

**080-3. Does this institution publish statistics on the functioning of each public prosecution service?**

( ) Yes, on internet

( ) No, only internally (in an intranet website)

( X ) No

Comments

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

( X ) Yes

( ) No

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



courts to prepare an activity report introduced by the Judicial Code adopted in 2018. The report shall be submitted to the Judicial Department.

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

- Internet
- Intranet (internal) website
- Paper distribution

Comments

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

- Annual
- Less frequent
- More frequent

Comments Twice a year

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

- Yes
- No

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

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

- Internet
- Intranet (internal) website
- Paper distribution

Comments both internet and hard copy

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

- Annual
- Less frequent
- More frequent

Comments

**3.6.5 Courts administration**

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

- Yes

No

Comments - If yes, please specify:

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

Yes

No

Comments - If yes, please specify:

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

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

Yes

No

Comments There are quantitative performance targets as such, the cases are distributed electronically and the judges is expected to resolve the cases assigned to him/her in time limits set by the relevant legislation.

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

Executive power (for example the Ministry of Justice)

Legislative power

Judicial power (for example the High Judicial Council, Supreme Court)

President of the court

Other (please specify):NAP

Comments NAP

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

Yes

No

Comments Chapter 18 of Judicial Code provides for regular (once in five years) and extraordinary evaluation of the performance of individual judges. Pursuant to Article 138, Criteria for evaluation of the quality and professionalism of the work of a judge shall be:

(1)ability to justify the judicial act;

(2)ability to preside over the court session.

3.Criteria for evaluation of the effectiveness of the work of a judge shall be:

(1)effective workload management skill and work planning;

(2)examination of cases and delivery of judicial acts within reasonable time limits;

(3)observance by a judge of time limits prescribed by law for the performance of individual procedural actions;

(4)ability to ensure an efficient working environment.

4.Criteria for evaluation of the ethics of a judge shall be:

(1)observance of the rules of ethics;

(2)contribution to the public perception of the court and to the confidence therein;

(3)attitude towards other judges and the staff of the court.

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

- Annual  
 Less frequent  
 More frequent

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

- Yes  
 No

Comments

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

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

Comments

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

- Yes  
 No

Comments The system of qualitative individual assessment been created by the new Law on Prosecution adopted in 2017.

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

- Annual  
 Less frequent  
 More frequent

Comments Once in three years.

The attestation of prosecutors is carried out by the Qualification Commission. The evaluation concerns the professional, personal qualities of the prosecutor and the results of his/her professional activities. The attestation is based on the annual reports on the previous 3 years' professional activities of the prosecutor concerned submitted to his/her direct supervisor.

**C4. Please indicate the sources for answering the questions in this chapter:**

Sources: Judicial Code of RA  
"Law on Prosecution" of RA

## 4.Fair trial

### 4.1.Principles

#### 4.1.1.Principles of fair trial

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

[            ]

[ ] NA

[ X ] NAP

Comments - Please add methodology for calculation used. 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

(   ) No

Comments - Please could you briefly specify:

**085-1. Ratio between the total number of initiated procedures of challenges and total number of finalised challenges (in the reference year):**

[            ]

[ X ] NA

Comments The procedural codes provide for the procedure of recusal of a judge. The grounds for recusal are: (1) a judge is biased towards a person acting as a party, his or her representative, advocate, other participants of the proceedings;

(2) a judge, acting in his or her personal capacity, has been a witness to circumstances being disputed during the examination of a case;

(3) a judge has participated in the examination of the case concerned in another court;

(4) a close relative of a judge has acted, is acting or will reasonably act as a participant in the case;

(5) a judge is aware or must be reasonably aware that he or she personally or his or her close relative pursues economic interests in connection with the merits of the dispute or with any of the parties;

(6) a judge occupies a position in a non-commercial organisation and the interests of that organisation may be affected by the case.

3. Within the meaning of this Article, the concept "economic interest" shall not include the following:

(1) managing stocks of the open joint-stock company in question through an investment fund or a pension fund or another nominee, where the judge is not aware of it;

(2) having a deposit in the bank in question, having an insurance policy with the insurance company in question, or being a participant of the credit union or the savings union in question, where the outcome of the case does not pose a significant threat to the solvency of that organisation;

(3) owning securities issued by the Republic of Armenia, a community or the Central Bank of the Republic of Armenia.

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

[   ] For civil procedures (non-enforcement)

[   ] For civil procedures (timeframe)

[   ] For criminal procedures (timeframe)

[ ] NAP

Comments - Please specify what are the terms and conditions of this monitoring system (information related to acknowledged violations by ECHR at the State/courts level; implementation of internal systems to prevent other violations (that are similar) and if possible to measure an evolution of the established violations): There is no a monitoring mechanism dedicated specifically to ECHR as such. However, the Office of the Government Agents before ECtHR under the Prime Minister keeps the track of all the judgments and in the scope of general measures during the execution issues recommendations on prevention of repetitive violations, including of Article 6 of ECHR.

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

Yes

No

[ ] NAP

Comments The judgment of ECtHR is a new circumstance that is a ground for reopening the case.

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

Sources: Judicial code of RA, Criminal Procedure Code of RA, Civil Procedure Code of RA, Administrative Procedure Code of RA.

## **4.2. Timeframe of proceedings**

### **4.2.1. General information**

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

civil cases

criminal cases

administrative cases

There is no specific procedure for urgent matters

Comments - If yes, please specify: The Civil Procedure Code of RA stipulates specific procedures. With the specific procedure the court examines the cases included family cases, cases concerning the return of a child illegally transferred to the RA or illegally kept in the RA, cases concerning separate labor disputes, cases concerning corporate disputes, cases considered on the basis of a group claim, appeal against the decision of the manager of the Central Bank of RA, the insolvent bank, credit organization, investment company, investment fund and the decision of temporary administration of insurance company, cases concerning protective order provided by Law on Prevention of Violence within the Family, Protection of Victims of Violence within the Family and Restoration of Peace in the Family. The current Administrative Procedure Code provides specific procedures for cases on appeal for emergency intervention decision (domestic violence cases). According to the Criminal Procedure Code the court with the specific procedure examines the appeal against the arrest and makes the decision immediately, if the complaint prima facie substantiates that there is a threat to the life of the person or has been subjected to torture.

#### **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 provides simplified procedure for trial in absentia (with the consent of the plaintiff or the plaintiffs the court shall have the right to institute remote trial in cases where the notified respondent has not appeared at the preliminary hearing.), for claims for confiscation of amount not exceeding two thousand-fold of minimum wage of the day of filling the application, for cases where is a written agreement signed between all the parties to examine the case in a simplified procedure and there is not any objection, where is not counterclaim or where the amount of claim is not exceeding two thousand-fold of minimum wage.

**088-1. For these simplified procedures, may judges deliver an oral judgement with a written order and without the full reasoning of the judgement ?**

civil cases

criminal cases

administrative cases

Comments - If yes, please specify: No

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

Yes

No

Comments - If yes, please specify:

**4.2.2. Case flow management – first instance**



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

	Pending cases on 1 Jan. ref. year	Incoming cases	Resolved cases	Pending cases on 31 Dec. ref. year	Pending cases older than 2 years from the date the case came to the first instance court
<b>Total of other than criminal law cases (1+2+3+4)</b>	64 468 <input type="checkbox"/> NA <input type="checkbox"/> NAP	181 447 <input type="checkbox"/> NA <input type="checkbox"/> NAP	184 234 <input type="checkbox"/> NA <input type="checkbox"/> NAP	61 681 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
<b>1. Civil (and commercial) litigious cases (including litigious enforcement cases and if possible without administrative law cases, see category 3)</b>	45 741 <input type="checkbox"/> NA <input type="checkbox"/> NAP	84 337 <input type="checkbox"/> NA <input type="checkbox"/> NAP	84 901 <input type="checkbox"/> NA <input type="checkbox"/> NAP	45 177 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
<b>2. Non litigious cases (2.1+2.2+2.3)</b>	3 575 <input type="checkbox"/> NA <input type="checkbox"/> NAP	81 186 <input type="checkbox"/> NA <input type="checkbox"/> NAP	80 818 <input type="checkbox"/> NA <input type="checkbox"/> NAP	3 943 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP

<b>2.1. General civil (and commercial) non-litigious cases, e.g. uncontested payment orders, request for a change of name, non-litigious enforcement cases etc. (if possible without administrative law cases, see category 3; without registry cases and other cases, see categories 2.2 and 2.3)</b>	3 575 [ ] NA [ ] NAP	81 186 [ ] NA [ ] NAP	80 818 [ ] NA [ ] NAP	3 943 [ ] NA [ ] NAP	[ X ] NA [ ] NAP
<b>2.2. Registry cases (2.2.1+2.2.2+2.2.3)</b>	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP
<b>2.2.1. Non litigious land registry cases</b>	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP
<b>2.2.2 Non-litigious business registry cases</b>	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP
<b>2.2.3. Other registry cases</b>	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP
<b>2.3. Other non-litigious cases</b>	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP
<b>3. Administrative law cases</b>	7 841 [ ] NA [ ] NAP	13 909 [ ] NA [ ] NAP	16 402 [ ] NA [ ] NAP	5 348 [ ] NA [ ] NAP	[ X ] NA [ ] NAP
<b>4. Other cases</b>	7 311 [ ] NA [ ] NAP	2 015 [ ] NA [ ] NAP	2 113 [ ] NA [ ] NAP	7 213 [ ] 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. For that reason, the specialized Insolvency Court was established in 1 January 2019. The vast majority of cases in the first instance general jurisdiction courts relate to requests on forfeiture of money. In 2018 simplified procedure for small money forfeiture cases was introduced. As a result the number of resolved cases raised. Finally, the number of incoming administrative cases is due to the number of applications requesting to invalidate decisions of administrative bodies (state and municipal bodies and their officials) that has raised since last cycle.

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

. Cases on payment orders

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

. insolvency applications

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

	Pending cases on 1 Jan. ref. year	Incoming cases	Resolved cases	Pending cases on 31 Dec. ref. year	Pending cases older than 2 years from the date the case came to the first instance court
<b>Total of criminal law cases (1+2+3)</b>	1 935 [ ] NA [ ] NAP	2 936 [ ] NA [ ] NAP	3 062 [ ] NA [ ] NAP	1 809 [ ] NA [ ] NAP	[ X ] NA [ ] NAP
<b>1. Severe criminal cases</b>	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP
<b>2. Misdemeanour and / or minor criminal cases</b>	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP
<b>3. Other cases</b>	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP

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

**4.2.3. Case flow management – second instance**



**097. Second instance courts (appeal): Number of "other than criminal law" cases.**

	Pending cases on 1 Jan. ref. year	Incoming cases	Resolved cases	Pending cases on 31 Dec. ref. year	Pending cases older than 2 years from the date the case came to the second instance court
<b>Total of other than criminal law cases (1+2+3+4)</b>	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP
<b>1. Civil (and commercial) litigious cases (including litigious enforcement cases and if possible without administrative law cases, see category 3)</b>	795 [ ] NA [ ] NAP	4 250 [ ] NA [ ] NAP	4 353 [ ] NA [ ] NAP	692 [ ] NA [ ] NAP	[ X ] NA [ ] NAP
<b>2. Non litigious cases (2.1+2.2+2.3)</b>	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP



<b>2.1. General civil (and commercial) non-litigious cases, e.g. uncontested payment orders, request for a change of name, non-litigious enforcement cases etc. (if possible without administrative law cases, see category 3; without registry cases and other cases, see categories 2.2 and 2.3)</b>	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
<b>2.2. Registry cases (2.2.1+2.2.2+2.2.3)</b>	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
<b>2.2.1. Non litigious land registry cases</b>	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
<b>2.2.2 Non-litigious business registry cases</b>	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
<b>2.2.3. Other registry cases</b>	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
<b>2.3. Other non-litigious cases</b>	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
<b>3. Administrative law cases</b>	2 657 <input type="checkbox"/> NA <input type="checkbox"/> NAP	4 010 <input type="checkbox"/> NA <input type="checkbox"/> NAP	3 644 <input type="checkbox"/> NA <input type="checkbox"/> NAP	3 023 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
<b>4. Other cases</b>	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP

Comments - If "Other cases" please specify The data on appeal of payment orders and insolvency cases is included in the civil cases statistics.

There are different reasons for growth of administrative cases, inter alia, increase of public awareness on administrative issues, social-economic situation within the country, etc.

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

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

<b>2. Misdemeanour and / or minor criminal cases</b>	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
<b>3. Other cases</b>	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP

Comments - If you cannot make a distinction between misdemeanour criminal cases and severe criminal cases (according to the CEPEJ definitions), please indicate the categories of cases reported in the category "serious offences" and cases reported in the category "minor offences". If "Other cases", please specify. The longer disposition time in criminal cases might be due to wide practice of appealing a number of non-final decisions of the court, prosecutor and investigator (for example, decisions on detention, extension of detention term, etc.)

#### 4.2.4. Case flow management – Supreme Court



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

	Pending cases on 1 Jan. ref. year	Incoming cases	Resolved cases	Pending cases on 31 Dec. ref. year	Pending cases older than 2 years from the date the case came to the Supreme Court
<b>Total of other than criminal law cases (1+2+3+4)</b>	361 <input type="checkbox"/> NA <input type="checkbox"/> NAP	2 489 <input type="checkbox"/> NA <input type="checkbox"/> NAP	2 283 <input type="checkbox"/> NA <input type="checkbox"/> NAP	567 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
<b>1. Civil (and commercial) litigious cases (including litigious enforcement cases and if possible without administrative law cases, see category 3)</b>	251 <input type="checkbox"/> NA <input type="checkbox"/> NAP	1 578 <input type="checkbox"/> NA <input type="checkbox"/> NAP	1 441 <input type="checkbox"/> NA <input type="checkbox"/> NAP	388 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
<b>2. Non litigious cases (2.1+2.2+2.3)</b>	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
<b>2.1. General civil (and commercial) non-litigious cases, e.g. uncontested payment orders, request for a change of name, non-litigious enforcement cases etc. (if possible without administrative law cases, see category 3; without registry cases and other cases, see categories 2.2 and 2.3)</b>	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
<b>2.2. Registry cases (2.2.1+2.2.2+2.2.3)</b>	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
<b>2.2.1. Non litigious land registry cases</b>	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
<b>2.2.2 Non-litigious business registry cases</b>	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP

<b>2.2.3. Other registry cases</b>	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
<b>2.3. Other non-litigious cases</b>	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
<b>3. Administrative law cases</b>	110 <input type="checkbox"/> NA <input type="checkbox"/> NAP	911 <input type="checkbox"/> NA <input type="checkbox"/> NAP	842 <input type="checkbox"/> NA <input type="checkbox"/> NAP	179 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
<b>4. Other cases</b>	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP

Comments - If "Other cases", please specify There is no specific reason for increase of number of pending cases. A possible reason can be the number of cases remained from previous year, which were transferred to the current year and affected the statistics

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

Yes

No

Comments

#### 099-1-1. If yes, please indicate the number of:

cases received by the Highest court? [ 2 850 ]

cases closed by this procedure? [ 2 062 ]

Comments 353 applications were returned, 1296 applications were rejected and 413 applications were left without examination.

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

	Pending cases on 1 Jan. ref. year	Incoming cases	Resolved cases	Pending cases on 31 Dec. ref. year	Pending cases older than 2 years from the date the case came to the Supreme Court
<b>Total of criminal law cases (1+2+3)</b>	229 <input type="checkbox"/> NA <input type="checkbox"/> NAP	1 984 <input type="checkbox"/> NA <input type="checkbox"/> NAP	1 944 <input type="checkbox"/> NA <input type="checkbox"/> NAP	269 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
<b>1. Severe criminal cases</b>	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
<b>2. Misdemeanour and / or minor criminal cases</b>	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
<b>3. Other cases</b>	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP

Comments - If you cannot make a distinction between misdemeanour criminal cases and severe criminal cases (according to the CEPEJ definitions), please indicate the categories of cases reported in the category "serious offences" and cases reported in the category "minor offences". If "Other cases", please specify

#### 4.2.5. Case flow management and timeframes – specific cases



**101. 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
<b>Litigious divorce cases</b>	857 <input type="checkbox"/> NA <input type="checkbox"/> NAP	1 827 <input type="checkbox"/> NA <input type="checkbox"/> NAP	1 765 <input type="checkbox"/> NA <input type="checkbox"/> NAP	919 <input type="checkbox"/> NA <input type="checkbox"/> NAP
<b>Employment dismissal cases</b>	82 <input type="checkbox"/> NA <input type="checkbox"/> NAP	147 <input type="checkbox"/> NA <input type="checkbox"/> NAP	134 <input type="checkbox"/> NA <input type="checkbox"/> NAP	95 <input type="checkbox"/> NA <input type="checkbox"/> NAP
<b>Insolvency</b>	7 311 <input type="checkbox"/> NA <input type="checkbox"/> NAP	2 015 <input type="checkbox"/> NA <input type="checkbox"/> NAP	2 113 <input type="checkbox"/> NA <input type="checkbox"/> NAP	7 213 <input type="checkbox"/> NA <input type="checkbox"/> NAP
<b>Robbery case</b>	28 <input type="checkbox"/> NA <input type="checkbox"/> NAP	27 <input type="checkbox"/> NA <input type="checkbox"/> NAP	17 <input type="checkbox"/> NA <input type="checkbox"/> NAP	38 <input type="checkbox"/> NA <input type="checkbox"/> NAP
<b>Intentional homicide</b>	98 <input type="checkbox"/> NA <input type="checkbox"/> NAP	55 <input type="checkbox"/> NA <input type="checkbox"/> NAP	53 <input type="checkbox"/> NA <input type="checkbox"/> NAP	100 <input type="checkbox"/> NA <input type="checkbox"/> NAP
<b>Cases relating to asylum seekers (refugee status under the 1951 Geneva Convention)</b>	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
<b>Cases relating to the right of entry and stay for aliens</b>	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP

Comments

**101-1. 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
<b>Civil and commercial litigious cases</b>	7 [ ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP
<b>Litigious divorce case</b>	5 [ ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP
<b>Employment dismissal case</b>	41 [ ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP

<b>Insolvency</b>	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
<b>Robbery case</b>	35 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
<b>Intentional homicide</b>	66 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<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

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

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

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

. NAP

**4.2.6. Case flow management – public prosecution**



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

- 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): .....

Comments In regard of conducting or supervising police investigation, it should be noted that the term "supervising police investigation"

is not envisaged by the RA legislation and the RA Prosecutor's Office does not have such authority.

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

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

- civil cases
- administrative cases
- insolvency cases

Comments - If yes, please specify: One of the constitutional powers of the prosecutor is protecting state property interests.

**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
<b>Total number of first instance cases processed by the public prosecutor</b>	10 171 <input type="checkbox"/> NA <input type="checkbox"/> NAP	7 241 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	2 930 <input type="checkbox"/> NA <input type="checkbox"/> NAP

Comments

**107-1. If the guilty plea procedure exists, how many cases were brought to court by the prosecutor through this procedure?**

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

Comments There is no guilty plea procedure as such. However, 1263 (in 2018) cases were examined in the scope of speedy examination pursuant to Chapter 45.1 of the Criminal Procedure Code where the prosecutor's consent is mandatory for that procedure to proceed. The draft Criminal Procedure Code provides for a plea bargaining regulations.

**108. Total number of cases which were discontinued by the public prosecutor.**

	Number of cases
<b>Total number of cases which were discontinued by the public prosecutor (1+2+3+4)</b>	7 241 <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	<input checked="" 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
4. Other	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP

Comments It must be noted that the decision on discontinuing the case might be made also by the investigator, but the lawfulness of such decision is a subject to immediate oversight by the prosecutor.

**109. Do the figures include traffic offence cases?**

- Yes
- No

Comments The figures include only those traffic offences that are prescribed in the Criminal Code and constitute criminal offences.

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

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

**5. Career of judges and public prosecutors**

**5.1. Recruitment and promotion**

**5.1.1. Recruitment and promotion of judges**

**110. How are judges recruited?**

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

Comments Candidate have to go through a competitive exam consisting of written exam and an interview. However, there is a requirement on professional experience for those who are willing to participate in the competition. Article 106 of the Judicial Code of 2018 states that a person who holds a scientific degree in law and who performed scientific work at scientific institution or taught law in a higher educational institution at least five out of the last eight years, and is compliant with the requirements set forth for a judge candidate, has a right to apply to be included in the list of applicants for judge. This means, that there is a general procedure, and there is a special procedure for legal scientists. However, the latter are required to participate in interview.

**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: The candidates are selected by the Supreme Judicial Council that consists of 5 judges elected by their peers and 5 legal academics. The final stage is the symbolic appointment by the President of the Republic.

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

- Yes
- No

Comments

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

- Competitive test / Exam
- Other procedure (interview or other)
- No special procedure

Comments - Please specify how the promotion of judges is organised (especially if there is no competition or examination): The personal cases of candidates to be promoted are being reviewed by High Judicial Council. More detailed procedure is given by the Judicial Code.

**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”): One of the factors taken into account is the absence of disciplinary sanctions. The Judicial Code states that apart from work experience, the following shall also be taken into account: Necessary abilities and skills to act in the position of relevant court, The results of conduct evaluation for judges.

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



**115. What is the status of public 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

Article 177 of Constitution, 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. The necessary amount of votes for removing the Prosecutor General from office is the same. All the prosecutors have a life-time tenure. 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.

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 public prosecutor?**

- Yes  
 No

Comments - If yes, please specify: Article 28 of Criminal Procedure Code stipulates that a criminal case must be filed whenever the elements of crime occur. Article 35 of the same code lists the grounds that exclude the initiation of and conduction of criminal proceedings. At the same time, Article 37 lists situations when the judges, the prosecutor and the investigator have certain discretion regarding dropping the criminal case or prosecution.

**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 The prosecutors are mainly recruited through a competition, however the candidates taking part in the competition must have at least two years of professional experience.

**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 Commission is responsible for the recruitment and nomination of public prosecutors. According to article 23 of Law on Prosecution- The Qualification Commission shall have nine members. The Qualification Committee shall consist of one deputy of the Prosecutor General, four prosecutors, three law academics and the Rector of the Academy of Justice. According to article 38 of Law on Prosecution- The list of prosecutor candidates shall be supplemented by the Qualification Commission 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, a closed competition may be carried out during the year in order to supplement the list of prosecutor candidates. The prosecutors are selected by the Prosecutor General from among the candidates shortlisted by the Qualification Commission.

### **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 The prosecutors promotion lists are formed by the Qualification Commission.

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

Competitive test / exam

Other procedure (interview or other)

No special procedure

Comments - Please, specify the procedure (especially if it is a procedure different from a competitive test or an exam): The prosecutors promotion lists shall be compiled by the Qualification Commission:

- 1) During the regular attestation of prosecutors;
- 2) In an extraordinary procedure, when the Prosecutor General submits a proposal to the Qualification Commission on including a prosecutor in the promotion list as an encouragement, together with an appropriate assessment by him or his deputy. The prosecutor shall be included in the promotion lists of prosecutors in case the Qualification Commission 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 promotion lists of prosecutors.

The Law on Prosecution explicitly provides the years of experience and absence of disciplinary sanctions as requirements for promotion. The law does not explicitly mention professional skills and subjective criteria. However, it is worth to note, one of the grounds to include a prosecutor in the promotion list is the attestation, which is aimed at checking the prosecutors' professional knowledge, practical skills and experience in work.

### **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"): Apart from the years of experience, other relevant factors to be taken into account are the absence of disciplinary sanctions and the fact that the person was relieved from the duty to study in the Academy of Justice.

### 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)?**

( X ) Yes, please indicate the compulsory retirement age:65

( ) No

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

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

[ ] For disciplinary reasons

[ ] For organisational reasons

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

[ X ] No

Comments Upon adoption of the new Judicial Code Constitutional Law the previous Judicial Code was fully repealed, which means, its regulations do not work anymore. If previous Judicial Code provided an opportunity for secondment of a judge to another court without his or her consent, the current one requires the consent of the judge. The regulation on consent is stated in Art 56 para 5 of the Judicial Code.

**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): .....

( X ) No

Comments

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

( X ) Yes, please indicate the compulsory retirement age:65

( ) No

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

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

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

( X ) No

Comments There is no a probation period for judges, however there is a probation for the candidates of judges who study at the Academy of Justice and have to practice in courts.

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

[            ]

[ ] NA

[ X ] NAP

Comments

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

- Yes
- No
- NAP

Comments

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

- [            ]
- NA
- NAP

Comments

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

- Yes
- No
- NAP

Comments

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

Sources: The Constitution of RA  
 Judicial Code of RA  
 "Law on Prosecution" of RA

**5.2. Training**

**5.2.1. Training of judges**

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

	Compulsory	Optional	No training proposed
<b>Initial training (e.g. attend a judicial school, traineeship in the court)</b>	<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
<b>General in-service training</b>	<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
<b>In-service training for specialised judicial functions (e.g. judge for economic or administrative issues)</b>	<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

<b>In-service training for management functions of the court (e.g. court president)</b>	( X ) Yes ( ) No	( ) Yes ( X ) No	( ) Yes ( X ) No
<b>In-service training for the use of computer facilities in courts</b>	( ) Yes ( X ) No	( ) Yes ( X ) No	( X ) Yes ( ) No
<b>In-service training on ethics</b>	( X ) Yes ( ) No	( ) Yes ( X ) No	( ) Yes ( X ) No

Comments Judge candidates attend initial training at the Academy of Justice. Training programs for acting judges as well as a Judge candidate 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 “Judge’s ethics, rules of conduct, and performance evaluation”. 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.

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

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

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 “Judge’s ethics, rules of conduct, and performance evaluation” are included in the module of general and related professional training courses in the annual training program 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
<b>Initial training</b>	<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
<b>General in-service training</b>	<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
<b>In-service training for specialised functions (e.g. public prosecutors specialised on organised crime)</b>	<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
<b>In-service training for management functions (e.g. Head of prosecution office, manager)</b>	<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
<b>In-service training for the use of computer facilities in office</b>	<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
<b>In-service training on ethics</b>	<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

Comments The law on Prosecution adopted in 2017 states that to become a prosecutor the citizen shall take a relevant educational course in Justice Academy.

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

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

Comments - Please indicate any information on the periodicity of the in-service training of prosecutors:

### 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	[ ]	[ ]	[ ]
One institution for prosecutors	[ ]	[ ]	[ ]
One single institution for both judges and prosecutors	[ ]	[ ]	[ X ]

Comments Academy of Justice provides initial and continuous training to judges, prosecutors, investigators and other related staff.

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

	Budget of the institution for the reference year, in €
One institution for judges	[ ] NA [ X ] NAP
One institution for prosecutors	[ ] NA [ X ] NAP
One single institution for both judges and prosecutors	496 236 [ ] NA [ ] NAP

Comments This is the budget for judges and prosecutors and the staff of courts and prosecution, but the Academy receives also budget from the Investigative body for the training of investigators.

**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?**

. NAP
-------

**131-2. Number of in-service training courses (in days) organised by the judicial training institution for judges, prosecutors, non-judge and non-prosecutor staff**

	Number of training courses in days organised, without e-learning	Online training courses available during the reference year (e-learning)
Total	59 [ ] NA [ ] NAP	8 [ ] NA [ ] NAP
1. Only for judges	36 [ ] NA [ ] NAP	4 [ ] NA [ ] NAP
2. Only for prosecutors	23 [ ] NA [ ] NAP	4 [ ] NA [ ] NAP

<b>3. Only for other non-judge staff</b>	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
<b>4. Only for other non-prosecutor staff</b>	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
<b>5. Other common training</b>	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP

Comments: The total number of training courses available in the reference year was: for judges- 36 and 4 online courses for different specializations, for prosecutors-23 and 4 online courses.

The number of courses changes each year based on the need in practice.

## E2. Please indicate the sources for answering the questions in this chapter:

Sources: Law on the Academy of Justice,  
www.justiceacademy.am  
information provided by the Academy of Justice

## 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
<b>First instance professional judge at the beginning of his/her career</b>	15 685 <input type="checkbox"/> NA <input type="checkbox"/> NAP	10 878 <input type="checkbox"/> NA <input type="checkbox"/> NAP	8 684 182 <input type="checkbox"/> NA <input type="checkbox"/> NAP	6 022 836 <input type="checkbox"/> NA <input type="checkbox"/> NAP
<b>Judge of the Supreme Court or the Highest Appellate Court (please indicate the average salary of a judge at this level, and not the salary of the Court President)</b>	22 999 <input type="checkbox"/> NA <input type="checkbox"/> NAP	16 144 <input type="checkbox"/> NA <input type="checkbox"/> NAP	12 733 264 <input type="checkbox"/> NA <input type="checkbox"/> NAP	8 938 182 <input type="checkbox"/> NA <input type="checkbox"/> NAP
<b>Public prosecutor at the beginning of his/her career</b>	9 576 <input type="checkbox"/> NA <input type="checkbox"/> NAP	6 629 <input type="checkbox"/> NA <input type="checkbox"/> NAP	4 904 940 <input type="checkbox"/> NA <input type="checkbox"/> NAP	3 395 448 <input type="checkbox"/> NA <input type="checkbox"/> NAP
<b>Public prosecutor of the Supreme Court or the Highest Appellate Instance (please indicate the average salary of a public prosecutor at this level, and not the salary of the Attorney General).</b>	<input 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 slight decrease of salaries of judges is due to the fact that the number of young professionals with less work experience within the judiciary is increasing, which results in a slight decrease of the average salary because the salary is counted based on also years

of experience.

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

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

Comments According to RA Law on Remuneration of State Employees, Article 6, salaries of public officials are composed of the basic salary, additional salaries and bonuses established by law. The additional salary includes supplements and surcharges. It must be noted, however, that the 2019-2023 Strategy of Judicial and Legal Reforms provides for increase of salaries for judges, their staff and prosecutors.

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

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

[ ] NAP

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

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

Comments - If rules exist in your country (e.g. authorisation needed to perform these activities), please specify. If “other function”, please specify. A judge may not hold any position not stemming from his or her status in state or local self-government bodies, any position in commercial organisations, engage in entrepreneurial activities or perform other paid work, except for scientific, educational, and creative work.

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

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

Comments - If rules exist in your country (e.g. authorisation needed to perform these activities), please specify. If “other function”, please specify: A prosecutor may not hold any position not stemming from his or her status in state or local self-government bodies, any position in commercial organisations, engage in entrepreneurial activities or perform other paid work, except for scientific, educational, and creative work.

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

- Yes
- No

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

**5.3.2 Body/institution of ethics**

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

- Yes
- No

Comments

**138-1. If yes, how is this institution / body formed**

- only by judges
- by judges and other legal professionals
- other, please specify: .....

Comments

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

- Yes
- No
- NAP

Comments - Please describe the work of this institution / body, the frequency of opinions, etc. No official opinions have been released as of now. In case there is such an opinion, it will be published.

NAP

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

- Yes
- No

Comments

**138-4. If yes, how is this institution / body formed**

- only by prosecutors
- by prosecutors and other legal professionals
- other, please specify: .....

Comments

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

- Yes
- No
- NAP

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

NAP

**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): .....
- This is not possible

Comments Disciplinary body for judges is the Commission on Disciplinary Issues under the General Assembly of judges which will be modified after the envisaged reforms and will include not only judges but also academics of law nominated by the civil society organisations. After the amendments to the Judicial Code the members of this commission will be elected for two years as opposed to the current five years tenure. In addition, Corruption Prevention Commission will be authorized to initiate disciplinary proceedings concerning asset declaration matters.

**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 (High Judicial Council)
- Disciplinary court or body
- Ombudsman
- Professional body
- Executive power (please specify): .....
- Other (please specify): .....
- This is not possible

Comments According to the Law on Prosecution (2017) the Prosecutor General initiates disciplinary proceedings. In certain cases the ethics commission adjunct to General Prosecution can also initiate proceedings. The Disciplinary body for prosecutors is the Ethics commission under the Prosecutor General which consists of 7 members: the Deputy Prosecutor General, 3 academics of law and 3 prosecutors elected by senior prosecutors.

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

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

Comments Only the Supreme Judicial Council has the power to make the final decision on disciplinary sanctions against judges.

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

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

Comments

**5.4.2. Number of disciplinary procedures and sanctions**

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

	Judges	Prosecutors
<b>Total number (1+2+3+4)</b>	18 <input type="checkbox"/> NA <input type="checkbox"/> NAP	8 <input type="checkbox"/> NA <input type="checkbox"/> NAP
<b>1. Breach of professional ethics</b>	6 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
<b>2. Professional inadequacy</b>	12 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
<b>3. Criminal offence</b>	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
<b>4. Other</b>	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP

Comments - If "other", please specify:

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

	Judges	Prosecutors
<b>Total number (total 1 to 10)</b>	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP	8 <input type="checkbox"/> NA <input type="checkbox"/> NAP

<b>1. Reprimand</b>	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	8 <input type="checkbox"/> NA <input type="checkbox"/> NAP
<b>2. Suspension</b>	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
<b>3. Withdrawal from cases</b>	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
<b>4. Fine</b>	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
<b>5. Temporary reduction of salary</b>	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
<b>6. Position downgrade</b>	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
<b>7. Transfer to another geographical (court) location</b>	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
<b>8. Resignation</b>	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
<b>9. Other</b>	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
<b>10. Dismissal</b>	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> 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. As regards the proceedings against judges: 9 proceedings were dropped, 5 proceedings are pending in the body that initiated the proceedings and 4 proceedings are pending in the Supreme Judicial Council.

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

Sources: Information provided by the Judicial Department and the Prosecutor General's office.

## 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:

Total	Male	Female



<b>Number of lawyers</b>	2 138 [ ] NA	1 228 [ ] NA	910 [ ] NA
--------------------------	-----------------	-----------------	---------------

Comments

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

Yes ( )

No ( X )

Comments

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

[ ]

[ X ] NA

[ ] NAP

Comments

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

	First instance	Second instance	Highest instance court (Supreme Court)
<b>Civil cases</b>	[ X ]	[ X ]	[ X ]
<b>Dismissal cases</b>	[ X ]	[ X ]	[ X ]
<b>Criminal cases – Defendant</b>	[ X ]	[ X ]	[ X ]
<b>Criminal cases – Victim</b>	[ X ]	[ X ]	[ X ]
<b>Administrative cases</b>	[ ]	[ ]	[ ]

[ ] NAP

Comments - Please indicate any useful clarifications regarding the content of lawyers' monopoly: Attorneys have a monopoly in civil, insolvency and criminal cases in terms of representation in court as well as criminal law matters in general. However a plaintiff, respondent and other participants of criminal and civil cases may choose to act on their own as well as non-attorney lawyers may represent their close relatives in courts. In addition, they can represent the companies whose more than 50 percent shares belong to their close relatives. At the same time, NGOs with relevant PoAs may represent a group of plaintiffs.

**149-0. If there is no monopoly, please specify the organisations or persons that may represent a client in court:**

	First instance	Second instance	Highest instance court (Supreme Court)
<b>Civil society organisation</b>	( X ) Yes ( ) No	( X ) Yes ( ) No	( X ) Yes ( ) No
<b>Family member</b>	( X ) Yes ( ) No	( X ) Yes ( ) No	( X ) Yes ( ) No

<b>Self-representation</b>	( X ) Yes ( ) No	( X ) Yes ( ) No	( X ) Yes ( ) No
<b>Trade union</b>	( ) Yes ( X ) No	( ) Yes ( X ) No	( ) Yes ( X ) No
<b>Other</b>	( ) Yes ( X ) No	( ) Yes ( X ) No	( ) Yes ( X ) No

Comments - If "other", please specify. In addition, please specify for the categories mentioned the types of cases concerned by this/these representation(s): Attorneys have a monopoly in civil, insolvency and criminal cases in terms of representation in court as well as criminal law matters in general. However a plaintiff, respondent and other participants of criminal and civil cases may choose to act on their own as well as non-attorney lawyers may represent their close relatives in courts. In addition, they can represent the companies whose more than 50 percent shares belong to their close relatives. At the same time, NGOs with relevant PoAs may represent a group of plaintiffs.

**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): .....

Comments If a lawyer is a licensed attorney he or she may not be a state employee or a member of Municipal Councils and Centrl Bank.

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

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

Comments

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

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

Comments

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

- Yes
- No

Comments - If not, please indicate if there are other specific requirements as regards diplomas or university degrees: There are certain requirements for admission to law schools as well as their graduation. As far as attorneys are concerned, there are also several requirements of admission and graduation of the School of Advocates as well as requirements to preserve ethical rules prescribed in the RA Law on Advocacy and Code of Attorneys' Conduct. To become a licensed attorney a lawyer must pass two stage examination including computer-based legal multidisciplinary test and oral examination in the School of Advocates. Applicants with the highest grades

are admitted and after one year or 6 month studies (ordinary applicants study 1 year and lawyers who have at least 5 year length of service study 6 months) and passing all the examinations, getting not less than established threshold grade they get an attorney license.

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

Yes

No

Comments According to the Law on Advocacy, Code of Attorneys' Conduct and the Order of Attorneys' Training each attorney shall pass 24 academic hours of legal training annually in the Chamber of Advocates, School of Advocates or other specialized institution certified by the Chamber of Advocates.

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

Yes

No

Comments - If yes, please specify:

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

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

**6.1.2. Practicing the profession**

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

Yes

No

Comments The Board of the RA Chamber of Advocates has established average fees for legal services which may be used as guidelines for courts and parties to the dispute. The average price list is available in the official website of the RA Chamber of Advocates. However parties may agree upon other fees for legal services as well as court is in charge to determine a reasonable fee for legal services in each particular case based on the evidence parties have provided and circumstances of the case.

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

Yes

No

Comments

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

Yes, laws provide rules

Yes, standards of the bar association provide rules

No, neither laws nor bar association standards provide rules

Comments The Board of the RA Chamber of Advocates has established average fees for legal services which may be used as guidelines for courts and parties to the dispute. The average price list is available in the official website of the RA Chamber of Advocates. However parties may agree upon other fees for legal services as well as court is in charge to determine a reasonable fee for legal services in each particular case based on the evidence parties have provided and circumstances of the case.

### **6.1.3. Quality standards and disciplinary procedures**

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

Yes

No

Comments - If yes, what are the quality criteria used? The standards which are referred to as ethic rules are enshrined in the RA Law on Advocacy and Code of Attorneys' Ethic adopted by Attorneys' General Meeting. The rules mentioned in the Code of Attorneys' Conduct are formulated by the Board of the Chamber of Advocates.

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

the bar association

the Parliament

other (please specify): .....

Comments

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

the performance of lawyers

the amount of fees

Comments - Please specify:

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

a judge

Ministry of Justice

a professional authority

other (please specify): .....

Comments The Chairman of RA Chamber of Advocates and the Board of the RA Chamber of Advocates.

In particular, Disciplinary proceedings are initiated against lawyers by the Chairman of the RA Chamber Advocates. Then the case is referred to the Preparer who is an attorney who deals with fact (evidence) finding and prepares the case for consideration by the Board of the RA Chamber of Advocates. The latter during adversarial proceeding including the applicant and respondent attorney decides whether the attorney is guilty for violation of the rules of ethics and if yes which disciplinary sanction is to be applied on him or her taking into consideration the personal characteristics of the respondent, circumstances of the case, and the nature and severity of the disciplinary misconduct. The decision of the Board whether favorable or unfavorable for the attorney may be challenged in court by either of the parties.

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

Number of disciplinary proceedings
------------------------------------

<b>Total number of disciplinary proceedings initiated (1 + 2 + 3 + 4)</b>	200 <input type="checkbox"/> NA <input type="checkbox"/> NAP
<b>1. Breach of professional ethics</b>	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
<b>2. Professional inadequacy</b>	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
<b>3. Criminal offence</b>	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
<b>4. Other</b>	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP

Comments - If "other", please specify: 26 proceedings were initiated based on complaints against lawyers, 8 proceedings-based on judicial sanctions, 77 proceedings-due to failure to pay membership fees and 89-failure to participate in mandatory training courses. It must be noted that 200 proceedings were initiated in the reference year and 238 cases were examined by the Chamber.

## 162. Sanctions pronounced against lawyers.

	Number of sanctions
<b>Total number of sanctions (1 + 2 + 3 + 4 + 5)</b>	167 <input type="checkbox"/> NA <input type="checkbox"/> NAP
<b>1. Reprimand</b>	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
<b>2. Suspension</b>	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
<b>3. Withdrawal from cases</b>	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
<b>4. Fine</b>	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
<b>5. Other</b>	<input checked="" type="checkbox"/> NA <input type="checkbox"/> 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.

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

### 7.1 Court related mediation

#### 7.1.1 Details on court related mediation

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

( X ) Yes

( ) No

Comments 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.

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

[ ] Before/instead of going to court

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

[ ] No mandatory mediation

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

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

( ) Yes

( X ) No

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

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

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

Comments As it is stipulated in Mediation Law of the RA, the mediator is the independent, impartial, not interested in the outcome of the case physical person performing mediation for the purpose of the dispute resolution between the parties conciliation. The mediator has the right to perform the activities as personally, and in permanent organization mediator.

The licensed mediator is the physical person who received qualification of licensed mediator and registered in the register of licensed mediators the procedure established by this Law.

Can receive qualification of licensed mediator:

- 1) the person which reached 25-year age and having the higher education;
- 2) the former judge having at least three years of experience of service on judgeship, except as specified, when its powers were stopped based on assumption of disciplinary violation or its powers stopped based on the introduction in legal force of the accusatory court resolution adopted concerning it or the termination of criminal prosecution not on the justifying basis;
- 3) the scientist-lawyer having at least three years of experience of professional work in the field of the right.

For receipt of qualified mediator the candidate for mediator position, except for the former judge and the scientist-lawyer, takes qualification course according to the program approved by the Ministry of Justice or represents the certificate on passing of similar rate in foreign state which recognition and confirmation of equivalence are performed by the qualification commission on mediation, and takes qualification examination which is held by testing and interview. The former judge or the scientific lawyer who is the candidate for mediator position participates only in round of interview.

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

Yes

No

NAP

Comments - If yes, please specify (only one or both options):: Thenew Civil Procedure Code adopted in 2018, Article 184 provides the possibility to receive legal aid for court-related mediation.

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

	Total	Males	Females
Number of mediators	55 <input type="checkbox"/> NA <input type="checkbox"/> NAP	32 <input type="checkbox"/> NA <input type="checkbox"/> NAP	23 <input type="checkbox"/> NA <input type="checkbox"/> NAP

Comments

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

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

<b>6. Consumer cases</b>	<input checked="" type="checkbox"/> NA	<input checked="" type="checkbox"/> NA	<input checked="" type="checkbox"/> NA
	<input type="checkbox"/> NAP	<input type="checkbox"/> NAP	<input type="checkbox"/> NAP

Comments - Please indicate the source:

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

- Mediation other than court-related mediation
- Arbitration
- Conciliation (if different from mediation)
- Other ADR (please specify): Financial Mediator's Office

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

### G1. Please indicate the source for answering question 166:

Source: The official 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

	Total	Male	Female
<b>Number of enforcement agents</b>	344 <input type="checkbox"/> NA	292 <input type="checkbox"/> NA	52 <input type="checkbox"/> NA

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: Compulsory enforcement agents operate under Ministry of Justice

### 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:

### 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 monopoly <input type="checkbox"/> Yes without monopoly <input type="checkbox"/> No <input type="checkbox"/> NAP
Seizure of immovable properties	<input checked="" type="checkbox"/> Yes with monopoly <input type="checkbox"/> Yes without monopoly <input type="checkbox"/> No <input type="checkbox"/> NAP
Seizure from a third party of the debtor claims regarding a sum of money	<input checked="" type="checkbox"/> Yes with monopoly <input type="checkbox"/> Yes without monopoly <input type="checkbox"/> No <input type="checkbox"/> NAP
Seizure of remunerations	<input checked="" type="checkbox"/> Yes with monopoly <input type="checkbox"/> Yes without monopoly <input type="checkbox"/> No <input type="checkbox"/> NAP
Seizure of motorised vehicles	<input checked="" type="checkbox"/> Yes with monopoly <input type="checkbox"/> Yes without monopoly <input type="checkbox"/> No <input type="checkbox"/> NAP
Eviction measures	<input checked="" type="checkbox"/> Yes with monopoly <input type="checkbox"/> Yes without monopoly <input type="checkbox"/> No <input type="checkbox"/> NAP
Enforced sale by public tender of seized properties	<input checked="" type="checkbox"/> Yes with monopoly <input type="checkbox"/> Yes without monopoly <input type="checkbox"/> No <input type="checkbox"/> NAP
Other	<input checked="" type="checkbox"/> Yes with monopoly <input type="checkbox"/> Yes without monopoly <input type="checkbox"/> No <input type="checkbox"/> NAP

Comments Article 5 of the law "On Compulsory Enforcement of judicial Acts" of the Republic of Armenia, states that compulsory enforcement measures shall also include:

1. seizure from the debtor and passing to the claimant certain objects specified in the writ of execution;
2. and other measures ensuring the enforcement of the writ of execution, for example executing enforcement actions in connection with

giving child custody to one of the parties, when carrying out enforcement actions concerning visits to a child

**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 immovable property at public auction
- 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
- Other

Comments

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

- Yes
- No

Comments Article 12.1 of the Law "On Compulsory enforcement service" of The Republic of Armenia states that in case of a vacant leading position of compulsory enforcement officer of the Compulsory Enforcement Service, the Chief Compulsory Enforcement Officer shall call a competition.

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

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

- Yes
- No

Comments Article 14 of the Law "On Compulsory enforcement service" of The Republic of Armenia states that 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.

2. In cases prescribed in Article 13(8)(2) of the Law, compulsory enforcement officers shall pass a three-month training.

3. Upon completing special education, compulsory enforcement officers shall have the right to carry, keep, and use (apply), in the prescribed manner, firearm as well as special means as provided by law.

4. The procedure and conditions for training and special education shall be established by the Government of the Republic of Armenia.

**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 court users?**

Yes

No

Comments

**175. Are enforcement fees freely negotiated?**

Yes

No

Comments The fees are established in Law "On Compulsory Enforcement of Judicial Acts" of the Republic of Armenia, Article 67.

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

Yes

No

Comments Enforcement fees are not negotiated.

**H0. Please indicate the sources for answering question 170**

Source: Law "On Compulsory Enforcement of Judicial Acts" of the Republic of Armenia,  
Information provided by the Compulsory Enforcement of Judicial Acts service

**8.1.2. Efficiency of enforcement services**

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

Yes

No

Comments Chief enforcement officer,

Department for Inspection, Analysis and Auction Organisation of the Compulsory Enforcement Service of the Republic of Armenia,  
Ministry of Justice

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

professional body

judge

Ministry of Justice

public prosecutor

other (please specify): Analysis and Auction Organisation of the Compulsory Enforcement Service of the Republic of Armenia,

Comments

## 179. Have quality standards been determined for enforcement agents?

Yes

No

Comments - If yes, what are the quality criteria used? Article 9 of the RA Law “On Judicial Acts Compulsory Enforcement Service”, indicates the requirements for becoming compulsory enforcement officer: A compulsory enforcement officer may become those nationals of the Republic of Armenia, who have higher education and 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?

professional body

judge

Ministry of Justice

other (please specify): National Assembly and the Government

Comments

## 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 Ministry of Justice exercises oversight over the enforcement procedure. In addition, the acts and

actions of the compulsory enforcement officer may be challenged in the court.

**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 regarding decisions against public authorities?**

- Yes
- No

Comments - If yes, please specify:

**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

**186. Regarding 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
- more (please specify): .....
- NA

Comments The compulsory enforcement officer shall send the copy of his decision to debtor, creditor and other bodies involved within 3 days after its adoption.

**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
<b>Total number of initiated disciplinary proceedings (1+2+3+4)</b>	14 [ ] NA [ ] NAP
<b>1. For breach of professional ethics</b>	1 [ ] NA [ ] NAP
<b>2. For professional inadequacy</b>	13 [ ] NA [ ] NAP
<b>3. For criminal offence</b>	[ ] NA [X] NAP
<b>4. Other</b>	[ ] NA [X] NAP

Comments - If "other", please specify:

### 188. Number of sanctions pronounced against enforcement agents:

	Number of sanctions pronounced
<b>Total number of sanctions (1+2+3+4+5)</b>	14 [ ] NA [ ] NAP
<b>1. Reprimand</b>	13 [ ] NA [ ] NAP
<b>2. Suspension</b>	1 [ ] NA [ ] NAP
<b>3. Withdrawal from cases</b>	0 [ ] NA [ ] NAP
<b>4. Fine</b>	0 [ ] NA [ ] NAP
<b>5. Other</b>	1 [ ] NA [ ] NAP

Comments - If "other", please specify. If a significant difference between the number of disciplinary proceedings and the number of sanctions exists, please indicate the reasons: One of the Enforcement Officers was subjected to disciplinary sanction of the demotion in title by one level.

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

Source: Law "On Compulsory Enforcement of judicial Acts" of the Republic of Armenia, Decree of The Minister of Justice of the Republic of Armenia N-179, 13.09.2012

## 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). The execution of criminal sanctions is exercised by the Penitentiary Service in accordance with Criminal Code and Penitentiary Code of the Republic of Armenia. The Penitentiary Service ensures implementation of its tasks through its central body, which is the Penitentiary Department, and through its structural subdivisions and penitentiary institutions.

The Probation Service deals with the sanctions not related to deprivation of liberty. Both operate under Ministry of Justice.

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

- Yes
- No

Comments

191. If yes, what is the recovery rate?

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

Comments - Please indicate the source for answering this question:

## 9. Notaries

### 9.1. Profession of notary

#### 9.1.1. Number and status of notaries

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

	Total	Male	Female
<b>TOTAL (1+2+3+4)</b>	113 <input type="checkbox"/> NA <input type="checkbox"/> NAP	30 <input type="checkbox"/> NA <input type="checkbox"/> NAP	83 <input type="checkbox"/> NA <input type="checkbox"/> NAP
<b>1. Private professionals (without control from public authorities)</b>	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP

<b>2. Professionals appointed by the State</b>	113 <input type="checkbox"/> NA <input type="checkbox"/> NAP	30 <input type="checkbox"/> NA <input type="checkbox"/> NAP	83 <input type="checkbox"/> NA <input type="checkbox"/> NAP
<b>3. Public officials</b>	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
<b>4. Other</b>	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP

Comments - If "other", please specify the status: 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 (multiple options possible):**

- diploma
- professional experience/professional training
- exam
- appointment procedure by the State
- other (please specify): .....

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

- yes, please indicate the age of retirement:65
- no, please specify the duration of the appointment: .....

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

**194. What kind of activities do notaries perform (multiple options possible):**

- Within some civil procedures (for example inheritance or inheritance distribution; divorce by mutual consent)
- Authentication
- Certification of signatures
- Legality control of documents submitted by the parties
- Mediation
- Taking of oaths
- Other, for example collect taxes, keep registers etc. (please specify):validates contracts, wills, agreements, etc.

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 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.

### **194-1. Do notaries have the exclusive rights when exercising their profession:**

- Within some civil procedures (for example inheritance or inheritance distribution; divorce by mutual consent)
- Authentication
- Certification of signatures
- Legality control of documents submitted by the parties
- Mediation
- Taking of oaths
- Other, for example collect taxes, keep registers etc. (please specify): .....

Comments - Please indicate any useful clarifications regarding the content of the notaries' exclusive rights 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. In which areas of law do notaries perform their activities (multiple options possible)?**

- Real estate transaction
- Family law
- Succession law
- Company law
- Legality control of gambling activities

Other

Comments

### 194-3. Do notaries use specialised digital systems in their activity?

In establishing authentic instruments

In recording authentic instruments (archives)

Other activity (please specify): .....

Comments All activities are completed by AENIS digital system

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

Yes

No

Comments Main supervision is done by the Ministry of justice. The professional body is the Notary Chamber, which has a right to initiate disciplinary proceedings if obvious violation of ethics code is committed.

### 196. If yes, which authority is responsible for supervising and monitoring notaries (multiple options possible)?

professional body

court

Ministry of Justice

public prosecutor

other (please specify): .....

Comments Supervision over the performance of notarial or other acts carried out by a notary is carried out by the Ministry of Justice in the manner prescribed by the Minister.

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

Yes

No

Comments Once a year notaries undergo a training organized by the Notary Chamber.

### I1. Please indicate the sources for answering question 192:

Sources: database of notaries

## 10.Court interpreters

### 10.1.Details on profession of court interpreter

#### 10.1.1.Status of court interpreters



## 197. Is the title of court interpreters protected?

Yes

No

Comments Government Decree N1334 of November 22, 2018 provides the procedure to involve interpreters into judicial proceedings, and provides the quality criteria, including availability of license for translators. the decree also states that the authorized body makes a decision to involve a particular interpreter in the proceedings (ensuring consequent participation of all interpreters and taking into account the place of their activity).

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

Yes

No

Comments The function of court interpreters is regulated by the Article 12 of the Judicial Code, Article 46 of the Civil Procedure Code, Article 83 of the Criminal Procedure Code, Article 9 Paragraphs 5-7 of the Administrative Procedure Code.

According to Article 46 of the Civil Procedure Code, the interpreter is the person who masters the languages necessary for interpretation. The interpreter has right to ask question to the litigants and the court to ensure correctly and fully interpretation. The court warns the interpreter about the criminal liability for incorrect interpretation. The court is entitled to appoint the interpreter as suggested by the party which pays for the interpretation services. The interpreter is entitled to ask questions to make the interpretation more accurate.

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

4. The interpreter has the following obligations:

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

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

6. The interpreter has the right:

- 1) to ask questions to the persons, present during the interpretation, to make the translation more accurate;
- 2) to acquaint himself/herself with the protocols of investigatory or other procedure action, in which he/she participated, and also, in the respective part, with the protocol of the court session and to make remarks, subject to inclusion to the protocol, on the fullness and correctness of the record of translation;
- 3) to receive compensation of the expenses, incurred during the proceedings of the criminal case.

## 199. Number of accredited or registered court interpreters:

[            ]

[ ] NA

[ X ] NAP

Comments There is no consolidated database of court interpreters because they are not subject of special accreditation.

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

( X ) Yes

(   ) No

Comments - If yes, please specify (e.g. having passed a specific exam): Government Decree N1334 of November 22, 2018 provides the procedure to involve interpreters into judicial proceedings. It provides requirements for selection of interpreters to ensure the quality of interpretation. The Services of Interpreters are being obtained via State Procurement procedures where the quality requirements are a must.

Binding provisions regarding the quality of court interpretation defines by the Article 6 of the Procurement Law of the Republic of Armenia.

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

2.professional experience.

3.technical measures.

4.financial measures.

5.working resources".

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

## 201. Are the courts responsible for selecting court interpreters?

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

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

[ X ] No, please specify which authority selects court 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: Information provided by the Judicial Department.

### 11. Judicial experts

#### 11.1. Profession of judicial expert

##### 11.1.1. Status of judicial experts

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

experts who are requested by the parties to bring their expertise to support their argumentation,

experts appointed by a court to 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 Article 86 of the Civil Procedure Code, 1. The first instance court can by motion of a party (parties) or by its own initiative, appoint expert examination. 2. Submitting the motion for an expert examination the persons participating in the case are entitled to indicate the fact to be proved, which should be confirmed by the expert's opinion, must raise the questions that should be clarified during the examination. 3. Persons participating in the case are entitled to mention the specialized forensic institution or expert, that the first instance court may order the expert examination. If a license or qualification is required to carry out the relevant examination, the person participating in the case shall provide the evidence proving the competence of the proposed expert institution or the proposed expert to perform such examination. 4. In appointing an expert examination by a motion of the persons involved in the case, the first instance court may ask the expert only those question raised by the involved persons. 5. The first instance court has right to remand the questions having regard to the substance and the content of the fact to be proved. The first instance court justifies the rejection of the questions raised by the persons participating in the case that are not put to the expert. In appointing an expert examination by its own initiative the first instance court also has right to raise questions to the expert in cases provided by law.

6. The first instance court shall make a decision on appointing an expert examination, which states:

1) the name of the first instance court;

2) date of appointment of expert examination;

3) case number;

4) the names (names) of the persons involved in the case;

5) the fact to be proved;

6) the questions to the expert;

7) the name of the expert or the name of the specialized expert institution;

8) list of materials (documents) provided to the expert and, if necessary, conditions for deal with them.

7. The first instance court, and if the expertise is ordered to the execution of a specialized expert institution, upon the instruction of the

court, the head of that institution shall 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. When the examination is carrying out in the specialized expert institution, the expert's signature on the warning shall be attached to the conclusion.

According to Article 37 of Administrative Procedure Code

1. 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, which the court can order to the specialized expert institution or an expert.
2. The costs of an expert examination appointed by initiative of the court of the parties are covered at the expense of the court. 3. Persons participating in the case are entitled to propose questions to the court which must be clarified during the expert examination or to mention the specialized forensic institution or expert to whom the court may assign the examination.
4. The court makes a decision on appointing an expert examination, determining the list and content of the questions.
5. The court makes a decision on appointing an expert examination, which indicates the name of the court, date of appointment of expert examination, name of the case, the questions to the expert, the name of the expert or the name of the specialized expert institution, list of materials (documents) provided to the expert and, if necessary, conditions for deal with them.
6. 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. 7. Persons participating in the case are entitled to bring motion to appoint an expert examination and to order the examination to the proposed specialized forensic institution or expert, which costs should be are covered by that party.

### **202-1. Are there lists or databases of registered judicial experts?**

Yes

No

Comments - Please indicate any useful comment regarding these lists or databases of experts, if they do exist (e.g. : Does the expert take an oath? How is his/her skill evaluated? By whom?):

### **202-2. Who is responsible for registering judicial experts?**

Ministry of justice

Courts

Independent body (association of judicial experts)

Other

Comments There is no such consolidated database as of yet.

### **202-3. Is the registration of judicial experts limited in time?**

Yes, for how long .....

No

Comments NAP

### **203. Is the title of judicial experts protected?**

Yes

No

Comments - If appropriate, please explain the meaning of this protection:

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

Obligation of training
------------------------

<b>Initial training</b>	( X ) Yes ( ) No
<b>Continuous training</b>	( ) Yes ( X ) No

Comments The answer "Yes" implies that the experts have relevant professional educational background. However, a special training is not being organized.

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

- judicial proceedings
- the profession of expert
- other

Comments

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

- Yes
- No

Comments The function of judicial experts is regulated by the procedural codes of RA, please see question 202.

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

- Yes
- No

Comments There is no directly such a demand, however the law requires that the expert is not interested in the case concerned.

**205. Number of accredited or registered judicial experts:**

	<b>Total</b>	<b>Male</b>	<b>Female</b>
<b>Number of experts</b>	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP

Comments

**205-1. Who sets the expert remuneration?**

- The judge sets the remuneration which 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: The process for expertise is provided by relevant procedural laws. There are no specific time frames set out in the law, but the function of the experts in general is regulated by the relevant procedural legislation.

**206-1. Number of cases where expert opinion was ordered by a judge or requested by the parties**

	Number of cases
<b>Total (1+2+3+4)</b>	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
<b>1.Civil and commercial litigious cases</b>	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
<b>2.Administrative cases</b>	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
<b>3.Criminal cases</b>	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
<b>4.Other cases</b>	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP

Comments

**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 The expert shall be appoint by the body performing the trial (court in trial stage and investigator or prosecutor in pretrial stage). The expert can be a candidate nominated by parties. In addition, in criminal proceedings the expert might be chosen by the head of the expert institution.

**207-1. Does the judge control the progress of the expertise?**

- Yes
- No

Comments

**K1. Please indicate the sources for answering question 205**

Sources: Criminal Procedure Code, Civil procedure Code, information provided by the Judicial Department.

**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 on 10 October 2019 the Government of Armenia adopted the 2019-2023 Strategy for Judicial and Legal Reforms of the Republic of Armenia (hereinafter referred to as the "Strategy") which was developed taking account the imperative of drastic changes in the judicial and legal sector, the necessity of planning, monitoring, accountability and regular evaluation of the progress of strategic reforms. The ultimate purpose of this Strategy and the Action Plans deriving the reform will be the restructuring of courts and state institutions linked to the justice system based on the criteria of independence and accountability, which is necessary for the development of the democratic state. Based on the Strategy, three Action Plans were made: short-term Action Plan (from the 2nd half of 2019 to 2020), long-term Action Plan (from 2021 to 2023) and Individual Action Plan on setting up an e-justice platform and ensuring the accessibility of electronic data bases (from the 2nd half of 2019 to 2023).

The Strategy provides for drastic changes, especially in the matters of effectiveness, independence of the judicial system and in the field of fight against corruption in the judiciary. The Strategy stipulates the following strategic goals: setting up an e-justice platform and ensuring accessibility of electronic data bases and updating thereof, strengthening the rule of law by enforcement of the toolkit for the transitional justice, conducting constitutional reforms, reforming the electoral legislation, ensuring independence and impartiality of the judiciary, improving the mechanisms for public accountability of the judiciary, a judicial system free of corruption and patronage, increasing efficiency of functioning of courts, establishing a uniform platform of services provided by the state authorities and the local self-government bodies, reforming the law-enforcement system, reforming the criminal and criminal procedure legislation, reforming the civil and civil procedure legislation, raising effectiveness of the administrative justice and administrative proceedings, reforms in the field of bankruptcy, developing alternative methods of dispute settlement, raising efficiency of the notary system, raising efficiency of the system of advocacy, reforms within the compulsory enforcement system.

2. Budget Approximately EUR 38.000.000.

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) The Strategy envisages:

1. Improving the integrity check mechanisms of members of Supreme Judicial Council, judges, prosecutors, investigators
2. Establishing a new Anti-Corruption Court, a corresponding anti-corruption unit in Prosecutor General's office and an Anti-Corruption investigative body
3. Tools aimed at decreasing the backlog and increasing the efficiency of justice, such as: electronic tools, ADR tools, increasing the number of judges
4. Renovation and construction of new court houses
5. Increasing transparency and representation of non-senior prosecutors in the prosecutors' representative bodies.

3.1. Access to justice and legal aid -Reduction of the workload of judges and ensuring reasonable time limits for court examination  
-Developing alternative mechanisms for provision of free legal aid

4. High Judicial Council It is envisaged to increase Supreme Judicial Council's capacity of integrity check of judges.

5. Legal professionals (judges, public prosecutors, lawyers, notaries, enforcement agents, etc.): organisation, education and training, etc. Upon the adoption of amendments to the Judicial Code the minimum age for candidate judges will be decreased to 25, so will the requirement of professional experience (3 years). Continuous capacity building activities are envisaged for judges in the fields of:

- (a) investigation of corruption, economic and official crimes,
- (b) importance is attached to the development of the skills of judges to work with evidence on electronic media parallel to the introduction of electronic justice tools,
- (c) professional rules of conduct and ethics,
- (d) case-law of the European Court of Human Rights on particular articles of the European Convention for the Protection of Human Rights and Fundamental Freedoms;
- (e) issues regarding the role of a judge, reasoning of the judicial act, practical challenges to the independence of a judge. Relevant capacity building activities are envisaged for prosecutors and investigators. The following actions are envisaged in the field of Notary:
  - Introducing procedures necessary for the application of the institution of the notary act execution
  - Reviewing the procedures for subjecting a notary to disciplinary liability and terminating the powers
  - Increasing the effectiveness of notary actions

The following actions are envisaged in the field of Advocacy:

- Increasing the effectiveness of activities of public defenders
- Developing the activities of the School of Advocates
- Improving the rules of conduct and integrity of the advocate

6. Reforms regarding civil, criminal and administrative laws, international conventions and cooperation activities

Civil procedure

- Reviewing the institution of returning an application in civil procedure,
- Prescribing cases of compulsory mediation in civil procedure,
- Solving the issues recorded upon the results of inventory of the issues having arisen in law enforcement practice of the civil procedure,
- Introducing tools necessary for making notifications electronically,
- Introducing mechanisms necessary for submitting procedural documents electronically.

Administrative procedure

- Establishing an Administrative Chamber of the Court of Cassation,
- Improving the procedures for notification in administrative procedure,
- Applying written and simplified procedures in administrative procedure,
- Reviewing the regulations related to state duty,
- Increasing the effectiveness of special proceedings in the administrative procedure
- Increasing the effectiveness of appeals against administrative acts through the administrative procedure,

- Improving the legislation on administrative offences.

Completely new Criminal and Criminal procedure codes are in the phase of public discussions and will shortly be introduced to the Parliament.

7. Enforcement of court decisions Amendment package in law on "Compulsory Enforcement of Judicial Acts " entered into legal force in 2019 which:

-regulates the grounds related to rejection of providing writ of execution and also stipulated that such decisions are subject to appeal,  
-set out mechanisms to encourage voluntary execution of the writ of execution.

-provides new mechanisms, which are expected to make notifications more effective.

-in order to maximize the protection of citizens' rights, it stipulate that in all cases, regardless of whether the property is occupied by the debtor or by another person, the participation of the witness is mandatory when the compulsory executor enters the real estate.

-in order to increase the efficiency of enforcement proceedings, the content of Debtor's property declaration has been expanded, with the obligation to submit a new declaration in case of acquiring new property or property rights.

8. Mediation and other ADR ADR

- Improving the arbitration legislation

- Ensuring opportunities for establishing arbitration centre

- Raising the level of relevant legal education and public awareness

9. Fight against crime In order to overcome the criminal subculture, the Government initiated legislative proposal, within the frame of which the National Assembly has been offered to provide criminal liability for giving or receiving or maintaining the highest status within the criminal hierarchy, for creating or managing a criminal subculture, for participating in or engaging in a criminal subculture, applying to a person who is affiliated with the criminal environment or has the highest status within the criminal hierarchy. It is to be noted that the National Assembly of the Republic of Armenia adopted this law draft in the first reading.

It should be noted that the educational reforms have already started. In particular, the "Centre for implementation of legal education and rehabilitation programmes" SNCO of the MOJ, under the Decrees of the RA Minister of Education and Science NN 250-A/2 and 251-A/2, from 21 March 2018, was issued licenses to implement educational activities at the penitentiary institutions based on the general education programs. Moreover, Educational plans (alternative/author's/educational programs) of a special facility of general education for the persons serving punishment connected with deprivation of liberty and/or detainees, developed by this organization, were approved under the Decree of the Minister of Education and Science N 1398-A/2, from 19 October 2018. Consequently, the persons without general education will be able to exercise their right to education – having an opportunity to study Armenian language, Russian language, computer science, Armenian literature, geography, Armenian history, History of Armenian Church, algebra, geometry, physics, chemistry, biology, physical culture, social science. On 24 July 2019, the RA Ministry of Education, Science, Culture and Sport and the "Centre for implementation of legal education and rehabilitation programmes" SNCO signed a subsidy contract, in a result of which on September 2, 2019, the SNCO started to provide general education to the persons serving punishment connected with deprivation of liberty and/or detainees. Preserving the outcomes of the mentioned efforts and taking the new ones will promote improvement efficiency of resocialization process. At the same time, a package of reforms has been developed in the field of police which will promote the fight against crime.

9.1. Prison system 1) The Government of Armenia has already approved “On approving the 2019-2023 strategy of the penitentiary and probation field of the Republic of Armenia, the 2019-2023 plan of actions for its implementation, and the procedure of formation and organization of the activities of the council coordinating the implementation of the plan” on November 27, 2019.

The goal of the strategy is to shift from punitive policy to restorative justice, to the rooting of the principles of restorative justice in the field of criminal punishment, to the effective realization of the purposes of punishment, to the overcoming of the criminal subculture, to the prevention of corruption in the penitentiary and probation system, to the reduction of re-offending and ensuring public safety.

Accordingly, the following reform directions have been defined:

- Improvement of the RA legislation regulating the penitentiary and probation field,
- Improvement of the conditions of inmates, optimization and modernization of penitentiary institutions, improvement of Penitentiary and Probation Service facilities and increase of technical equipment,
- Ensuring accessible conditions for people with disabilities in the penitentiary institutions,
- Improvement of the conditions of incarcerated juveniles,
- Overcoming corruption and criminal subculture, •Review of the status of the Probation service and HR policy in the Penitentiary Service, reinforcement of cooperation between Penitentiary and Probation services,
- Introduction of electronic management tools in the penitentiary and probation system,
- Re-socialization of inmates and probation beneficiaries, •Improving the quality of medical care and services.

In the framework of improvement of the storage conditions and the optimization of penitentiary institutions it is stipulated:

- 1.Close “Nubarashen” and “Central Prison Hospital” penitentiary institutions and build a new penitentiary institution with a capacity for 1,200 inmates on the territory of Yerevan ( in Silikyan district ).
- 2.Close “Goris” penitentiary institution and build a new penitentiary institution with a capacity for 350 inmates (project already in place, planned to build in Khndzoresk village).
- 3.Transfer “Yerevan - Kentron” penitentiary institution from the building of the National Security Service to the building of the former “Erebuni” penitentiary institution.
- 4.Close “Hrazdan” penitentiary institution and build facilities for the “Hrazdan” penitentiary institution in the territory of the administrative building of the “Sevan” penitentiary with a close and semi-close regime possibilities and detention facility for detainees.
- 5.Provide a ventilation system at “Armavir” penitentiary institution, create the necessary storage conditions for a semi-open regime facility, as well as develop the capacity of a medical inpatient.

The Strategy will guarantee predictable development and improvement of the penitentiary and probation field with single united document.

2) ne of the most important directons of the Strategy is overcoming corruption and criminal subculture. The strategic goals under this direction are aimed at excluding all corrupt practices and overcoming the criminal subculture in the system. In addition to other measures envisioned under this Strategy, it is planned to conduct general audit in order to reveal corruption related manifestations. The audit will enable identifying all the violations and abuses and bringing those responsible for to liability. In this context, the penitentiary institutions need to be refurbished with surveillance equipment. Modernization of the surveillance tools first of all presupposes re-equipping the penitentiary institutions with modern video-surveillance systems, which will enable to establish an Operational Management Center and exclude through the on-line surveillance such corrupt practices as: additional walking time, reduced keeping in quarantine, open cells, refrain from checking the parcels, etc. Refurbishing the penitentiary institutions with modern engineering and technical means (metal detectors, scanners, etc.) will enable preventing such manifestation of corruption as inflow of contraband. Characteristically, the criminal subculture, that exists at the penitentiary institutions, is also conducive to formation and enrooting of the corruption environment. It is to be mentioned, that the issue of criminal subculture at the penitentiary institutions has been addressed by widely recognized international entities. Thus, the CPT delegation, in the course of the 2015 visit, again observed that there was a general tendency for the management and staff in the prisons visited to partially delegate authority to a select number of inmates who were at the top of the informal prison hierarchy, the so-called ‘watchers’, and use them to keep control over (and maintain discipline among) the inmate population. In order to exercise their authority, the ‘watchers’ were apparently afforded certain privileges, such as the possibility to move relatively freely within the establishments and to enter any cells. The issue of criminal subculture was also referred to by the UN Committee against torture in the 4th Periodic report on Armenia (2017). The Committee has found that the high incidence of inter-prisoner violence in penitentiary institutions may be the result of the existence of

a criminal subculture and informal hierarchy in prisons. Therefore, steps should be taken to end the practices of making use of the informal hierarchical relationships as a means of maintaining order at the penitentiary institutions. No prisoner should have an opportunity to exercise authority towards other prisoners. The Government is resolute to prevent corruption related manifestations that have been enrooted in the system for years and to eradicate the 'conducive conditions' for the existence of criminal subculture. There should not be such prisoners at the penitentiary institutions that would be in a privileged condition.

9.2 Child friendly justice With adoption of the new Criminal, Criminal Procedure Codes, a new stage of legislative reforms will be launched, during which a special focus should be taken on ensuring that the suggested legal regulations are brought into correspondence, to the extent possible, to international legal standards, and effective mechanisms should be introduced on the level of the bylaws to ensure efficient operation of the new institutions. It should be stated that within the framework of the new Criminal Code of the Republic of Armenia separate regulations are envisaged for juveniles and persons aged 18-21, taking into account the peculiarities of their socio-psychological development.

9.3. Violence against partners In 2017 the comprehensive domestic violence legislation was adopted which is aimed at preventing domestic violence and providing protection and support to domestic violence victims. New amendments to this law are envisaged seeking to extend the coverage of this law to the partners.

10. New information and communication technologies The new strategy has a separate action plan on setting up a uniform system of electronic justice, ensuring accessibility of electronic data bases and updating thereof.

11. Other E-justice system is envisaged to be a centralized system for a comprehensive solution to the problems in justice sector. This unified e-justice system will regulate the work of all the justice sector authorities such as judicial, law enforcement and other authorities and will provide accessibility to law and justice. The unified e-justice system will be consisted of e-civil, e-criminal, e-administrative and e-criminal key subsystems. The e-justice system will also include electronic court system and system for providing and receiving information with agencies related to the judiciary.

The purpose of unified e-justice system is:

- a) To combine all the electronic systems and databases in the justice sector;
- b) To update court based e-government systems by introducing and operating unified e-justice system, which will be a comprehensive electronic platform for all justice sector authorities such as police, investigative authorities etc.
- c) To establish document circulation system law enforcement, judicial authorities d) To introduce formal online correspondence system ensuring systematic circulation of electronic documents among all the participants of the case, as well as physical and legal persons. e) To ensure systematic collection of statistical data throughout the proceedings;
- f) To ensure the creation of digital archives

Envisaged results of launch of e-justice system E-justice system will provide circulation of electronic documents to all parties involved in the case: Individuals and legal entities will be able to submit electronic documents such as to file lawsuits, motions, to

submit complaints and other documents, receive formal notice and follow the case. E-justice system will exclude material and document loss, reduce the waste of paper and financial resources, as well as provide simplified administration and time management: