



Observations and Recommendations of the Armenian Lawyers' Association and CSOs Anti-Corruption Coalition of Armenia on the Draft Decision of the Government of the Republic of Armenia "On Defining the List of Documents Necessary for Participation in the Competition for the Chairman of the Anti-Corruption Committee"

The RA Law on the Anti-Corruption Committee came into force on 24 March, 2021. It envisages the establishment of an Anti-Corruption Committee, the main function of which is to conduct a preliminary investigation into corruption-related crimes. The Committee will be formed on a competitive basis.

Pursuant to the mentioned law, the Government determines the list of necessary documents to be submitted by the candidates in the competition for the position of the Chairman of the Committee. For this purpose, on 29 April, 2021, the draft decision of the Government (hereinafter referred to as the Draft) was published on the e-draft.am electronic platform.

The following are the observations and recommendations of the Armenian Lawyers' Association and CSOs Anti-Corruption Coalition of Armenia:

1. The main way to assess the candidate's professional experience and skills provided in the draft is the CV, for which a unified template is not defined. We suggest adding to the list of required documents also a card containing the candidate's biographical data with a description of the professional legal activity carried out by him/her after obtaining the title of lawyer, attaching relevant evidence (including passport of the position or other documents certifying professional legal experience). This will give a more comprehensive picture of the candidate's professional qualities and suitability, as well as provide in addition to a formal, will enable a substantive study of the candidate's professional activities as well.
2. We propose to ensure the certainty of the list of required documents. In particular, the Law on the Anti-Corruption Committee does not clearly define whether a candidate should be able to speak all the three languages listed at or at least one of them. Therefore, we suggest dispelling those doubts in this draft and provide a clear regulation. In addition, it is not clear if a candidate should be proficient in all three languages simultaneously, then why it is

necessary to pass a check of the relevant level of knowledge of at only one of the required languages through a corresponding standardized test system or other procedure established by the Government? How will the knowledge of the other two languages be checked, and if not checked, does this regulation of the law not become formal?

3. There is a requirement to submit a document stating that the candidate, being a judge, former judge, prosecutor, former prosecutor, investigator, former investigator, investigator, detective, former detective, operative officer, former operative officer, attorney or former attorney, has not received a strict reprimand or a heavier disciplinary sanction prescribed by law, regardless of whether the disciplinary sanction has been revoked or removed in the prescribed manner. It is not clear who should provide that document, the person in the form of a written statement or specific structures, for example, in the case of a judge, the Judicial Department of the Republic of Armenia, in the case of an attorney, the Chamber of Advocates of the Republic of Armenia, etc. We propose to define that such a document must be issued by a competent body.