



REPORT

ON THE MONITORING RESULTS

FOR 2019 - 2022

OF THE 2019-2023 STRATEGY

FOR JUDICIAL AND LEGAL REFORMS

OF THE REPUBLIC OF ARMENIA

- The First Draft was developed on 10 March, 2022, and was put into circulation since 15 March.
- The Final Version was developed on 17 May, and was published on 16 May.

YEREVAN-2022

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ABBREVIATIONS

AF	Armed Forces
AF DMPS	Armed Forces Department of Moral and Psychological Support
AMD	The Republic of Armenia Dram
CB	Central Bank
CC	Constitutional Court
CE	Council of Europe
CJSC	Closed Joint-Stock Company
CPC	Corruption Prevention Commission
CSF	Command and Staff Faculty
CSO	Civil Society Organization
EBRD	European Bank for Reconstruction and Development
ECHR	European Court of Human Rights
EU	European Union
FGD	Focus group discussion
HLIB	Health and Labor Inspection Body
HRD	Human Rights Defender
ICMPD	International Centre for Migration Policy Development
IKI	Interview with key informants
Media	Mass media
MS	Mobilization Service
NGO	Non-Governmental Organization
OECD	Organization for Economic Co-operation and Development
PI	Penitentiary institution
RA	Republic of Armenia
RA MESCS	RA Ministry of Education, Science, Culture and Sports
RA MHTI	RA Ministry of High-Tech Industry
RA MLSA	RA Ministry of Labor and Social Affairs
RA MoD	RA Ministry of Defense
RA MoJ	RA Ministry of Justice
RA MTAI	RA Ministry of Territorial Administration and Infrastructure
RPPC	Republican Pedagogical-Psychological Center
SEN	Special educational needs
SNCO	State Non-Commercial Organization
SRC	State Revenue Committee
SRQO	Center for raising the Qualification of Officers
TCPES	Territorial Center for Psycho-Educational Support
UN	United Nations
USAID	United States Agency for International Development

INTRODUCTION

The Republic of Armenia has adopted various legal documents, ratified international treaties, and introduced tools with the latest solutions in order to have an independent, efficient judiciary free from corruption and patronage and enjoying public trust. Despite the above, there are still a number of challenges and problems in the judicial system of the Republic of Armenia that require an institutional (systemic) approach and similar solutions.

One of the latest comprehensive legal documents in this field is the 2019-2023 Strategy for Judicial and Legal Reforms of the Republic of Armenia and the Action Plans Deriving Therefrom (hereinafter referred to as the Strategy), which was adopted by the Decision N 1441-L of the Government of the Republic of Armenia of 10 October, 2019.

Based on the Strategy, three action plans have been developed: Short-term, from the second semester of 2019 to 2020 (hereinafter referred to as Annex 2); Long-term: from 2021 to 2023 (hereinafter referred to as Annex 3); and a Separate Action Plan on Setting up a Unified E-Justice System and Ensuring Accessibility of Electronic Databases and Updating Thereof, from the second semester of 2019 to 2023 (hereinafter referred to as Annex 4). Action Plans set out specific actions based on strategic goals and directions, envisaging the bodies responsible for and implementing them, the starting point, the deadline for implementation, the means of verification, the expected results and the expected source of funding for each action.

Table 1. Number of actions envisaged by the separate action plan on setting up a Unified E-Justice System and ensuring accessibility of Electronic databases and updating thereof (Annex 4 Plan)

Goals	2019 2nd semester	2020 1st semester	2020 2nd semester	2021 1st semester	2021 2nd semester
Goal 1. Introducing unified e-justice system.	1	1	3	1	4
Goal 2. Ensuring the accessibility of the electronic systems and electronic databases in the justice sector and updating thereof.	0	0	0	0	7

Table 2. Number of actions deriving from the 2019-2023 Strategy for Judicial and Legal Reforms to be implemented in 2019-2020 (Annex 2 Plan)

Goals	2019 2nd semester	2020 1st semester	2020 2nd semester
Goal 2. Establishing real democracy and strengthening the rule of law by applying the transitional justice toolkit,	1	0	1
Goal 3. Implementing Constitutional Reforms	1	0	1
Goal 4. Reform of the electoral legislation.	0	0	1
Goal 5. Strengthening the independence and impartiality of the judiciary.	2	0	2
Goals 5, 6 and 7. Strengthening the independence and impartiality	5	0	6

of the judiciary, improvement of mechanisms for public accountability of the judiciary and a judicial system free from corruption and sponsorship.			
Goal 5. Strengthening the independence and impartiality of the judiciary.	5	0	6
Goal 10. Reform of the law enforcement system.	0	3	3
Goal 10. Reform of the law enforcement system.	0	2	2
Goal 11. Reform of the criminal and criminal procedure legislation.	5	5	0
Goal 12. Reform of the civil and civil procedure legislation.	0	3	3
Goal 13. Increasing the efficiency of administrative justice and administrative proceedings.	0	10	10
Goal 14. Increasing the efficiency of bankruptcy system.	0	6	6
Goal 15. Developing alternative methods of dispute settlement.	0	1	1
Goal 17. Increasing the effectiveness of the advocacy system.	2	5	4

Table 3. Number of actions deriving from the 2019-2023 Strategy for Judicial and Legal Reforms to be implemented in 2021-2023 (Annex 3 Plan)

Goals	2021 1st semester	2021 2nd semester
Goal 3. Implementing Constitutional Reforms.	0	1
Goal 6. Improvement of mechanisms for public accountability of the judiciary.	0	1
Goal 8. Increasing the effectiveness of activities of courts.	0	3
Goal 9. Providing a unified platform of services provided by state and local self-government bodies.	0	3
Goal 10. Reform of the law enforcement system.	0	2
Goal 12. Reforming the civil and the civil procedure legislation.	0	3
Goal 13. Increasing the effectiveness of administrative justice.	1	0
Goal 14. Increasing the effectiveness of bankruptcy system.	3	3
Goal 15. Developing alternative methods of dispute settlement.	2	0
Goal 16. Increasing the effectiveness of notary system.	3	0
Goal 18. Reforms of the compulsory enforcement system.	2	0

It should be noted that the issue of improper implementation of strategic documents has always been relevant. This is partly due to the lack of proper monitoring of the implementation process and evaluation and accountability tools, both by the implementers as well as the civil society. From this point of view, monitoring the implementation of these strategic actions, as well as informing the public, citizens and other stakeholders about the monitoring results is crucial.

The purpose of this scientific research is to assess the implementation of action plans deriving from the 2019-2023 Strategy for Judicial and Legal Reforms of the Republic of Armenia, their progress and to identify gaps and breaches of deadlines related to the implementation of these plans. Based on the results of the evaluation, this monitoring report has been prepared and methodological and content [recommendations](#) have been submitted to the relevant state bodies in order to improve the strategy and, in general, the area of judicial reform in the country. The monitoring and evaluation of the action plans of the strategy covers the actions envisaged for 2019-2021.

MONITORING AND EVALUATION METHODOLOGY

a. Objectives of monitoring and evaluation

The objectives of the monitoring and evaluation of the action plans of the Strategy are:

- 1) Assess the current state and progress of the implementation of the action plans for 2109-2021 deriving from the 2019-2023 Strategy for Judicial and Legal Reforms of the Republic of Armenia,
- 2) Find out the actions that were performed in violation of the deadlines, were performed in full, partially, or not implemented, and their reasons, implementation gaps and shortcomings;
- 3) Evaluate the process of implementing Action Plans from a qualitative point of view of implementation of the actions.

b. Evaluation Table

In general, the actions included in the action plans for the implementation of the 2019-2023 Strategy for Judicial and Legal Reforms of the Republic of Armenia refer to the following group of actions:

- Development and adoption of legal documents, acts, and laws.
- Providing and creating legal bases for the creation of new structures.
- Development of training programs and their implementation.
- Development of methodological and educational materials.
- Developing and implementation of public awareness and stakeholder engagement programs.
- Provision of material and technical base and building conditions of different structures / bodies.
- Implementation of electronic systems or improvement of existing systems.
- Monitoring of other measures envisaged by the strategy and the deriving action plans.

The study of the actions included in the action plans for the implementation of the 2019-2023 Strategy for Judicial and Legal Reforms of the Republic of Armenia, as well as their expected results, allows dividing the indicators evaluating the implementation of these actions into three groups, as presented below:

> **Process Indicators**

Process indicators generally refer to actions that are aimed at completing certain procedures, such as submitting a draft legal document to the Prime Minister's Office or the National Assembly; conducting an analysis or study and publishing a report; adopting a stakeholder engagement plan, and so on. Procedural indicators refer to output-level results and are evaluated on the basis of results-based monitoring. It is expected that the

actions to be carried out in 2019, 2020 and 2021, should already be completed by the time of the assessment, which is January-March 2022. Accordingly, the monitoring records whether the procedures outlined in the action plans have been implemented in a timely manner and whether there are significant discrepancies and deviations from the deadline. It should be noted that the vast majority of the three action plans (Annex 2, Annex 3 and Annex 4) are actions that assume process indicators.

In the case of process indicators, the monitoring records the stage of the process. For example, the following stages have been identified for the submission of a draft legal document to the National Assembly: 1) has not been initiated at all, 2) the draft law is ready, 3) has been published on e-draft.am and a public discussion is taking place, 4) has been submitted to the National Assembly, 5) has been adopted by the National Assembly; 6) was rejected by the National Assembly, 7) is included in the agenda.

The following categories of evaluation have been separated for the evaluation of the performance of the procedural indicators:

- **Performed within the deadline** – the action is assessed as "performed within the deadline" if evidence has been provided or made available to the monitoring team that the action was performed within the timeframe set by the Strategic Action Plan or violation of a maximum of one month from that period.¹
- **Performed with certain violation of deadline** - the action is assessed as "performed with certain violation of the deadline" if the monitoring team has been provided with or had access to evidence that the action was performed with violation of a maximum of one year of the deadline set out in the Strategic Action Plan.
- **Performed with significant violation of the deadline** - The action is assessed as "performed with significant violation of deadline" if the monitoring team has been provided with or had access to evidence that the action took place in violation of at least one year of the deadline set out in the Strategic Action Plan.
- **Action was not performed** – The action is considered "not performed" if the performance indicator of the action has not been performed at the time of monitoring (February 2022) or the monitoring group has not been provided with any information on the given action.
- **No information available** - The action is assessed as "no information available" if certain information about the action has been provided to the monitoring team but it is not sufficient to assess the status and/or timing of the action and no additional information has been provided.
- **Action is suspended** - The action is considered "suspended" if circumstances became known during the performance of the action, which make the performance of the action impossible for a certain period of time and the suspension of the action is fixed in any legal document or decision.

¹ The one-month delay in the operation was allowed, given that the implementation of the Action Plan covers the year 2020, during which the epidemic and the war were the obstacles to the implementation of the action.

In general, it should be noted that the action is considered completed if it has reached the final stage outlined in the action plan.

For example, in the case of the action *"The draft law providing for amendments to the Law "On Bankruptcy" has been elaborated circulated and submitted to the Office of the Prime Minister of the Republic of Armenia as prescribed"*, the action is considered completed if the draft law has been developed, circulated and submitted to the Office of the Prime Minister of the Republic of Armenia. The category "partially implemented" will not be applied, for example, in the case when the draft law has been developed but has not yet been submitted to the Office of the RA Prime Minister. In such cases, the monitoring will find out and record the stage of the initiated process, but will assess it as "not implemented".

It should be noted that in the methodological guide of monitoring and evaluation developed by the RA Ministry of Justice, the evaluation is expressed by the following selected indicators:

- 1) Implemented (all the works envisaged within the defined period have been carried out).
- 2) Partially implemented (The works envisaged by the action were partially completed within the defined period).
- 3) Partially implemented, but the performance is suspended (Due to external circumstances, the work envisaged by the action has been started and suspended within the defined period).
- 4) Not implemented (No work envisaged by the action was carried out within the defined period).

In such an evaluation system, however, according to the monitoring team, the differences between the evaluations 'not implemented' and 'partially implemented' are not clearly defined. In particular, in the case what volume of work the action is considered "partially implemented" and how the volume of work performed is assessed in terms of achieving the result. In this case, there is an increased risk of assessing actions that have not been performed significantly in terms of achieving the result "as partially implemented", which can distort the actual results of the implementation of the action plans (strategic directions) envisaged by the Strategy.

› **Quantitative indicators**

Quantitative indicators mainly refer to the actions that aim to achieve certain quantitative results, such as the training of judges, prosecutors, investigators and others. These indicators refer only to the [output level results](#). It is expected that the targets envisaged in the Action Plan for the activities to be completed in 2019, 2020 and 2021 should have already been achieved. It should be noted that there are no clearly defined quantitative results in the action plans, but it is possible to assess these quantitative indicators according to the annual or medium-term results defined by other responsible bodies. For example, in the case of training of judges, it is the number of actual trainings based on the number of annual applications submitted by the SJC. Accordingly, the actual results will be compared with the targeted results, and the underperformance will be identified, if

any. In the case of such actions, the separate evaluation categories for the performance evaluation of the protocol indicators will also be applied.

For each sector, during this assessment, the performance team calculated a **performance indicator**, which is the ratio of "performed within the deadline" and "Performed with certain violation of deadline" to the total number of activities planned in the given period during the reporting period.

› Qualitative Indicators

Qualitative indicators refer to **the results of the level of impact** and link action under Action Plans to expected outcomes and strategic objectives. These indicators will be assessed by the experts of the monitoring group and will refer to the compliance of the adopted, developed legal acts with the sectors outlined in the action plans, strategic goals, expected results and the potential to address the problems presented in the output situation. In addition, the information on these indicators will be compared with the information obtained as a result of FDG and in-depth interviews. The following two evaluation criteria have been identified for evaluating the performance of these indicators: **the compliance criterion** and **the completeness criterion**.

The compliance criterion refers to whether the direction of changes in legal acts or drafts corresponds to the direction of changes defined for strategic objectives. For example in the case of action *“To make amendments and supplements to the Constitutional Law “Judicial Code of the Republic of Armenia” aimed at: improvement of the decision making process by the Supreme Judicial Council by including effective mechanisms of transparency, reasonableness of making such decisions and for votes necessary for adoption thereof” (Annex 2, Goal 5, Action 2)*, compliance will apply to whether the *made amendments and supplements contribute to the improvement of the decision making process and aimed at raising transparency, reasonableness of making such decisions*. If ‘yes’, the action is rated as **"corresponding"**. If there is a discrepancy in at least one of the mentioned directions, the action is assessed as "not corresponding". If there is a discrepancy in at least one of the mentioned directions, the action is assessed as **"not corresponding"**.

The completeness criterion refers to whether changes in legal acts or draft laws include a complete list of changes defined for strategic objectives. For example in the case of action *“To make amendments and supplements to the Constitutional law “Judicial Code of the Republic of Armenia” aiming at (a) the change of the procedure for setting up an evaluation commission; (b) ensuring the reasoning behind the evaluation; (c) performing a psychological test at the first stage of interviewing, being prepared by leading international psychological institutes; (d) introduction of a grievance procedure for the examination results and ensuring the transparency of decision making by the Supreme Judicial Council’ (e) ensuring the engagement of international experts in the process of selection of judge candidates, including judge candidates of the Anti-Corruption Court, provided for by this Strategy ” (Annex 2, Goal 5, Action 1)* The completeness indicator assesses whether the implemented changes include all the defined directions. Two scales are used for evaluation:

"**Complete**" - if all directions are included and "**Not Complete**" - if at least one direction is missing.

By combining the two scales presented under the completeness and compliance criteria, the following possible situations were identified:

1. **Complies and complete.**
2. **Complete but not comply.**
3. **Complies but not complete.**
4. **Not comply and not complete.**

The separate strategic goals with a performance indicator of 50% or more as a result of the quantitative evaluation of the Strategy actions were subjected to legal analysis.

c. Evaluation Methods

In order to achieve the research goals, the comparative method of approach was used, comparing qualitative and quantitative data. Data were collected from primary and secondary sources. Research methods include information inquiry, desk research/document analysis, FDGs with stakeholders, and Interview with key informants (IKI). The field work was carried out in January-February 2022.

Taking into account the epidemic situation in the country, face-to-face interviews and FDGs were not conducted on the spot, instead, the discussions were conducted online using the "Zoom" platform. Some research methods are presented below:

Desk research/document analysis and information inquiry:

Information on quantitative and procedural indicators of actions to be taken was collected through desk research/document analysis and information inquiries. Information on **output level indicators** was collected through these methods.

In total, more than 40 requests for information were sent to 20 state and other interested structures, the results of which are presented in the table below.

Table 4. Competent bodies/agencies and institutions receiving information requests for monitoring and nature of cooperation

	Competent bodies/agencies that provided information	Competent bodies/agencies that refused to provide information
	Office of the Prime Minister	Supreme Judicial Council <i>(During the monitoring, the SJC and</i>
	RA Ministry of Justice	
	Corruption Prevention Commission	
	RA Ministry of High-Tech Industry	
	RA Ministry of Education, Science, Culture and Sports	
	RA Ministry of Finance	
	Central Bank	
	RA Notary Chamber	

	Academy of Justice	<i>the Judicial Department did not ensure public accountability, did not provide the requested information and refused to cooperate with the monitoring team)²</i>
	EKENG CJSC	
	Cadastral Committee	
	RA Police	
	General Prosecutor's Office	
	Special Investigation Service	
	Investigative Committee	
	National Security Service	
	Bankruptcy Court	
	Chamber of Advocates	
	The Collegium of Business-Managers on Bankruptcy Self-Regulatory Organization	
Total	19	1

Online interviews with key informants and FDGs

Outcome level indicators were evaluated through qualitative research methods, in particular, through FDGs.

Interviews with Key Informants and FDGs were conducted with contact persons involved in the strategy as an implementing or co-implementing party, including all actions to be performed during the reporting period. IKIs and FDGs were conducted with government agencies and other stakeholders, as well as members of the Professional Committee on Constitutional Reform, higher education institutions, CSO representatives, lawyers, advocates, public defenders and individual experts responsible for these activities. A total of 12 FDGs were conducted, of which 6 were with representatives of government agencies, 6 with CSO representatives, lawyers, advocates, and public defenders, including participants from Yerevan and the regions, as well as 3 expert interviews were conducted with key informants in two separate areas selected by sampling.

² <https://iravaban.net/365371.html> and <https://iravaban.net/en/368999.html>

**ACTION PLAN ON SETTING UP A UNIFIED E-JUSTICE SYSTEM AND
ENSURING ACCESSIBILITY OF ELECTRONIC DATABASES AND UPDATING
THEREOF, DERIVING FROM THE 2019-2023 STRATEGY FOR JUDICIAL AND
LEGAL REFORMS OF THE REPUBLIC OF ARMENIA**

(*INCLUDES ACTIONS PLANNED FOR 2019-2021)

SECTOR 1: E-JUSTICE, ELECTRONIC SYSTEMS AND ELECTRONIC DATABASES

STRATEGIC GOAL 1. INTRODUCING UNIFIED E-JUSTICE SYSTEM AND ESTABLISHING A UNIFIED E_JUSTICE PLATFORM AND ENSURING ACCESSIBILITY OF ELECTRONIC DATABASES AND UPDATING THEREOF

Goal 1. Introducing unified e-justice system

Summary ³					
Goal 1. Introducing unified E-justice system					
Annex 4	2019 2nd semester	2020 1st semester	2020 2nd semester	2021 1st semester	2021 2nd semester
Number of planned actions	1	1	3	1	4
of which performed within the deadline:	0	0	0	0	0
of which not performed	1	0	3	1	4
of which there is no information about the action	1	1	0	0	0
performance indicator	0%				

Strategic Directions:

- a) Unification within the scope of the interoperability platform, of all electronic systems and databases operating within the bodies of justice.
- b) modernization of the electronic management systems operating in the courts; based on such systems, introduction and putting into operation of a unified judicial electronic management system in the courts, that will ensure the transfer of cases from one court

³ In these summary tables and in all other tables, the calculation of actions according to their implementation dates was performed under the last half year (semester) of the sub-action period. For example, there are two sub-actions for the action “studies of the databases and electronic systems operating within the bodies of the justice sector”: 1. “Conduct studies of the databases and electronic systems operating within the bodies of the justice sector have been conducted”, the implementation period of which is the second semester of 2019, and 2. “Conduct Inventory of the databases and electronic systems operating within the bodies of the justice sector has been taken; such databases and electronic systems that are available in the “Catis” catalogue for interoperability solutions”, which has been considered as the action to be performed during the first semester of 2020, as it is the period of the last sub-action to be performed under this action. As it was not expedient to carry out an assessment in terms of meeting the deadlines for the implementation of the sub-actions, therefore the calculation of the sub-actions was not carried out, “Conduct studies of the databases and electronic systems operating within the bodies of the justice sector,” has been considered as an action to be performed under the first semester of 2020, as it is the period of the last sub-action to be performed under this action.

instance to another and between the seats of the same court instances, as well as putting into operation of party-to-party, party-to-court efficient notification system, submission of evidence to the court, filing motions and carrying out other procedural actions;

c) introduction of a system of online official correspondence by ensuring the electronic documents circulation between all participants of the case, creation of an opportunity for natural and legal persons to contact state bodies online, submit applications, complaints and other documents thereto, in addition, creation of an opportunity of tracking the case status online;

d) ensuring the collection of statistical data via the unified e-justice system.

Action 1. Conduct studies of the databases and electronic systems operating within the bodies of the justice sector

Action	Responsible Body	Targets as per stages		Outcome
		2nd semester of 2019	1st semester of 2020	
Conduct studies of the databases and electronic systems operating within the bodies of the justice sector	RA MoJ “Ekeng” CJSC (Upon Consent) Ministry of High-Tech Industry	Studies of the databases and electronic systems operating within the bodies of the justice sector have been conducted.	Inventory of the databases and electronic systems operating within the bodies of the justice sector has been taken; such databases and electronic systems are available in the “Catis” catalogue for interoperability solutions.	No information available

The report “On introducing unified e-justice system and establishing a unified e-justice platform and ensuring accessibility of electronic databases and updating thereof issuing from the “2019-2023 Strategy for Judicial and Legal Reforms of the Republic of Armenia and the Action Plans Deriving Therefrom,” which was adopted by the Decision N 1441-L of the Government of the Republic of Armenia of 10 October, 2019” (hereinafter referred to as the E-Justice Performance Report) does not provide information on this action.

Thus, there is no information on the performance of the Action.

Action 2. Develop comprehensive technical specifications of the unified e-justice system

Action	Responsible Body	Targets as per stages		Outcome
		1st quarter of 2020	2nd quarter of 2020	

Develop comprehensive technical specifications of the unified e-justice system	RA MoJ RA MHTI	The comprehensive technical specifications of the e-justice system have been developed.	The comprehensive technical specifications of the unified e-justice system have been submitted to the interested bodies for feedback.	The action is not performed The works started in December 2021
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According to the E-Justice Performance Report,⁴ experts involved with the support of the MoJ and the EU are currently assessing existing needs and collecting information to develop a technical task. At this stage, the experts have compiled a brief description of the e-justice system. As the FGD with the government agencies responsible for carrying out the action, this action was not carried out within the planned deadline (2020) due to the crisis situation in the country. Work on implementation of the action started in December 2021.

Thus: **The Action was not performed / There are significant violations of deadlines.**

Action 3. Make amendments to the Administrative Procedure Code of the Republic of Armenia and the Civil Procedure Code of the Republic of Armenia, by revising the electronic notifications

Action	Responsible Body	Targets as per stages		Outcome
		1st semester of 2020	2nd semester of 2020	
Make amendments to the Administrative Procedure Code of the Republic of Armenia and the Civil Procedure Code of the Republic of Armenia, by revising the electronic notifications	RA MoJ RA SJC	Draft Laws “On making amendments to the Civil Procedure Code of the Republic of Armenia” and “On making amendments to the Administrative Procedure Code of the Republic of Armenia” have been elaborated; the drafts have been circulated in due procedure and sent to the Office of the Prime Minister of the Republic of Armenia as prescribed.	Draft Laws “On making amendments to the Civil Procedure Code of the Republic of Armenia” and “On making amendments to the Administrative Procedure Code of the Republic of Armenia” have been approved by the Government of the Republic of Armenia.	The action is not performed Draft Laws “On making amendments to the Civil Procedure Code of the Republic of Armenia” has been developed and submitted to public discussion.

⁴ <https://www.moj.am/storage/uploads/hjk4.pdf>

According to the E-Justice Performance Report: the Draft Laws “On making amendments to the Civil Procedure Code of the Republic of Armenia” has been developed and submitted to public discussion. Currently, the Civil Code provides for the possibility of electronic notifications. Therefore, the new changes should be implemented in line with the development of a technical description of the unified justice system, as the mentioned technical description will also offer electronic notification mechanisms.

The verifying measure stipulates that as of the second semester of 2020, the draft laws should have been approved by the Government of the Republic of Armenia. However, they are currently under public discussion, so the action is assessed as not performed.

Thus: **The Action was not performed / There are significant violations of deadlines.**

Action 4. Introduce in the courts and put into operation comprehensive system of e-courts

Action	Responsible Body	Targets as per stages		Outcome
		1st quarter of 2020	2nd quarter of 2020	
Introduce in the courts and put into operation comprehensive system of e-courts	Moj, interested bodies of the justice sector Ministry of High-Tech Industry RA MHTI	The unified e-management system has been introduced and put into operation in courts, within the framework of which an electronic court case has been created, ensuring the online electronic familiarization with case materials, receipt of document copies, submission of evidence, motions and performance of other procedural actions	The transfer of cases from one court instance to another and between the seats of the same court instance has been implemented.	The action is not performed Only one of the four planned modules of the system has been launched.

According to the E-Justice Performance Report, a new e-government system has been introduced for the courts. The system consists of four modules: general claim proceedings, special claim proceedings, special proceedings and Payment Order modules. Currently, the system payment order module has been launched in real mode: <https://cabinet.armlex.am/>. A tender for the selection of international experts has been announced for the development of the technical task of the other three modules. Holding the tender has been temporarily extended. The distribution of applications will be further expanded to include regional courts of first instance

It should be added that this action envisages launching all four modules, but at the moment only one of the 4 modules of the system has been launched. At the same time, it should be added that the term "launch" mentioned in the report of the Ministry of Justice does not mean that the system has become available to end users, but is only in the testing phase.

Thus: **The Action was not performed / There are significant violations of deadlines.**

Action 5. Improvement of the procedure for electronic inscription and distribution of judicial cases.

Action	Responsible Body	2021	Outcome
Improvement of the procedure for electronic inscription and distribution of judicial cases	RA MoJ RA CJC (upon agreement)	The plan aimed at improving the procedure for electronic inscription and distribution of judicial cases has been elaborated based on the discussions with the interested bodies and the organization providing relevant software support.	The action is not performed Improvement of the procedure for electronic inscription and distribution of judicial cases is connected with the implementation of the introducing of the unified e-justice system, the development of the technical task of which is in progress.

Improvement of the procedure for electronic inscription and distribution of judicial cases is directly related to the introduction of e-court electronic government system, the development of the technical task of which is in progress.

According to FDGs held with the interested bodies, the current procedure for distributing court cases, which involves "manual" signing, is problematic, and there is a need for significant reforms in the field, because in the current conditions the right of persons to a fair trial is violated. The issue is also addressed in detail in the special report of the RA Human Rights Defender on the "manual" signing of court cases,⁵ which states that complaints have been addressed to the Human Rights Defender from persons detained in the absence of operating electronic or automated system. The Human Rights Defender's report also states that "various judges have expressed concerns to the HRD that the lack of case distribution software has posed serious human rights risks in the judiciary and it violates the independence and impartiality of judges. With regard to the issue, the Human Rights Defender appealed to the Constitutional Court. According to the mentioned application, the compliance of Article 41, Part 4 of the Judicial Code and the 4th point of the decision of the Supreme Judicial Council BDK-16-N-6 and the 19th point of Annex 1 of the RA Constitution 63, Articles 79 and 81 have been changed⁶:

Thus: **The Action was not performed / There are significant violations of deadlines.**

Action 6. Make amendments to the Administrative Procedure Code of the RA and the Civil Procedure Code of the RA, by introducing procedures for submitting documents electronically

Action	Responsible Body	1st semester of 2021	Outcome
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⁵ See the special report of the RA Human Rights Defender on the "manual" signing of court cases:¹

<https://ombuds.am/images/files/f163711f002aec2584d22d45d2d40d47.pdf>

⁶ Ibid, p.p. 8-10:

<p>Make amendments to the Administrative Procedure Code of the RA and the Civil Procedure Code of the RA, by introducing procedures for submitting documents electronically.</p>	<p>RA MoJ RA CJC (upon agreement) RA MHTI</p>	<p>Draft Laws “On making amendments to the Civil Procedure Code of the Republic of Armenia” and “On making amendments to the Administrative Procedure Code of the Republic of Armenia” have been elaborated; the drafts have been circulated in due procedure and sent to the Office of the Prime Minister of the Republic of Armenia.</p>	<p>The action is not performed</p> <p>The action is related to the launch of electronic modules for civil and administrative cases, the implementation of which is not completed.</p>
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According to the E-Justice Performance Report: This action will be performed after the launch of electronic modules in civil and administrative cases, in connection with which there are also violations of deadline.

Thus: **The Action was not performed / There are significant violations of deadlines.**

Action 7. Introduce an electronic system of document circulation in courts.

Action	Responsible Body	Targets as per stages		Outcome
		1st quarter of 2021	2nd quarter of 2021	
<p>Introduce an electronic system of document circulation in courts</p>	<p>RA MoJ RA CJC (upon agreement) RA MHTI</p>	<p>The system of official electronic correspondence has been introduced, providing official e-mails for judges and the electronic circulation of documents between all participants of the case. An option has been created for natural and legal persons to submit applications, complaints and other documents, receive official notifications and track the case status online.</p>	<p>The operation of the party-to-party, party-to-court efficient notification system has been carried out.</p>	<p>The action is not performed</p> <p>Introducing an electronic system of document circulation in courts is related to the introduction of e-court electronic government system, the development of the technical task of which is in progress.</p>

Introducing an electronic system of document circulation in courts has also been partially implemented, is related to the introduction of e-court electronic government system, the development of the technical task of which is in progress. As already presented under Action 4, only 1 of the 4 modules of the system is currently operating. It should be noted that according to the E-Justice Performance

Report, This action the performance of this action is assessed as "Partial", but the operation was not actually implemented because the electronic document circulation system is not implemented.

Thus: **The Action was not performed / There are significant violations of deadlines.**

Action 9. Introduce and put into operation the e-bankruptcy platform

Action	Responsible Body	Targets as per stages		Outcome
		1st quarter of 2021	2nd quarter of 2021	
Introduce and put into operation the e-bankruptcy platform	RA MoJ RA MHTI	e-bankruptcy platform has been introduced and put into operation, the electronic documentation circulation, notifications, information exchange among the participants of bankruptcy proceedings, as well as the collection of statistical data have been ensured along with the digitization of processes related to bankruptcy proceedings, starting from the initiation of bankruptcy proceedings to the completion of the bankruptcy case.	The process of election and appointment of bankruptcy administrators has been carried out; a special environment has been created for holding online meetings and voting for creditors. A statistical tool for bankruptcy proceedings has been introduced.	The action is not performed The contract period for the handing over of the electronic system has been extended for 3 months.

This action envisages the introduction and operation of an electronic bankruptcy platform (e-bankruptcy). However according to the E-Justice Performance Report, as well as the results of FGDs, this action has not been performed yet, as the above-mentioned electronic platform has not been introduced yet. On 29 December, 2021, the Ministry of Justice submitted to the Government a draft decision to extend the contract term for handing over of the electronic system for 3 months. The testing of the electronic system is planned to start in March 2022, and the operation in the second semester of 2022.⁷ At the same time, the number of verification means includes, among others, the training of judicial staff, judges, and bankruptcy administrators on the newly introduced electronic bankruptcy platform, which has also not been implemented, as the electronic platform has not been introduced yet.

Thus: **The Action was not performed / There are significant violations of deadlines.**

Action 10. Introduce and put into operation the electronic module for civil and administrative cases within the unified e-justice system

Action	Responsible Body	Targets as per stages	Outcome
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⁷ See the report “On introducing unified e-justice system and establishing a unified e-justice platform and ensuring accessibility of electronic databases and updating thereof issuing from the “2019-2023 Strategy for Judicial and Legal Reforms of the Republic of Armenia and the Action Plans Deriving Therefrom,” which was adopted by the Decision N 1441-L of the Government of the Republic of Armenia of 10 October, 2019.”

		2nd semester of 2021	
Introduce and put into operation the electronic module for civil and administrative cases within the unified e-justice system	RA MoJ RA CJC RA MHTI	Familiarization with case materials, receipt of copies, submission of evidence, motions and other procedural activities have been implemented online.	The action is not performed The tender for the selection of international experts for the development of the technical task of electronic module for civil and administrative cases has been temporarily extended.

This action intends to introduce and put into operation the electronic module for civil and administrative cases, which, however, was not implemented in due time. The action is currently at the stage of the selection of international experts for the development of the technical task of electronic module. According to the E-Justice Performance Report, the tender for the selection of international experts for the development of the technical task of electronic module for civil and administrative cases has been temporarily extended. The tenders are planned to be held in 2022.

Thus: **The Action was not performed / There are significant violations of deadlines.**

Goal 2. Ensuring the accessibility of the electronic systems and electronic databases in the justice sector and updating thereof

Summary					
Goal 2. Ensuring the accessibility of the electronic systems and electronic databases in the justice sector and updating thereof					
Annex 4	2019 2nd semester	2020 1st semester	2020 2nd semester	2021 1st semester	2021 2nd semester
Number of planned actions	0	0	0	0	7
of which performed within the deadline:	0	0	0	0	0
of which not performed	0	0	0	0	7
performance indicator	0%				

Strategic directions:

- a) Updating the electronic systems existing in the justice sector, bringing them into compliance with the modern requirements.

- b) Ensuring the digitization of databases
- c) Ensuring the amendments made to relevant regulatory legal acts on the databases.
- d) Reducing bureaucracy
- e) Ensuring creation of digital archives of the state register of legal persons of the Ministry of Justice of the RA.

Action 1. Develop the e-notary system

Action	Responsible Body	Targets as per stages			Outcome
		2nd semester of 2020	1st semester of 2021	2nd semester of 2021	
Develop the e-notary system	RA MoJ RA Notary Chamber (upon consent) RA MHTI	Draft Laws "On making amendments to the Law of the Republic of Armenia "On notaries"" and "On making amendments to the Law of the Republic of Armenia "On state duty"" have been elaborated; the drafts have been circulated in due procedure and sent to the Office of the Prime Minister of the Republic of Armenia.	The draft Laws "On making amendments to the Law of the Republic of Armenia "On notaries"" and "On making amendments to the Law of the Republic of Armenia "On state duty"" have been approved by the Government of the Republic of Armenia.	The software for the e-notary system has been developed, ensuring notarial certification of transactions and exchange (transfer) of documents through the means of electronic video communication	The action is not performed e-notary system software development works are in progress.

This action envisages the development of e-notary system, which, however, according to the Ministry of Justice, is currently underway.⁸ According to the results of the FGDs with the interested parties in this action, in 2019 the RA Notary Chamber submitted to the RA Ministry of Justice a brief description of the procedure for notarization of notarial acts by electronic means of communication. The possibility of a notary to ratify a transaction by electronic means of communication and to exchange/transfer documents is not defined in the RA Law on Notaries and the RA Law on State Duty, and no draft laws have been drafted to amend the mentioned laws. Therefore, they were not submitted to the Government for approval and no e-notary system software development was implemented.

Thus: **The Action was not performed / There are violations of deadlines.**

⁸ See the report "On introducing unified e-justice system and establishing a unified e-justice platform and ensuring accessibility of electronic databases and updating thereof issuing from the "2019-2023 Strategy for Judicial and Legal Reforms of the Republic of Armenia and the Action Plans Deriving Therefrom," which was adopted by the Decision N 1441-L of the Government of the Republic of Armenia of 10 October, 2019."

Action 2. Introduce an electronic system necessary for exchange of electronic contracts and documents subject to electronic certification by a notary

Action	Responsible Body	Targets as per stages		Outcome
		2nd semester of 2020	2nd semester of 2021	
Introduce an electronic system necessary for exchange of electronic contracts and documents subject to electronic certification by a notary	RA MoJ RA CB (co-implementer) RA MHTI	The templates of electronic contracts subject to electronic certification and the procedure for the electronic certification thereof have been approved	The electronic management system in the field of notary has been introduced, ensuring the electronic communication between notaries, banks and credit organizations.	<p>The action is not performed</p> <p>The Ministry of Justice has developed and circulated the technical task of the electronic system of electronic certification of transactions, exchange of necessary documents, as a result of which the revised technical task was submitted to the Prime Minister's Office.</p>

This action envisages the approval of templates of electronic contracts subject to electronic certification and the procedure for the electronic certification (2nd semester of 2020) and the electronic management system in the field of notary, ensuring the electronic communication between notaries, banks and credit organizations (2nd semester of 2021).

The Ministry of Justice has developed and circulated the technical task of the electronic system of electronic certification of transactions, exchange of necessary documents, as a result of which the revised technical task was submitted to the Prime Minister's Office.

According to the written information provided to the ALA, after the introduction of the technical task of the electronic system of electronic certification of transactions, exchange of necessary documents developed by the Notary within the framework of this action, it is also envisaged an action to increase the efficiency of the use of the writ of execution, that is its approval by the notary electronically. Within the framework of this action, the Central Bank of the RA developed and submitted to the Ministry of Justice of the Republic of Armenia the standard forms of contracts subject to electronic certification: referring to consumer, overdraft and credit. During the development works, they cooperated with other banks, the Notary Chamber, and interested parties.

At the same time, it should be noted that during the FGD it was also registered that this action is in the implementation stage, but has not been fully performed yet. As a significant material result of the action, there is only the technical task of the electronic system of electronic certification of transactions, exchange of necessary documents, which was submitted to the Prime Minister's Office. On 13.08.2021, a tender for the development of the electronic certification system by a notary was announced, As a result "Best Soft" CJSC was recognized as the winner. The information about this was submitted to the RA Notary Chamber in December 2021. However,

there is a problem of implementation, as the bid submitted by the given company significantly exceeds the possibilities of the Notary Chamber. There is a problem with financial resources, as the funds allocated by the Government will not be enough to implement an electronic system, which can significantly hinder the implementation of the action.

Thus, since the end result of the action is the introduction of an electronic system necessary for exchange of electronic contracts and documents subject to electronic certification by a notary, which has not actually been implemented, so the action is assessed as not performed.

Thus: **The Action was not performed / There are violations of deadlines.**

Action 3. Update the official website for public notifications and the system of individual notifications of the Republic of Armenia. Establish a unified system for individual and public notifications

Action	Responsible Body	Targets as per stages		Output
		2nd semester of 2020	2nd semester of 2021	
Update the official website for public notifications and the system of individual notifications of the Republic of Armenia. Establish a unified system for individual and public notifications	Office of the Prime Minister of the Republic of Armenia (upon consent) RA MoJ "EKENG" CJSC (upon consent) RA MHTI	The technical task of for the unified system of individual and public notifications has been drawn up.	On the basis of the existing system of public and individual notifications, the unified system of individual and public notifications has been created. There is a more accessible and perceptible interface, the practice of including persons with disabilities has been applied, thus eliminating for them impediments to access websites. The smart search system, possibility of subscription and personal e- mail office have been introduced with an option to place announcements and notifications free of charge or for a fee. The interoperability of the Website with the unified e- justice system, postal system and the Mulberry systems of official document circulation has been put in place.	The action is not performed A financially and administratively simplified version of the system for the citizen, the state and the private sector has been developed. notify.e-gov.am system is in the final stage of development and implementation.

This action envisages update of the official website for public notifications and the system of individual notifications of the Republic of Armenia as well as establishing a unified system for individual and public notifications.

According to the E-Justice Performance Report: a simplified version, both financially and administratively, of the system has been developed for the citizen, the state and the private sector. The system has been developed according to the technical characteristics. Relevant integrations, software solutions have been made, and now the process of testing and implementing it has started. The

notify.e-gov.am system is in the final stage of development and implementation. Identification of possible problems, development of their technical solutions and adaptation to other state systems and requirements of organizations in case of practical use is currently being carried out.

According to the written information provided to the ALA, for the establishment of the official e-mail for the citizens, as well as the unified electronic system of public notifications during the second semester of 2020, in cooperation with the Office of the RA Deputy Prime Minister Tigran Avinyan, a ToR was developed and a proposal to be included in the programs implemented with the support of the World Bank was submitted. As a result of the competition, the winning company presented a program implementation plan, and work to analyze the volume of notices in 2019 in order to understand the required capacity of the system was carried out. At the current stage of implementation of the works, the contractor organization conducts a study and analysis of the existing system, which will be submitted to the client for approval.

Thus, although some work and achievements have been made to perform this action, the action is considered not performed, as a unified system of individual and public notification has not yet been established.

Thus: **The Action was not performed / There are violations of deadlines.**

Action 4. Update the e-register system of electronic registration of legal persons

Action	Responsible Body	Targets as per stages		Output
		2nd semester of 2020	2nd semester of 2021	
Update the e-register system of electronic registration of legal persons	RA Moj RA MHTI	The technical task for the update the e-register system of electronic registration of legal persons has been drawn up.	The electronic system of the Agency for State Register of Legal Persons has been updated.	<p>The action is not performed</p> <p>The technical task for update of the e-register system of electronic registration of legal persons was approved by the Digitalization Council.</p>

According to the E-Justice Performance Report: the technical task of updating the e-register system of legal entities was approved at the Digitalization Council. The technical task of updating the system has been put out to tender. As a result of the tender, the winning organization carries out development works of system updating software according to the technical task. This report also mentions that at the moment the e-register.am website has been replenished with the electronic system for submitting declarations on the beneficial owners of legal entities. This action was assessed as "partially performed" in the report of the Ministry of Justice.

However, it should be noted that as a result of the FGD, it was registered that this action was not performed. According to experts, "this action is aimed at modernizing the system and ensuring accessibility, and no work has been done in these directions." In addition, the requirement to submit a declaration on beneficial owners of legal entities within the framework of the "institute of beneficial ownership" mentioned in the report of the Ministry of Justice is related to another process and is not related to the modernization of the e-register system for legal entities therefore cannot be presented as work performed under this action.

Recommendation:

- Review the report “On introducing unified e-justice system and establishing a unified e-justice platform and ensuring accessibility of electronic databases and updating thereof issuing from the “2019-2023 Strategy for Judicial and Legal Reforms of the Republic of Armenia and the Action Plans Deriving Therefrom,” which was adopted by the Decision N 1441-L of the Government of the Republic of Armenia of 10 October, 2019” and assess the status of the implementation of the action according to the performance of the relevant work.

Thus: **The Action was not performed / There are violations of deadlines.**

Action 5. Digitize the archive materials of the state register of legal persons and create digital archives

Action	Responsible Body	Targets as per stages		Output
		1st semester of 2021	2nd semester of 2021	
Digitize the archive materials of the state register of legal persons and create digital archives	RA Moj RA MHTI	The digitization of the archive documents has been carried out, according to the schedule prescribed.	The digital archive of the State Register of Legal Persons has been created. The accessibility and effectiveness of the digitized archive documents have been ensured.	The action is not performed At the sitting of the Digitalization Council, the program of digitization of the archive of the State Register of Legal Persons of the Ministry of Justice was approved.

This action envisages digitization of archive materials of the State Register of Legal Persons, creation of digital archives. However, according to the report of the Ministry of Justice, at present the program of digitization of the archive of the Agency for State Register of Legal Persons of the Ministry of Justice was approved only during the sitting of the Digitalization Council, and in fact no other work has been done in this direction. According to the representative of the Ministry of Justice who participated in the FGD, the extension of the implementation period is conditioned by the spread of coronavirus disease and its consequences.

Thus: **The Action was not performed / There are violations of deadlines.**

Action 6. Develop the electronic system of the Compulsory Enforcement Service (in this point, hereinafter referred to as "the Service") (the electronic system of the Compulsory Enforcement Service)

Action	Responsible Body	Targets as per stages		Output
		2nd semester of 2021	1st semester of 2021	
Develop the electronic system of the Compulsory Enforcement Service (in this point, hereinafter referred to as "the Service") (the electronic system of the Compulsory Enforcement Service)	RA Moj RA MHTI	The electronic system of the Compulsory Enforcement Service has been updated.	The electronic auction system has been updated.	The action is not performed The development of the electronic system is in progress

The Ministry of Justice has developed and circulated the technical task of the electronic system of the Compulsory Enforcement Service. The procurement of the service was organized. The contract was signed in October 2021. The development of the electronic system is in progress. At the same time, the terms of measures for the development of the electronic system of the Compulsory Enforcement Service have been revised on accordance with the Government program 2021-2026.⁹

Thus, although some work has been performed in this direction, however, the modernization of the electronic auction system envisaged for the first semester of 2021 has not actually been implemented.

Thus: **The Action was not performed / There are violations of deadlines.**

Action 7. Introduce an electronic system for alternative dispute resolution

Action	Responsible Body	Targets as per stages			Output
		2nd semester of 2020	2nd semester of 2020	2nd semester of 2021	

⁹ See: Monitoring Report "On introducing unified e-justice system and establishing a unified e-justice platform and ensuring accessibility of electronic databases and updating thereof issuing from the "2019-2023 Strategy for Judicial and Legal Reforms of the Republic of Armenia and the Action Plans Deriving Therefrom," which was adopted by the Decision N 1441-L of the Government of the Republic of Armenia of 10 October, 2019."

Introduce an electronic system for alternative dispute resolution	RA Moj RA MHTI RA SJC (upon consent)	Making legislative amendments to ensure electronic resolution of alternative disputes	Developing technical specifications of the electronic system for alternative dispute resolution.	Introducing an electronic system for alternative dispute resolution.	<p>The action is not performed</p> <p>The implementation of the mentioned works is conditioned by the implementation of the creation of a new arbitration center in Armenia.</p>
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According to the E-Justice Performance Report: the implementation of this action is conditioned by the implementation of the establishment of a new arbitration center in Armenia. At the same time, during the FGD, the representative of the RA Ministry of Justice mentioned that the action was not carried out. The action plan and deadlines for the establishment of the center have been revised in accordance with the Government program 2021-2026, due to which this event will be considered within the framework of the establishment of a new arbitration center in Armenia.

Thus: **The Action was not performed / There are violations of deadlines.**

**ACTION PLANS FOR 2019-2021 and 2021-2023 DERIVING
FROM THE 2019-2023 STRATEGY FOR JUDICIAL AND LEGAL
REFORMS OF THE REPUBLIC OF ARMENIA**

(*INCLUDES ACTIONS PLANNED FOR 2019-2021)

SECTOR 2: TRANSITIONAL JUSTICE

Goal 2. Establish real democracy and strengthen the rule of law by applying the transitional justice toolkit

Summary			
Goal 2. Establish real democracy and strengthen the rule of law by applying the transitional justice toolkit			
Annex 2	2019 2nd semester.	2020 1st semester.	2020 2nd semester.
Number of planned actions	1	0	1
of which performed within the deadline:	0	0	0
of which not performed	1	0	1
performance indicator	0%		

Strategic Direction:

- Elaboration of the Draft the Law “On the Procedure of Forming and the Activity of the Fact-Finding Commission” (upon necessity, the package of draft laws) and submitted to the RA NA:

Action 1. Elaboration of the Draft the Law “On the Procedure of Forming and the Activity of the Fact-Finding Commission” (upon necessity, the package of draft laws). /Annex 2/

Action	Responsible Body	Targets as per stages		Verification measure	Output
		2nd semester of 2020	2020		
Elaboration of the Draft the Law “On the Procedure of Forming and the Activity of the Fact-Finding Commission” (upon necessity, the package of draft laws)	RA Moj	The Draft Law “On the Procedure of Forming and the Activity of the Fact-Finding Commission” (upon necessity, the package of draft laws) is elaborated.	The Draft Law “On the Procedure of Forming and the Activity of the Fact-Finding Commission” (upon necessity, the package of draft laws) is discussed with interested bodies, the civil society, approved by the Government and submitted to the RA NA.	The Draft Law “On the Procedure of Forming and the Activity of Fact-Finding Commission” (upon necessity, the draft laws) is submitted to the RA NA.	<p>The action is not performed</p> <p>The draft law was discussed with the interested parties, but was not submitted to the National Assembly.</p>

According to the report “On the progress of activities to be implemented in the second semester of 2020 issuing from the “2019-2023 Strategy for Judicial and Legal Reforms of the Republic of Armenia and the Action Plans for 2020 Deriving Therefrom,” which was adopted by the Decision N 1441-L of the Government of the Republic of Armenia of 10 October, 2019” (hereinafter referred to as the Monitoring Report of the Ministry of Justice for the Second Semester of 2020)¹⁰: as of 1 January, 2021, the package of the Draft Law “On the Procedure of Forming and the Activity of the Fact-Finding Commission” and related laws has been developed, presented for public discussion, is in the process of summarizing proposals and finalization of the drafts. At the moment, it has also been submitted to an international expert opinion and public discussions with interested parties are planned in the near future as well. The implementation of the action in this report was assessed as "partially implemented", as it was not submitted to the RA National Assembly within the stipulated deadline.

In the report published by the RA Ministry of Justice, which refers to the implementation process of the actions to be implemented in the 1st and 2nd semesters of 2021 according to action plans for 2019, 2020, 2021 approved by the “2019-2023 Strategy for Judicial and Legal Reforms of the Republic of Armenia and the Action Plans Deriving Therefrom,” which was adopted by the Decision N 1441-L of the Government of the Republic of Armenia of 10 October, 2019”, (hereinafter referred to as the Monitoring Report of the Ministry of Justice for the actions to be performed in 2019, 2020, 2021, which were performed in the first and second semesters of 2021), no additional information is provided on the implementation of this action. It is mentioned that a package of the Draft Law “On the Procedure of Forming and the Activity of the Fact-Finding Commission” and related laws has been developed, which was discussed with interested parties. The report does not provide deadlines for the implementation of various activities related to the action. It should be noted that the outcome of this action, should have been the submission of the draft law to the National Assembly by the end of 2020, however, this action was not performed in 2021 either.

During the FGD, the representative of the RA Ministry of Justice clarified that the draft law "On the Procedure of Forming and the Activity of the Fact-Finding Commission" had been developed and put for public discussion for the first time through the e-draft platform. The draft law should have been amended based on the presented opinions, but the expected result was not achieved completely due to the epidemic and war situation in the country. Later, the new elections to the National Assembly in the Republic of Armenia were added to the number of those reasons, and as a result of the formation of a new program of the Government of the Republic of Armenia, this issue remained suspended, without receiving a final solution.

According to the representative of the RA Ministry of Justice, the draft law was circulated among the public once and at the same time public discussions of other formats were held, mainly on online platforms, given the severity of the restrictions imposed by the epidemic at the time. The representative of the Ministry of Justice also stated that all the proposals and recommendations presented as

¹⁰ A similar short reference is given to the reports published by the Ministry of Justice for different periods, specifying the monitoring period.

a result of the discussions were registered. At the same time, it should be noted that this action may be reviewed in parallel with the review of the Judicial Strategy.

Thus: The Action was not performed / There are significant violations of deadlines.

Recommendations:

- Make a more detailed description of the work done on this action by adding data on the timing of its individual components provided in the report published by the RA Ministry of Justice, which refers to the implementation process of the actions to be implemented in the 1st and 2nd semesters of 2021 according to action plans for 2019, 2020, 2021 approved by the “2019-2023 Strategy for Judicial and Legal Reforms of the Republic of Armenia and the Action Plans Deriving Therefrom,” which was adopted by the Decision N 1441-L of the Government of the Republic of Armenia of 10 October, 2019”.

SECTOR 3: CONSTITUTIONAL REFORMS

Goal 3. Implementing Constitutional Reforms

Summary Goal 3. Implementing Constitutional Reforms			
Annex 2	2019 2nd semester.	2020 1st semester.	2020 2nd semester.
Number of planned actions	1	0	1
of which performed within the deadline:	1	0	1
performance indicator	100%		
Annex 3	2021		
Number of planned actions	1		
of which performed within the deadline:	0		
of which not performed	1		
performance indicator	0%		

Strategic direction (Annex 2):

1. Setting up the Constitutional Reform Commission
2. Elaborating draft constitutional reforms by the Commission for Constitutional Reforms, initiating constitutional referendum /annex 3/

Action 1. Elaborate and adopt a document defining the composition and the rules of procedure (the procedure of formation) of the Constitutional Reform Commission

Action	Responsible Body	Targets as per stages		Verification measure	Output
		2nd semester of 2019	2020		
Elaborate and adopt a document defining the composition and the rules of procedure (the procedure of formation) of the	RA MoJ Office of the Prime Minister of the RA	The draft procedure for setting up the Commission is developed and published, which envisages proper mechanisms for election of a member of the Commission and is subject to approval by the Government.	The draft procedure for setting up the Commission is discussed with interested bodies and the civil society; it is adopted and the Commission is set up.	The draft procedure for setting up the Commission is adopted, the Commission is set up.	The action is performed within the deadline but the work of the commission was

Constitutional Reform Commission					suspended ¹¹
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This action was intended to develop and publish a draft procedure for setting up of the Constitutional Reform Commission in the second semester of 2019. And in 2020, the draft procedure for setting up of the Commission was planned to be discussed with the interested bodies and civil society, adopt it and form the Commission.

According to the Monitoring Report of the Ministry of Justice for the Second Semester of 2020,¹² Clause 5.1 of the Annex to the Decision N 1363-A of the Government of the Republic of Armenia of 18 August, 2021; Annex No 1 to the Decision N 1902-L of the Government of the Republic of Armenia of 18 November, 2021 "On approving 2021-2026 Action Plan of the Government of the Republic of Armenia"; based on point 2.1 of the areas reserved to the Ministry of Justice in Annex N 1 to the Decision of the Government of the Republic of Armenia No 1902-L of 18 November 2021, the process of establishing a Council for the Implementation of Constitutional Reforms was initiated.

However, according to the FGD held with the representatives of the Ministry of Justice, the implementation of this action was suspended for some time due to the current political situation in the country and the epidemic.

At present, the prospect of forming a new council and not the resumption or continuation of the work of the commission provided by this action is being discussed,¹³ for which purpose different concepts were discussed and a decision on this was presented to the Prime Minister. The relevant drafts, which are the end result of the work carried out by the council, as such, have not been presented to the public. They will be discussed within the framework of the newly formed commission.

¹¹ It should be noted that the evaluation of the performance of the strategy was carried out by combining the work assumed with the action within the defined period with the work actually performed, and in the case of this action in 2020 it was planned to "Discuss the draft procedure for forming the commission with the interested bodies and the civil society, adopt and form the commission". Considering that the monitoring period of the action plan included the period of 2019-2021, and during that period, the strategy envisaged action aimed at the establishment of the commission itself, the adoption of the necessary legal acts in that direction, which was actually within the deadline, thus the action was assessed as "performed within the deadline". The work done by the Commission in this report is not subject to evaluation on the grounds that this action is scheduled for 2022, and this period is not included in the monitoring period.

¹² <https://www.moj.am/storage/uploads/hjk3.pdf>

¹³ The Constitutional Reform Council was not yet formed during the fieldwork to develop this report.

As a result of the discussion, an important record was made that due to the objective circumstances prevailing in the country, the commission had suspended its work, but later, by the decision of the RA Prime Minister, it stopped its activity completely. A Council with a different composition was created, but not a professional commission, which has an attached expert working group. The creation of the new council does not stem from the 2019-2023 Strategy for Judicial and Legal Reforms of the Republic of Armenia. It stems from the 2021-2026 Action Plan of the Government of the Republic of Armenia. There is a contradiction between the Strategy and the Action Plan of the Government of the Republic of Armenia, and based on which a decision to review the Strategy was made.

Other participants of the FGD, however, noted that it was inappropriate to view the epidemic as an obstacle to action, as the restrictions did not adversely affect the effectiveness of the commission's work. Meetings were held once a week in remote format. And only the situation in the country created as a result of the war forced the members of the Professional Commission on Constitutional Reforms to suspend, deposit the work done and transfer it to the Secretariat of the Professional Committee on Constitutional Reforms - the RA Ministry of Justice. The participants of the FGD are full of hope that in the future, thanks to new political solutions, the results of the work already done will be used. The large-scale work carried out, however, has not taken the form of a final document or concept and is available only in the initial version.

Thus: **The action is performed within the deadline but the work of the commission was suspended**

Action 2. Public discussion of the draft constitutional reforms and initiating constitutional referendum /appendix 3/

Action	Responsible Body	2021	Outcome
Elaborating draft constitutional reforms by the Commission for Constitutional Reforms	TA MoJ Commission for Constitutional Reforms (upon consent).	The Commission for Constitutional Reforms has started the elaboration of the draft constitutional reforms	The Action was suspended

The implementation of this action issues from Action 1, which envisages the development and adoption of a document (procedure for formation) defining the composition and procedure of the Professional Committee on Constitutional Reforms. Action 1 is actually suspended, due to which Action 2 envisaged by Annex 3 was not performed either.

Thus: **The Action was suspended**

SECTOR 4: ELECTORAL LRGISLATION

Goal 4. Reform of the electoral legislation

Summary	
Goal 4. Reform of the electoral legislation	
Annex 2	2020
Number of planned actions	1
of which performed within the deadline:	1
performance indicator	100%

Strategic direction:

- Elaborating the Draft Law on Making Amendments and Supplements to the RA Electoral Code

Action 1. Elaborate the package of amendments and supplements for the RA Electoral Code and submit to the RA NA /annex 2/

Action	Responsible Body	2020	Verification measure	Outcome
Elaborate the package of amendments and supplements for the RA Electoral Code and submit to the RA NA	RA NA	The draft Law on making amendments and supplements to the RA Electoral Code is elaborated and published the draft Law on making amendments and supplements to the RA Electoral Code is discussed with interested bodies and the civil society and approved by the RA Government.	The package of amendments and supplements to the RA Electoral Code is sent to the NA	<p>The Action is performed within the deadline</p> <p>The RA Law on Making Amendments and Supplements to the Constitutional Law Electoral Code of the Republic of Armenia was adopted on 18 June, 2020.</p> <p>Legal analysis</p> <p>Does not match and is not complete</p>

This action envisaged elaboration and publication of the Draft Law on making Amendments and Supplements to the RA Electoral Code, its discussion with interested bodies and the civil society and further its approval by the NA during 2020.

The Draft Package of the Law on making amendments and supplements to the RA Electoral Code was developed during the 2020 by the ruling political majority and submitted to the interested bodies. “The Draft Law on making amendments and supplements to the “RA Electoral Code”” was adopted on 18 June, 2020 and in the report published by the Ministry of Justice in 2021, as of January, the implementation of this action was assessed as "performed".

According to the Monitoring Report of the Ministry of Justice for the actions to be performed in 2019, 2020, 2021, which were performed in the first and second semesters of 2021 the issue of the constitutionality of the mentioned legislative acts was discussed in the Constitutional Court on the basis of the President's application; within the framework of which the issue of constitutionality of involving an international expert was also considered. The hearing of the case took place on 12 October, 2021, in accordance with the provisions of Article 62, Part 9 of the Constitutional Law on the Constitutional Court, the application was considered rejected. The legislative acts entered into force on 29 October, 2021. According to this report, legislative acts are currently being implemented.

According to the FGD participants, the main gap in the implementation of this action is the inadequate provision of stakeholder participation, including the representatives of civil society, sectoral experts and various political forces, as well as the unreasonable and limited time allotted for the implementation of changes. According to professionals/experts, this has led to a number of shortcomings in the Electoral Code. In particular, the principle of a stable parliamentary majority was endangered in the NA elections; the changes in the order of forming coalitions contradict the constitutional requirement of restrictions on forming a political coalition, and so on.

Thus: **The Action is performed within the deadline**

SECTOR 5: JUDICIARY

Goal 5. Strengthening the independence and impartiality of the judiciary

Summary			
Goal 5. Strengthening the independence and impartiality of the judiciary			
Annex 2	2019 2nd semester	2020 1st semester	2020 2nd semester
Number of planned actions	0	0	9
of which performed within the deadline:	0	0	4 ¹⁴
of which not performed	0	0	1
of which there is no information about the action	0	0	4
performance indicator	56%		

Strategic Directions: (Annex 2):

1. Improvement of the procedure for qualification checks for the incumbents of judge candidates.
2. Improvement of the process of adoption of decisions by the Supreme Judicial Council, ensuring transparency and reasonableness thereof.

Action 1. Introduce a new procedure for qualification checks for the incumbents of judge candidates in compliance with the international standards, which should, inter alia, set forth the following:

1. Improve the legislative regulations regarding the qualification checks of the incumbents of judge candidates;
2. Ensure the transparency of the qualification check processes of the incumbents of judge candidates.

Action	Responsible Body	2nd semester of 2019	2020	Verification measure	Outcome
Make amendment to the Constitutional Law of "Judicial Code of the Republic of Armenia", aiming at: a) the change of the procedure for setting up an evaluation commission;	RA MoJ, RA SJC (upon consent)	The RA Draft Law "On making an amendment and a supplement to the Constitutional Law 'Judicial Code of the Republic of	The RA Draft Law "On making an amendment and a supplement to the Constitutional Law 'Judicial Code of the	The RA Draft Law "On making an amendment and a supplement to the Constitutional Law	The Action is performed within the deadline

¹⁴ Both actions were assessed performed with "reservation"

<ul style="list-style-type: none"> b) ensuring the reasoning behind the evaluation; c) performing a psychological test at the first stage of interviewing, being prepared by leading international psychological institutes d) introduction of a grievance procedure for the examination results and ensuring the transparency of decision making by the Supreme Judicial Council; e) ensuring the engagement of international experts in the process of selection of judge candidates, including judge candidates of the Anti- Corruption Court provided for by this Strategy. 		<p>Armenia” is elaborated, discussed with interested bodies, the civil society, and sent to the Office of the RA Prime Minister.</p>	<p>Republic of Armenia” is approved by the RA Government, sent to the RA NA</p>	<p>‘Judicial Code of the Republic of Armenia” is elaborated and submitted to the RA NA.</p>	<p>On 14 April, 2021, the RA NA adopted the RA Law 331-N “On making an amendment and a supplement to the Constitutional Law ‘Judicial Code of the Republic of Armenia” which was elaborated in 2020</p>
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According to the Monitoring Report of the Ministry of Justice for the actions to be performed in 2019, 2020, 2021, which were performed in the first and second semesters of 2021 within the framework of legislative changes aimed at establishing an anti-corruption court, On 14 April, 2021, the RA NA adopted the RA Law 331-N “On making amendments and a supplements to the Constitutional Law ‘Judicial Code of the Republic of Armenia” which was elaborated in 2020, which defined the regulations for the involvement of international experts in the selection process of candidates for judges. This action was assessed as "performed" in the report published by the Ministry of Justice.

According to an in-depth interview with one of the experts in the field, checking the knowledge of candidates for judges by test alone is not enough. It is also necessary to raise situational problems, which imply a test of the ability to analyze the issue and draw conclusions.

Thus: **The Action is performed within the deadline**

Action 2. Establishing a requirement for transparency of the voting procedure and the reasonableness of the decision-making by the Supreme Judicial Council, as well as reviewing regulations relating to the ratio of votes in adopting decisions.

Action	Responsible Body	2nd semester of 2019	2020	Verification measure	Outcome
To make amendments and supplements to the Constitutional	RA MoJ,	The draft Law of the Republic of Armenia "On	The draft Law of the Republic of Armenia	The draft Law of the Republic of	The Action is performed

Law of the Republic of Armenia "Judicial Code of the Republic of Armenia", aimed at: improvement of the decision-making process by the Supreme Judicial Council, by including effective mechanisms of transparency, reasonableness of making such decisions and for the votes necessary for adoption thereof.	RA SJC (upon consent)	making amendments and supplements to the Constitutional Law "Judicial Code of the Republic of Armenia" has been elaborated and discussed with the interested bodies and the civil society and has been sent to the Office of the Prime Minister of	"On making amendments and supplements to the Constitutional Law "Judicial Code of the Republic of Armenia" has been approved by the Government of the Republic of Armenia and submitted to the National Assembly of the Republic of Armenia.	Armenia "On making amendments and supplements to the Constitutional Law 'Judicial Code of the Republic of Armenia'" is elaborated and has been submitted to the National Assembly of the Republic of Armenia.	within the deadline On 14 April, 2021, the RA NA adopted the RA Law 331-N "On making an amendment and a supplement to the Constitutional Law 'Judicial Code of the Republic of Armenia'" which was elaborated in 2020
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On 14 April, 2021, the RA NA adopted the RA Law 331-N "On making an amendment and a supplement to the Constitutional Law 'Judicial Code of the Republic of Armenia'" which was elaborated in 2020

Thus: **The Action is performed within the deadline.**

Strategic Directions (Annex 2):

1. Strengthening social guarantees deriving from the status of judges.
2. Enhancing the public perception of the role of the judiciary and the confidence therein.

Action 1. Increase of the salary provided to a judge and the increments prescribed thereon, as well as capacity building

Action	Responsible Body	2nd semester of 2019	2020	Verification measure	Outcome
Develop legislative amendments focusing on the increase of the judge's salary and	RA MoJ RA Ministry of Finance SJC (upon consent)	The Draft Law "On making amendments to the RA Law 'On remuneration for persons holding	The Draft Law "On making amendments to the RA Law "On remuneration for persons holding state positions" has been discussed with interested	ՀՀ ԱԺ: The Draft Law "On making amendments to the RA Law 'On remuneration for	The Action is performed within the deadline (with reservation) Relevant amendments have been made to the "RA Law on Remuneration of Public Officials and Public Service Positions"

increments prescribed thereon		state positions” has been elaborated.	bodies, the civil society, submitted to the Office of the RA Prime Minister and approved by the RA Government.	persons holding state positions” has been submitted to the RA NA.	(14.04.2021, RA Law-337-N), Related to the judges of the Anti-Corruption Court, the Criminal Court of Appeal and the Civil Court of Appeal, and a legislative package has been circulated related to the judges of the Court of Cassation.
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According to the Monitoring Report of the Ministry of Justice for the actions to be performed in 2019, 2020, 2021, which were performed in the first and second semesters of 2021,¹⁵ the action was performed "partially". According to this report, the action related to the judges of the Anti-Corruption Court, the Criminal Court of Appeal and the Civil Court of Appeal has been performed, and a legislative package related to the judges of the Court of Cassation has been sent to the Office of the RA Prime Minister.

According to the information provided to the ALA by the Ministry of Finance of the Republic of Armenia, relevant amendments have been made to the “RA Law on Remuneration of Persons Holding Public Positions and Public Service Positions” (14.04.2021, RA Law-337-N) related to the judges of the Anti-Corruption Court, the Criminal Court of Appeal and the Civil Court of Appeal, and a legislative package has been circulated related to the judges of the Court of Cassation. Thus, taking into account that the action was carried out in relation to three courts and has not been completed in one court yet, the action is assessed as "performed within the deadline (with reservation)". At the same time it should be noted that according to the Monitoring Report of the Ministry of Justice for the Second Semester of 2020 the action was assessed as "performed". No other information on the implementation of the action is provided in this report.

According to expert interviews, the current salaries of judges are not enough, especially when taking into account their workload. The remuneration of the staff of judges is also not enough, as a result of which the interest in such positions decreases.

Thus: **The Action is performed within the deadline (with reservation)**

Action 2. Capacity building of, reform of the financial and social guarantees provided to and increasing the number of the judicial staff

Action	Responsible Body	2020	Verification measure	Outcome
Deliver trainings for judges, including with the participation of	The RA Moj	Relevant training	The programs of	Performed with

¹⁵ <https://www.moj.am/storage/uploads/hjk1.pdf>

<p>international experts and presentation of the advanced international and European practice, in the following spheres:</p> <ul style="list-style-type: none"> a) investigation of corruption, economic and official crimes; b) parallel to introduction of the electronic justice tools, the skill development of judges to work with c) professional code of conduct and ethics; d) case law of the European Court of Human Rights regarding concrete articles of “European Convention for the Protection of Human Rights and Fundamental Freedoms”; e) issues related to judge’s role, reasonableness of judicial acts, practical challenges of judge’s independence. 	<p>and the Academy of Justice of the RA (upon consent).</p>	<p>programs have been elaborated, and training courses for judges are being organized on the basis of the elaborated programs.</p>	<p>the training courses for judges are elaborated; trainings for judges are being delivered.</p>	<p>certain violation of deadline</p>
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According to the Monitoring Report of the Ministry of Justice for the Second Semester of 2020, the action was assessed as "performed partially". According to this report, relevant training programs have been elaborated, and judges have been trained on the basis of the elaborated program. Training courses on the mentioned topics have been developed and are also carried out in cooperation with international partners, including within the framework of the CoE HELP remote platform. According to the 2020 annual training program for persons on the list of candidates for judges, the training schedule for the relevant areas is set for September-December 2020. The partial implementation of the action is conditioned by the epidemic, as well as the schedule of trainings with relevant courses.

Monitoring Report of the Ministry of Justice for the actions to be performed in 2019, 2020, 2021, which were performed in the first and second semesters of 2021”, the action is performed. We learn from the mentioned report that within the framework of legislative changes aimed at the establishment of the Anti-Corruption Court, the law "On Making Addenda and Amendments to the Constitutional Law of the Judicial Code of the Republic of Armenia" HO-331-N was developed in 2020 and adopted by the National Assembly on April 14, 2021 (hereinafter referred to as the Law) and laws on making changes and additions to related laws, which defined the regulations for the involvement of international experts in the selection process of candidates for judges. Taking into account the role of anti-corruption courts and the need to ensure maximum transparency in the establishment process, the Law establishes a mechanism for the involvement of international experts for the first staff. The opinions of experts will be taken into account when voting for the list of candidates for judges by the SJC. The above-mentioned is provided in the final part transitional provisions of the Constitutional Law "On Making Addenda and Amendments to the Constitutional Law Judicial Code of the Republic of Armenia", according to which, the Supreme Judicial Council establishes the Procedure for Involving Experts in the Qualification Examination Process for the Completion of the List of Candidates for Judges of the Anti-Corruption Court and Relevant Specializations of Civil and Criminal Courts of Appeal. According to the final part of the law and the 11th part of the transitional provisions, three persons with at least five years of

professional work experience in the anti-corruption field can be selected as experts. One of the experts must be a national expert, and two must be nominated by international or intergovernmental organizations or associations cooperating with the Republic of Armenia in the field of anti-corruption in the last two years. The issue of the constitutionality of the mentioned legislative acts was discussed in the Constitutional Court on the basis of the President's application, within the framework of which only the issue of the constitutionality of involving an international expert was considered. The hearing of the case took place on 12 October, 2021, as a result of which, as a result of the equality of votes, in fact, no decision was made, and in accordance with the provisions of Article 62, Part 9 of the Constitutional Law on the Constitutional Court, the application was considered rejected. The legislative acts entered into force on 29 October, 2021. The implementation of the mentioned legislative acts is currently being carried out.

Thus: **The Action is Performed with certain violation of deadline.**

Action	Responsible Body	2nd semester of 2019	2020	Verification measure	Outcome
Make amendments to respective legal acts, aiming at the increase of the number of judges and their staff.	RA MoJ the RA Ministry of Finance, SJC (upon consent).	Drafts to make amendments to respective legal acts with a view to increasing the number of judges and their staff are elaborated, discussed with interested parties, put out for public consultation and submitted to the Office of the RA Prime Minister.	Draft bills to make amendments to respective legal acts with a view to increasing the number of judges and their staff are approved by the RA Government and submitted to the RA NA	Draft bills to make amendments to respective legal acts with a view to increasing the number of judges and their staff are elaborated and submitted to the RA NA.	The action is not performed

According to the Monitoring Report of the Ministry of Justice for the Second Semester of 2020, the action was assessed as "partially performed". According to this report, Based on the proposal of SJC, a draft decision of the Government to increasing the number of judges of the Court of Appeal with 6 judges and the number of judges of the Court of First Instance of the city of Yerevan with 6 judges and was discussed with the Prime Minister's Office on the working order. Possible financing methods were also discussed with the Ministry of Finance. An additional instruction is expected for further discussion. *According to the information provided to the ALA by the Ministry of Finance*, in order to increase the number of judges and their staff, relevant amendments have been made to the RA Judicial Code (HO-331 of 14.04.2021) and in the decision of the Prime Minister of the Republic of Armenia N 706-A of 11.06.2018 (decision of the Prime Minister of the Republic of Armenia of 14.09.2021 N 990-A).

According to the Monitoring Report of the Ministry of Justice for the actions to be performed in 2019, 2020, 2021, which were performed in the first and second semesters of 2021, the action is "performed partially". After the entry into force of the constitutional

law HO-265-N on 03.02.2021, the decision of the Prime Minister of the Republic of Armenia N 990-A of 14.09.2021 was adopted. And after the entry into force of the HO-95-N constitutional law on 14 April, 2021, the draft decision of the RA Prime Minister on the Anti-Corruption Court is under discussion.

As already mentioned, the workload of the courts is high, which raises the need to increase the number of judges and their staff.

Thus: **The action is not performed**

Action	Responsible Body	2nd semester of 2019	2020	Verification measure	Outcome
Make amendments to respective legal acts, aiming at the increase of the salaries of judges and their staff.	RA MoJ the RA Ministry of Finance, SJC (upon consent).	Drafts to make amendments to respective legal acts with a view to increasing the number of judges and their staff are elaborated, discussed with interested parties, put out for public consultation and submitted to the Office of the RA Prime Minister.	Draft bills to make amendments to respective legal acts with the view to increasing the salaries of the judicial staff are approved by the RA Government and submitted to the RA NA.	Draft bills to make amendments to respective legal acts with the view to increasing the salaries of the judicial staff are elaborated and submitted to the RA NA.	The action is not performed

According to the Monitoring Report of the Ministry of Justice for the Second Semester of 2020, the action “has not been performed”. Discussions on the expediency of raising the salary of a judge's staff are currently underway.

Thus: **The action is not performed**

Action 3. Improve court buildings and material-technical conditions

Action	Responsible Body	2nd semester of 2019	2020	Verification measure	Outcome
Provide the courts with facility conditions necessary for their effective activity.	The RA Ministry of Justice; the RA Ministry of Finance, and the SJC (upon consent).	The needs assessment of improving the facility conditions necessary for the effective activity of courts has commenced.	The needs assessment of improving the facility conditions necessary for the effective activity of courts has completed; the courts have started to be provided with facility conditions necessary for their effective activity, according to the defined	The needs assessment of improving the facility conditions necessary for the effective activity of courts has completed; the courts have started to be provided with facility conditions necessary for their	The Action is performed (with reservation)

			priorities and schedule.	effective activity, according to the defined priorities and schedule.	
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According to the information provided to the ALA by the Ministry of Finance, by the decision of the Government of the Republic of Armenia N 1897-N of 27.11.2020, 5.0 million AMD was allocated as an advance payment for the consulting services for the development of design and estimate documents for the reconstruction of the building of the Anti-Corruption Court located at 5/1 Ara Sargsyan Street, Ajapnyak community, Yerevan. In order to provide the RA courts with material and technical base for the activity of the courts, the RA state budget envisages: about 704.0 million AMD in 2019, of which 627.1 million AMD were actually spent, and about 629.5 million AMD in 2020, of which 441.0 million AMD were actually spent. In 2021, by the decision of the Government of the Republic of Armenia dated 25.02.2021 N 258-N, about 444.0 million AMD at the expense of EU grants were allocated to the courts to provide the courts with material and technical base.

According to the Monitoring Report¹⁶, of the Ministry of Justice for the actions to be performed in 2019, 2020, 2021, which were performed in the first and second semesters of 2021, the action is “partially performed”.

A number of works have been carried out to provide the facility conditions necessary for the effective activity of courts. In particular:

- The construction of a new building of the Anti-Corruption Court is planned to be carried out on the land attached to the RA Ministry of Justice located at 12 St. of Silikyan district, Yerevan.
- Renovation works of the 10-13th floors of the building located at 41a Halabyan Street, Yerevan. Relevant offices for 10 judges and their staff, as well as 10 courtrooms are provided at this address.
- The building located at 23/1 Garegin Nzhdeh Street, Yerevan, has been attached to the Ministry of Justice. Relevant offices for 8 judges and their staff as well as 8 session halls are provided in this building.

The current repair and overhaul of the buildings of the RA courts is continuous, which is provided by the Judicial Department at the expense and within the framework of the funds allocated from the RA state budget for the corresponding year. According to the sectoral expert, the issue of court building conditions is still relevant at the moment. In many courts, there is a shortage of courtrooms, which, for example, forces judges to agree on a schedule of hearings.

¹⁶ <https://www.moj.am/storage/uploads/hjk1.pdf>

Thus: **The Action is performed (with reservation)**

Action	Responsible Body	2nd semester of 2019	2020	Verification measure	Outcome
Provide the courts with a material and technical base necessary for their effective activity.	The RA Ministry of Justice; the RA Ministry of Finance, and the SJC (upon consent).	The elaboration of the list of material and technical base means necessary for courts for their effective activity has commenced.	The elaboration of the list of material and technical base means necessary for courts for their effective activity has completed, the priorities and the schedule of provision have been defined, the courts have started to be provided with the material and technical base necessary for their effective activity has started, according to the defined priorities and schedule.	A statement of information on the needs assessment of the material and technical measures necessary for the effective activity of courts, defining the priorities and the schedule, and documents on the support having already been provided.	The action is not performed

According to the Monitoring Report of the Ministry of Justice for the Second Semester of 2020, the action was assessed as "partially performed". According to this report, in order to improve the technical base of the courts, the state budget of the Republic of Armenia for 2020 envisages 629.5 million AMD, of which about 314.8 million AMD in the first semester of 2020. At the same time, as a result of the assessment of the material and technical needs of the anti-corruption courts, the appendix "New Initiatives" of the medium-term expenditure program of the Republic of Armenia for 2021-2023 envisages the necessary means for the needs of the anti-corruption courts.

According to the Monitoring Report of the Ministry of Justice for the actions to be performed in 2019, 2020, 2021, which were performed in the first and second semesters of 2021, the action was "partially performed".

According to the report, by the relevant decision of the Government of the Republic of Armenia, about 440.0 million AMD have been allocated for the activities of the courts to provide material and technical base at the expense of EU grant programs.

Thus, since the action was not performed even in violation of the deadlines, according to the evaluation methodology of this report, it is evaluated as not performed.

Thus: **The action is not performed.**

Action 4. Undertaking awareness raising measures aimed at the public perception of the role of the judiciary and increasing the confidence therein.

Action	Responsible Body	2020	Verification measure	Outcome
Undertaking awareness raising measures aimed at the public perception of the role of the judiciary and increasing the confidence therein	RA Moj, SJC (upon consent)	A program of measures for awareness raising activities aimed at the public perception of the role of the judiciary and increasing the confidence therein has been elaborated; the awareness raising measures aimed at the public perception of the role of the judiciary and increasing the confidence therein have started to be implemented, in accordance with the program elaborated.	The program of awareness raising measures aimed at the public perception of the role of the judiciary and increasing the confidence therein is elaborated; the measures are at the stage of implementation.	The action is not performed

According to the Monitoring Report of the Ministry of Justice for the Second Semester of 2020, the action was assessed as “performed”. According to the report, awareness-raising campaigns on the impact of the reforms under the Judicial Reform Strategy have been launched in the framework of the United Nations Development Program.

Extensive and up-to-date electronic communication programs are currently being developed in this direction, a comprehensive and transparent official website of the judiciary is being tested, and within the framework of the exercise of the delegated powers of the Judicial Code, 3 draft decisions designed for the full and proper implementation of which, are currently in the final stage of discussion.

According to the Monitoring Report of the Ministry of Justice for the actions to be performed in 2019, 2020, 2021, which were performed in the first and second semesters of 2021, the action is assessed as “partially performed”. According to the report, negotiations are currently underway with an international partner to implement and launch an up-to-date and modern electronic communications software.

According to the results of the FGD with the stakeholders in this action: no awareness-raising measures have been taken to raise public awareness of the role of the judiciary and to build trust in it. The same is evidenced by the desk research. In addition, the expert provided a practical example with the stakeholders during the FGD, noting that the main responsibilities of this Strategy are in fact the RA Ministry of Justice and the SJC. However, the SJC is not open to communication at all and does not provide the requested information. The latter also refused to participate in the FGDs.

The next problem is the improper implementation of the citizen-judicial power communication process and the executive power. Communication problems exist in all aspects, but there are no solutions. In this regard, the experience of the US jurisprudence related

to the reasoning of judicial acts can be especially instructive. In particular, when studying the example of the USA in this part, we see that in addition to the reasoning of the judicial act, the judge also talks to the parties after making the judicial act, tries to explain to them why the claim was not satisfied or was partially satisfied, that is, the judge explains the judicial act made. This is done to strengthen the authority of the judiciary. Reasoning is the method by which a given judicial act can also be checked in the future. Judicial acts in the Republic of Armenia are too extensive, but in terms of content the issue raised by the citizen or his lawyer is not properly revealed, that is, often the judge includes everything in the judicial act, except for the initial issue, which in this case is relevant and important for the parties. According to the FGD participants, in this respect there is a problem not of legislative reform, but of improving practice. The ECHR also expressed a position on this issue. That is, not all the issues raised by the lawyer should be addressed by the court and it should be reasoned in the judicial act. It is not possible to make such a claim, but in the case of a lawsuit that lasts 2-3 years, when the lawyer constantly raises one or more of the same issues during those years, the judge's failure to address them in a single sentence should be a basis for disciplinary liability. However, in practice, implementing such regulations is a difficult and at the same time sensitive task, because it can become a lever and a method of pressure on the judge, which is unacceptable.

This example is a direct, people-centered way of transmitting information, which can reduce the level of dissatisfaction with the judiciary among citizens. In terms of Strategy, in the current reality of our state, it is noticeable that the main, ultimate goal is the formal implementation of the action: the result is measured by the action being performed or not performed. In fact, these actions are not measured in the short-term, at the action level, in the medium-term, at the problem-solving level, and in the long-term, at the goal and the level of achieving a certain impact. Unfortunately, such an approach has been adopted that the Government, the competent state bodies do not solve the root cause, but fight against the consequences.

The expert expressed the opinion that at the political level there is a tendency to reduce public confidence in the courts, which is expressed, for example, by labeling a number of acting judges from the NA tribune, presenting the courts as corrupt structures. According to the expert, the DataLex system was a source of some trust in the courts, which, however, is not working properly at present.

Thus: **The action is not performed.**

Goals 5, 6 and 7. Strengthening the independence and impartiality of the judiciary, improvement of mechanisms for public accountability of the judiciary and a judicial system free of corruption and sponsorship

Summary			
Goals 5, 6 and 7. Strengthening the independence and impartiality of the judiciary, improvement of mechanisms for public accountability of the judiciary and a judicial system free of corruption and sponsorship			
Annex 2	2019 2nd semester	2020 1st semester	2020 2nd semester
Number of planned actions	0	0	6
of which performed within the deadline:	0	0	5
not enough information available	0	0	1
performance indicator	83%		

Strategic Directions: (Annex 2)

1. introduction of grounds and procedures for subjecting judges and a member of the Supreme Judicial Council to disciplinary liability, complying with the international standards;
2. introduction of a balanced mechanism for evaluating the integrity of judges and a member of the Supreme Judicial Council
3. bringing the grounds for subjecting judges and a member of the Supreme Judicial Council to disciplinary liability, in line with the goal of overcoming corruption

Action 1. Elaboration of legislative grounds for subjecting judges to disciplinary liability, necessary for evaluating the integrity of judges and members of the Supreme Judicial Council, complying with the international standards

Action	Responsible Body	2nd semester of 2019	2020	Verification measure	Outcome
Make amendments and supplements to the Constitutional Law “Judicial Code of the Republic of Armenia”, aimed at the improvement of grounds for subjecting a judge and a member of the Supreme Judicial Council to disciplinary liability, which, inter alia, include: 1. clarification of the list of essential disciplinary violations serving as a basis for terminating the powers of a	RA MoJ	The RA draft Law “On making an amendment and supplement to the Constitutional Law “Judicial Code of the Republic of Armenia”” is elaborated and discussed with the interested bodies and the civil society and sent to the Office of the RA Prime Minister	The RA draft Law “On making an amendment and supplement to the Constitutional Law “Judicial Code of the Republic of Armenia”” is approved by the RA Government and sent to the RA NA and discussed with	The RA draft Law “On making an amendment and supplement to the Constitutional Law “Judicial Code of the Republic of Armenia”” and the package of related drafts are elaborated and submitted to the	The Action is performed within the deadline

<p>judge and a member of the Supreme Judicial Council;</p> <p>2. clarification of the grounds for distinguishing the judicial error from the violation by a judge of human rights and fundamental freedoms during his or her professional activity;</p> <p>3. clarification of rules of conduct of a judge and a member of the Supreme Judicial Council by removing therefrom the rules which are formulate unclearly or are not disciplinary by nature but are rules of ethics.</p>			factions.	RA NA.	
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According to the Monitoring Report of the Ministry of Justice for the Second Semester of 2020, the action was assessed as “performed within the deadline”. Within the framework of the FGD held with the interested parties, one of the participants noted, “Certain legislative changes are constantly made, appropriate packages are developed, which are often presented under the experience and support of some developed countries or organizations. But our problem is a lack of integrity. Of course, there are honest judges who have a sense of responsibility, but on the contrary, there are many unscrupulous judges. The conditionally separated judges of the mentioned 2nd group respond positively to all the implemented changes, but they do not change anything in their actions. Judges of the 1st group very often leave the system, not adapting to these new changes.”

According to the sectoral expert, the development of integrity checking structures is not on a strong grounds. This mainly involves checking financial sources. On the other hand, the request of the Minister of Justice for disciplinary proceedings against judges is problematic, as this is an interference with the judiciary.

Thus: **The Action is performed within the deadline**

Action 2. Introduction of mechanisms necessary for carrying out evaluation of integrity of judges and members of the Supreme Judicial Council

Action	Responsible Body	2nd semester of 2019	2020	Verification measure	Outcome
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<p>Clarify the following in the Constitutional Law “Judicial Code of the Republic of Armenia”:</p> <ol style="list-style-type: none"> 1. procedures for considering disciplinary proceedings and the matter of subjecting a judge and a member of the Supreme Judicial Council to disciplinary liability; 2. the appeal procedure for decisions on subjecting judges and a member of the Supreme Judicial Council to disciplinary liability; 3. expand the authorities of the Supreme Judicial Council in connection with the consideration of the issue on subjecting a judge and a member of the Supreme Judicial Council to disciplinary liability. 	<p>RA Moj</p>	<p>The RA Draft Law “On making an amendment and a supplement to the Constitutional Law ‘Judicial Code of the Republic of Armenia’” is elaborated, discussed with interested bodies, the civil society, and sent to the Office of the RA Prime Minister.</p>	<p>The RA Draft Law “On making an amendment and a supplement to the Constitutional Law ‘Judicial Code of the Republic of Armenia’” is approved by the RA Government, sent to the RA NA</p>	<p>The RA Draft Law “On making an amendment and a supplement to the Constitutional Law ‘Judicial Code of the Republic of Armenia’” is elaborated and submitted to the RA NA.</p>	<p>The Action is performed within the deadline</p>
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According to the Monitoring Report of the Ministry of Justice for the Second Semester of 2020, the action was assessed as “performed within the deadline”.

Thus: **The Action is performed within the deadline.**

Action	Responsible Body	2nd semester of 2019	2020	Verification measure	Outcome
<p>Make amendments and supplements to the Constitutional Law “Judicial Code of the Republic of Armenia”, which provide for:</p> <ol style="list-style-type: none"> a. replenishing the list of bodies having the competence to initiate disciplinary proceedings against a judge with the Commission for the Prevention of Corruption; b. forming Ethics and Disciplinary Commission instead of the Disciplinary 	<p>RA Moj</p>	<p>Under the Constitutional Law “Judicial Code of the Republic of Armenia”, the Commission for the Prevention of Corruption is not vested with the competence to initiate disciplinary proceedings against a judge, and the competence to initiate</p>	<p>The RA Draft Law “On making amendments and supplements to the Constitutional Law ‘Judicial Code of the Republic of Armenia’” is elaborated and discussed with interested bodies, the civil society and sent</p>	<p>The RA Draft Law “On making amendments and supplements to the Constitutional Law ‘Judicial Code of the Republic of Armenia’” has been approved by the RA Government and submitted to the RA</p>	<p>The Action is performed within the deadline</p>

Commission, the members of which will be elected not for five but two years, and which will incorporate not only judges, but also representatives of the civil society.		disciplinary proceedings is vested in the commission composed of judges only, which is formed for a period of 5 years.	to the Office of the RA Prime Minister.	NA.	
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According to the Monitoring Report of the Ministry of Justice for the Second Semester of 2020, the action was assessed as “performed within the deadline”. The report states that the legal bases for the reorganization of the committees of the General Assembly of Judges are envisaged in the Constitutional Law "Judicial Code of the Republic of Armenia", but with some peculiarities (differences). In particular, instead of the 2-year term of office of the members of the Ethics and Disciplinary Committee, a 4-year term has been set.

Thus: **The Action is performed within the deadline**

Action	Responsible Body	2nd semester of 2019	2020	Verification measure	Outcome
In the Constitutional Law “Judicial Code of the Republic of Armenia”, the Laws “On Commission for the Prevention of Corruption” and “On Public service”, clarify the rules of judicial conduct and the grounds for subjecting to disciplinary liability, add such rules of conduct the violation whereof casts doubt on the independence, impartiality and incorruptibility of the judge, prescribe mechanisms necessary for the evaluation of the judicial integrity, aimed at: 1. submission — by all judges of the RA, members of the Supreme Judicial Council, within the time limit prescribed by law — of declarations on their property, incomes, interests and expenses to the Commission for the Prevention of Corruption; 2. examination — by the Commission for the Prevention of Corruption — of	RA MoJ, SPC (upon consent)	The draft legal acts on making amendments to the Constitutional Law “Judicial Code of the Republic of Armenia”, the Laws “On Commission for the Prevention of Corruption” and “On Public service” have been elaborated and discussed with interested bodies, the civil society, and sent to the Office of the RA Prime Minister.	The draft legal acts on making amendments to the Constitutional Law “Judicial Code of the Republic of Armenia”, the Laws “On Commission for the Prevention of Corruption” and “On Public service” have been approved by the RA Government and submitted to the RA NA.	The draft legal acts on making amendments to the Constitutional Law “Judicial Code of the Republic of Armenia”, the Laws “On Commission for the Prevention of Corruption” and “On Public service” are elaborated and submitted to the RA NA.	The Action is performed within the deadline

<p>declarations submitted by all judges acting in the RA and members of the Supreme Judicial Council;</p> <p>3. revealing of declarations of members of the Supreme Judicial Council that are problematic from the point of view of integrity, submission to the SJC for considering the issue of subjecting to liability on the basis thereof;</p> <p>4. revealing of declarations of judges, that are problematic from the point of view of integrity, submission to the SJC for considering the issue of subjecting to liability on the basis thereof;</p> <p>6. Effective investigation of the above stated declarations by the SJC.</p>					
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According to the Monitoring Report of the Ministry of Justice for the Second Semester of 2020, the action was assessed as “performed within the deadline”. Since April 2020, the CPC has analyzed the declarations of SJC members, based on the results of which the implementation of the actions defined by the RA legislation is in progress. The CPC has examined 105 declarations of 9 members of the SJC, their family members and people living with them. Since May 2020, the CPC has analyzed 105 declarations by members of the Constitutional Court/judges, their family members and people living with them. In June 2020, the CPC developed the principles for sampling the declarations of incumbent judges, on the basis of which the process of analysis of the declarations of the current judges is in progress.

According to the results of the FGDs with the stakeholders and CSOs, the main and only change initiated within the framework of this action, the draft of which already exists and will soon be submitted to the RA Ministry of Justice, refers to the publication of the final part of the conclusions on integrity. It will not include personal data and will present the SPC’s judgments about that person, which will be published after the decision is made. Regarding the toolkit of the other changes, it was mentioned that they are mainly of a technical nature, in particular:

- The methodology of integrity test is being reviewed with international partners.
- The amended Questionnaire on integrity to be filled out by the respective candidates, which is more accessible in terms of completion, will be approved soon.
- In the future, discussions on how to combine the integrity process with declarations will be held, when there will already be a unified declaration system. Work is underway with the organization that won the donor competition to have a separate folder for integrity in the unified system of declarations. It will allow filling in the form in one place, after which the database will check itself, combining most of the data with other data. As a result, the process will be carried out faster and more efficiently.:

In addition, the issue of checking the integrity of all judges was discussed within the framework of the FGD with interested parties. As a result, it became clear that as of 31 December, the CPC had inspected the property status of 129 judges. It is envisaged that as of 1 May, 2022, the results of the relevant inspection of the remaining judges will also be available.

Thus: **The Action is performed within the deadline.**

Action	Responsible Body	2nd semester of 2019	2020	Verification measure	Outcome
Make an amendment to the Constitutional Law “Judicial Code of the Republic of Armenia”, aiming at establishing Ethics and Disciplinary Commission instead of the Disciplinary Commission, the members of which will be elected not for five but two years, and which will incorporate not only judges but also one representative from the Human Rights Defender and two representatives from those non-governmental organizations, one of the statutory goals of which is human rights protection or activity aimed at enhancing the public accountability of the judiciary, and which have been carrying out such activity for the last five years.	RA MoJ, SPC (upon consent)	The RA Draft Law “On making an amendment and a supplement to the Constitutional Law ‘Judicial Code of the Republic of Armenia’” has been elaborated and discussed with interested bodies, the civil society, and sent to the Office of the RA Prime Minister.	The RA Draft Law “On making an amendment and a supplement to the Constitutional Law ‘Judicial Code of the Republic of Armenia’” has been approved by the RA Government and submitted to the RA NA.	The draft legal acts on making amendments to the Constitutional Law “Judicial Code of the Republic of Armenia”, the Laws “On Commission for the Prevention of Corruption” and “On Public service” are elaborated and submitted to the RA NA.	The Action is performed within the deadline

According to the Monitoring Report of the Ministry of Justice for the Second Semester of 2020, the action was assessed as “performed within the deadline”.

Thus: **The Action is performed within the deadline.**

Action	Responsible Body	2020	Verification measure	Outcome
Train: 1. members of the SJC (by making, upon necessity, legislative amendments for that purpose) pursuing the aim to develop their capacity in the sphere of the legislative amendments made and application of the new mechanisms introduced. 2. members of the Commission for the Prevention of Corruption pursuing the aim to develop their capacity in the sphere of the legislative amendments made and application of the new mechanisms introduced.	RA Moj RA Academy of Justice (upon consent). CPC (upon consent).	Training manuals have been prepared, trainers to deliver training courses have been selected, and trainings for the members of the SJC and the Commission for the Prevention of Corruption have been delivered.	Trainings for the members of the SJC and the Commission for the Prevention of Corruption have been delivered.	There is not enough information available to assess the action

According to the Monitoring Report of the Ministry of Justice for the Second Semester of 2020, the action was assessed as “performed partially”.

Following the amendments to the Constitutional Law “Judicial Code of the Republic of Armenia” of March 25, 2020, and the “Law on the Commission for the Prevention of Corruption”, the CPC has organized a number of discussions in cooperation with EU, CoE, and USAID experts, within the framework of which the actions based on the legislative changes were presented, in particular:

1. integrity checking the of the candidates for the position of judge and the right of a person to inviolability of private life, respect for private life;
2. Property inspection of the members of SJC, members of the Constitutional Court, incumbent judges and implementation of actions based on it: data collection, use and storage of data;
3. In 2020, the CPC participated in a seminar for the members of SJC and CSO organized by the German Office for International Legal Cooperation (IRZ) Armenia, within the framework of which the requirements for the position of judges were presented from the point of view of integrity.

According to the information provided to the ALA by the Commission for the Prevention of Corruption, a number of programs and trainings have been implemented to develop the skills of CPC members, in particular:

- a) Within the framework of the CoE/EU Partnership for Good Governance (PGG), a regional workshop entitled “Red Flags and Electronic Systems of Asset Declaration”. was held on 21 April 2021, in which 5 CPC staff and 2 members participated.

- b) On 13 May, 2021, The training entitled "Analysis of Property, Income and Interest Declarations of Government Officials" in the scope of the "Strengthening institutional capacities to fight and prevent corruption in Armenia" project of the second phase of the EU-CoE Partnership for Good Governance (GCP) program took place.
- c) An international online workshop entitled "Promoting Transparency of Information on Beneficial Owners" was held on June 24-25, 2021, which was attended by 2 members of the CPC.

Also, as a result of the working discussion "Integrity checking. Armenian Experience, Achievements and Prospects for Improvement" (with participation of the representatives of the Ministry of Justice of the Republic of Armenia, the Prosecutor General's Office, the SJC, the National Assembly, USAID, experts and representatives of the CoE Yerevan Office, the UN Development Program) which took place on 26 February, 2021, a working group was formed, on the basis of which the "Methodology for checking the integrity of candidates for judges" was revised and improved.

Thus, although some information on the training of SJC members is available, however, the SJC did not provide information on its members' training, therefore, the performance of this action is not possible in terms of compliance with the deadlines.

Thus: **There is not enough information available to assess the action.**

Goal 6. Improving the mechanisms for the public accountability of the judiciary

Summary	
Goal 6. Improving the mechanisms for the public accountability of the judiciary	
Annex 3	2021
Number of planned actions	1
of which performed within the deadline:	0
of which not performed	1
performance indicator	0%

Strategic directions (Annex 3):

- Publishing reports and statistics on the activities of the judicial system

Action 1. Introduce a mechanism for publishing reports and statistics summarizing the activities of courts acting in the publicly accessible online mode

Action	Responsible Body	2021	Outcome
Introduce a mechanism for publishing reports and statistics providing summary of the activities of courts acting in the publicly accessible online mode	RA Moj SJC (upon consent)	The legislative grounds and software for the mechanism for publishing reports and statistics providing summary of the activities of courts acting in the publicly accessible online mode has been elaborated	The action is not performed Mechanism for publishing reports and statistics are not implemented

According to the Monitoring Report of the Ministry of Justice for the actions to be performed in 2019, 2020, 2021, which were performed in the first and second semesters of 2021, the action is “performed partially”. The report states that legislative bases and service provision works are being developed.

However, as it can be concluded from the results of focus group discussions and desk research/studies with government agencies and other stakeholders responsible for implementing the action, no significant steps have been taken to implement this action.

According to the expert, the best way of public accountability is to launch a platform where every citizen will be able to see the judicial acts of judges in specific court cases. Merely publishing statistics is not enough and it is not purposeful from the point of view of increasing trust in the courts. To achieve this goal, the expert proposes to develop the DataLex system.

Thus: **The action is not performed.**

Goal 8. Increasing the effectiveness of activities of courts Strategic directions:

Summary	
Goal 8. Increasing the effectiveness of activities of courts Strategic directions	
Annex 3	2nd semester of 2021
Number of planned actions	3
of which performed within the deadline:	1
of which not performed	2
performance indicator	33%

Strategic directions (Annex 3):

1. Reduction of the workload of judges and ensuring reasonable time limits for court examination
2. Building capacities of judges and their staff

Action 1. Increasing the number of judges and assistants to judges, expansion of the staff with specialists from different sectors

Action	Responsible Body	2021	Outcome
Increasing the number of judges and assistants to judges, expansion of the staff	RA MoJ SJC (upon consent)	The draft legal act aimed at increasing the number of judges and assistants to judges has been elaborated	The Action is performed within the deadline

It should be noted that according to the monitoring report published by the RA Ministry of Justice which refers to the actions to be performed in 2021 according to the Decision No 1332-N of the Government of the Republic of Armenia dated October 3, 2019 “On Approving the Republic of Armenia Anti-Corruption Strategy and its Implementation Action Plan for 2019-2022”, the action was assessed as “performed partially”.

According to the above report:

- In 2021, the RA National Assembly adopted the Law "On Making Amendments and Addenda to the Constitutional Law Judicial Code of the Republic of Armenia" and laws on making amendments and additions to related laws, which provide for the establishment of a specialized anti-corruption court with at least 15 judges.

- The same amendment also envisages the addition of judges both in the Criminal Court of Appeal and in the Civil Courts of Appeal, 6 judges in each, as well as 2 judges in the Criminal Chamber of the Court of Cassation.
- The draft laws "On Making Amendments and Addenda to the Constitutional Law Judicial Code of the Republic of Armenia" and "On Making Amendments and Addenda to the Law on the Academy of Justice" were adopted by the RA National Assembly. According to the amendment, the SJC is applying to the Government for approval to increase the number of judges:
 1. For the appointment of individual judges examining motions for judicial control over cases and operative-investigative measures in pre-trial criminal proceedings: at least 17 judges in the Court of General Jurisdiction of the first instance, according to the courts and positions, at least 8 of which in the Court of General Jurisdiction of the city of Yerevan.
 2. 3 judges in the Criminal Court of Appeal.:
- Based on the above-mentioned legislative change, the SJC adopted the decision SJC-49-O-112 on increasing the number of judges of the courts of general jurisdiction of the Court of First Instance and the Criminal Court of Appeal.
- The Government Decree No. 911-N approved:
 1. The relevant proposal of the SJC on increasing the number of judges of the RA Administrative Court of Appeal by 3 judges and the number of judges of the RA Civil Court of Appeal by 3 judges.
 2. The relevant proposal of the SJC on increasing the number of judges of the RA Bankruptcy Court by 4 judges.

According to the representatives of the interested parties who participated in the FGD, the steps aimed at carrying out this operation were in different directions.

- In the anti-corruption sphere: an Anti-Corruption Court with a corresponding number of judges was established. Increases in the number of judges have been made in the Court of Appeals; such are also planned in the Court of Cassation.
- The institute of courts reviewing cases of judicial control over pre-trial criminal proceedings has been introduced, as a result of which 17 judges were added, 8 in Yerevan, the rest in the regions. The number of judges in the Criminal Court of Appeal has also been increased by 3 judges.
- The Government of the Republic of Armenia approved the proposal of the SJC, and the number of judges of the Administrative Court of Appeal, as well as the Civil Court of Appeal increased by 3 in each of the mentioned. The number of judges in the Bankruptcy Court has been increased by 4.

As a result of the increase in the number of judges, it is also supposed to increase the staff of judges, to provide the relevant positions of secretary, clerk, assistant. At the same time, during the FGD, the participants noted that there was no increase in the staff of the current judges, which was also issues from the logic of the Strategy. Moreover, the provision of expert posts in the courts in certain directions was discussed: for example, economists, in the case of corruption crimes, experts in the field, etc. Studies have been

conducted in this regard, but at the moment there is no development. In the context of this issue, there was also an opinion that "increasing the number of judges is not a solution to the problem, but a struggle against the consequences. that is, the problem of efficiency must be solved first." Thus, according to the results of FGD conducted with interested state bodies and stakeholders: attention should be paid to the important fact that increasing the number of judges is not the solution, but a fight against the consequences: the problems of efficiency and restoration of "delayed justice" must be solved first. The reduction of the trial time period regarding the result of this action also needs to be improved as currently there is no measure for securing it. In order for the results of the 2022-2023 strategy to be realistic, certain changes must be made to make the second part of the result more realistic.

One of the problems is the fact that judicial acts in the civil sphere have not been resolved for many years. There are various family disputes that are delayed and not resolved. It is also impossible to apply to the Ethics and Disciplinary Committee of the General Assembly of Judges or the Minister of Justice in this case, given the fact the case is still pending before a judge and the proceedings can be seen as interfering with the judge's independence. On the other hand, there is another extreme: as a result of the introduction of the institution of subjecting the judge to disciplinary liability during the case, it may be abused and will become a lever in the hands of the SJC to obtain a judicial act that is desirable for it. However, in the event that a given tool is used, control over the level of integrity of that tool should be exercised through transparency as well as public scrutiny, in which case the role of specialized CSOs is great, And they should be other "filters" that will be able to provide the available information openly, in an accessible way to the media and citizens. Probably in this way, it may be possible to achieve transparency and ensuring public trust.

Although some steps have been taken to increase the number of judges and assistant judges and to expand the staff, however, the issue of conducting the investigation within a reasonable time remains relevant in this regard; about which the participants of the FGD expressed concern. It is noteworthy that in connection with the issue raised on the basis of the application of the RA Human Rights Defender, in the case of determining the issue of compliance with the Constitution of the Article 9 of the Constitutional Law "Judicial Code of the Republic of Armenia", by the decision of the Constitutional Court of 16 March, 2021 SDO-1585, the issues related to conducting the investigation of the case within a reasonable time were also registered. Thus, the Constitutional Court noted that the data on the quantitative indicators of the cases reflected in the annual report for 2019 of the SJC and the timeframes of the cases, as well as the examination of the judgments of the European Court of Human Rights against the Republic of Armenia testify. about the problematic situation. Accordingly, the Constitutional Court stressed that "it is necessary to ensure that the workload of the courts is such that the latter will be able to conduct cases within a reasonable time, while respecting the other requirements of the right to a fair trial."¹⁷:

¹⁷ See: SDO-1585, point 4. 2:

As a result of interviews with experts on this issue, the establishment of specialized courts, in particular the Anti-Corruption Court was positively assessed, as it is considered an important anti-corruption mechanism. However, the choice of judges is problematic, especially since most of them are former prosecutors.

Thus: **The Action is not performed within the deadline / there is certain violation of deadline.**

Action 2. Continuous building of the capacities of judges

Action	Responsible Body	2021	Outcome
Continue carrying out trainings for judges in the following fields: (a) investigation of cases of corruption, economic crimes and crimes committed by officials, (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.	RA MoJ RA Academy of Justice (upon consent).	Trainings for judges continue based on the programs developed	<p style="text-align: center;">The Action is performed within the deadline</p> In 2021, judges were trained on the basis of developed programs.

According to the information provided to the ALA by the Academy of Justice, within the framework of "Goal 8" in 2019, 2020 and 2021, the Academy of Justice conducted trainings in the following areas on the basis of the annual training program for judges and persons on the list of judges:

- a) Investigation of corruption, economic and official crimes: in 2019, 2020 and 2021, the total number of participants in the lectures on the investigation of corruption cases was 63; 68 people participated in the lectures on the investigation of official corruption cases; and 63 people attended the lecture on current issues of the RA criminal proceedings. In total, the number of participants in all thematic directions was 194.
- b) Development of skills to work with evidence on electronic media: In 2020 and 2021, the total number of participants in the training on "Problems of using electronic evidence in criminal proceedings" was 91.
- c) Professional rules of conduct and ethics: The number of participants in the courses on judge ethics, rules of conduct and performance appraisal is 280, taking the data of 2019 and 2021 together.

- 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: In 2019, 2020, 2021, the total number of participants in the courses on current issues of application of legal positions of the ECHR in administrative cases was 87; Courses on current issues of application of ECHR legal positions in criminal cases – 68 participants; Courses on current issues of application of ECHR legal positions in civil cases – 107 participants.

In 2021, a training course on the development of judicial act development skills was conducted, which was attended by 92 people. The number of participants in the training on the independence and transparency of the judiciary was 194, taken together in 2019 and 2021. 102 people participated in the legal writing and interpretation course held in 2019. More detailed information on the trainings is provided in Annex 1.

During the FGD, some issues related to the content, effectiveness and feedback of the participants were discussed with the representatives of the Academy of Justice.

In the context of the need to maintain feedback with judges in terms of the implementation of this action and the effectiveness of the training, it was noted during the FGD that evaluation tools were not introduced. That is, there are no tools that will allow trainees to anonymously assess the learning process; present their opinion on the content of trainings and lecturers, and, if necessary, make suggestions for their improvement, modification or supplementing. According to the Academy of Justice, the latter are in constant contact with trained judges to understand how effectively the courses are conducted, and the opinions expressed are taken into account for their further improvement.

Issues related to the selection of training topics were also discussed. In particular, during the FGDs questions were raised about the choice of topics covered in the training related to as a) to what extent they are based on needs, b) Do judges ensure their participation in the selection process? If so, by what mechanism? c) Are the topics provided by the Committee on Educational Affairs of the General Assembly of Judges of the Republic of Armenia? And is the function of the Academy of Justice in this case purely the implementation of trainings or is their elaboration carried out through joint discussions? In this regard, it was mentioned that according to the RA Law on the Academy of Justice, until 1 August of the current year, the Academy receives proposals on subject courses or topics from the Committee on Educational Affairs.

According to the training program, each subject has a certain number of hours. In the end, appropriate packages are developed, each of which lasts 40 hours. 4-6 disciplines are subject to inclusion. The Academy of Justice also consults with international partners in drafting these packages, and accepts their proposals. Before participating in the trainings, the judges choose one package from the general professional field; and another package from a special professional field, according to specializations. The general professional field includes general subjects: judge's ethics, rules of conduct, science of constitutional law, current trends in justice, etc. The special

professional area is related to criminal law, criminal litigation, civil law, civil litigation, administrative law, administrative litigation, and bankruptcy legal procedures and proceedings.

The “brain drain” program was also discussed at the FGD with stakeholders. In particular, it is favorable to provide our compatriots from the Diaspora the opportunity to carry out professional activities in high-ranking positions within the framework of experience exchange. Although the Strategy does not provide for such a direction, this discussion provided an opportunity to generate ideas and suggest that the following be implemented, at least in the form of short-term plans. Thus, the UN implements exchange programs across different countries and the "brain drain" is compensated. In other words, within the framework of the given program, an attempt is made to compensate the short-term return of those "brains" to the homeland, in order to ensure the provision of their knowledge and experience in the relevant fields. In the current conditions of Armenia, this action can be envisaged as a separate direct

Thus, **The Action is performed within the deadline.**

Action 3. Provide courts with the facility conditions necessary for their effective operation

Action	Responsible Body	2021	Outcome
Provide courts with the facility conditions necessary for their effective operation	RA Ministry of Finance RA Moj SJC (upon consent)	The courts are being provided with the facility conditions necessary for their effective operation, according to the priorities and schedules prescribed.	The action is not performed The process of providing the necessary building conditions for the effective operation of anti-corruption courts is not over.

According to the Monitoring Report of the Ministry of Justice for the Second Semester of 2020, the action was assessed as “performed partially”. As of the date of publication of the report (January 2021), surveys of buildings were being carried out in order to reconstruct and commission the latter. A preliminary assessment of the building (premises) needs of the anti-corruption courts for effective operation has been carried out, on the basis of which the process of providing the necessary building (premises) conditions for the effective operation of anti-corruption courts has already begun.

According to the information provided to the ALA by the Ministry of Finance of the Republic of Armenia, the implementation of this operation is currently underway. Acquisition and renovation of the design and estimate documents for the renovation of the building of

the Anti-Corruption Court located at 5/1 Ara Sargsyan Street, Ajapnyak community, Yerevan had started at the expense of the RA 2020 state budget and continued at the expense of the RA 2021 state budget. Also, at the expense of the state budget of 2021, the acquisition of design and estimate documents (about 175.3 million AMD) for the provision of building conditions (construction) necessary for the activities of the Anti-Corruption Court on the 15-hectare land adjacent to the "Spandaryan railway " station in Ajapnyak administrative district has started. The 2022 state budget of the Republic of Armenia envisages 500.0 million AMD for the construction of anti-corruption courts.

Thus: **The Action is not performed within the deadline /There is certain violation of deadline**

Goal 9. Providing a unified platform of services provided by state and local self-government bodies

Summary	
Goal 9. Providing a unified platform of services provided by state and local self-government bodies	
Annex 3	2021
Number of planned actions	3
of which performed within the deadline:	1
of which not performed	2
performance indicator	33%

Strategic directions (Annex 3):

1. Establishing a unified office functioning under the "one-stop shop" principle,
2. Uniting subdivisions involved in the state bodies providing expert services,
3. Elaborating, discussing the draft Law "On forensic examination activities" and submitting it to the Office of the Prime Minister.

Action 1. Establishment of a unified centre for providing some state services by applying the “one-stop shop” principle

Action	Responsible Body	2021	Outcome
Establishment of a unified centre of some state services provided by state and local self-government bodies by applying the "one-stop shop" principle	RA MoJ RA Ministry of Finance, RA Police, RA Cadastre Committee	The roadmap for establishing a unified centre for providing some state services has been elaborated with the indication of the necessary material resources, facility conditions and technical means	The Action has been performed within the deadline The RA MoJ has elaborated the roadmap for establishing a unified centre for providing some state services.

According to the information provided by the RA Police, the RA Ministry of Justice has developed a road map for the establishment of a unified center for the provision of some state services (Government of the Republic of Armenia Decision No. 1264-N of 06.08.2021) on the basis of which unified offices were launched in Ijevan and Gyumri.

According to the information provided to the IRA by the Police and the Ministry of Justice, the units of the Passport and Visa Department of the Police (hereinafter referred to as PV) have been located in the unified offices in Ijevan city since 13 March, 2021, and in Gyumri city since 23 June, 2021. The above-mentioned subdivisions of the PV Department, together with the relevant subdivisions of

other bodies and organizations operating in the office, provide services to the citizens reserved by the legislation to the OV Department, due to which the service of the citizens is carried out faster and with better quality.

Work is currently underway to establish a unified public service office in Vanadzor as well, within the framework of which it is planned to transfer the Gugark Passport service of the PV department to the office. In this regard, it should be added that there is an opportunity for electronic queuing with the [Earlyone](#) mobile application.¹⁸

The FGD participants raised the issue of the difference in the number of services provided in the unified offices. According to the representative of the responsible body, it depends on the location of the office. The current Yerevan office, located at 3 Vazgen Sargsyan Street, provides many services and the larger the number, the more difficult it is to serve a wide range of citizens. In addition to the question raised, the participants also inquired whether there was a strategy or action plan, which, according to the regions, envisages the creation of several similar offices in Armenia in order to fully ensure accessibility for the citizens. According to the representative of the RA Ministry of Justice, such a document does not exist. In addition, the RA Ministry of Justice is currently taking steps to create "Justice Houses" of the Georgian model in Armenia, where a wider range of public services to be provided to citizens will be integrated. For example, the services provided by the Passport and Visa Department, as well as other services that are not currently provided by the Joint Office of Public Services. The next observation was that the issue was not about the Houses of Justice, but about the Unified Public Service Offices, which have been established since last year, which means that at least there had to be an action plan and strategy, that is, the need was already assessed before the offices were established. Do we get the idea with this that the problem was only to create 1-2 pilot offices, followed by the development of an appropriate strategy?

The representative of the RA Ministry of Justice clarified that the first of them had a pilot nature. It was assembling of different departments in one administrative building. Further, based on that, the RA Ministry of Justice offered its cooperation to "Haypost" Closed Joint-Stock Company. Within the framework of the above, 2 more offices were opened in Gyumri and Ijevan, and now it is planned to create a similar office in Vanadzor. But in parallel with this process, taking into account the fact that the idea of the above-mentioned window has a different tendency does not imply entry into one administrative area, a new model of a unified office was envisaged. In addition to the studying of the Georgian model, which is a rather expensive program, a number of different countries, such as the Russian Federation, Kazakhstan, Canada, etc., are being studied. Moreover, a technical task has been elaborated and a tender has been announced, so that by the end of 2022 there is a clear roadmap and Action Plan on what new model will be received.

¹⁸ <https://play.google.com/store/apps/details?id=earlyone.earlyone&hl=ru>

According to the representative of the Ministry of Justice, during this period the Ministry of Justice of the Republic of Armenia has already simplified the administration of its services, because regardless of the conditions under which the reception of citizens will take place, if a citizen has to submit many documents for one certificate, then there can be no talk of any reform.

Thus: **The Action is performed within the deadline.**

Action 2. Unify the state forensic examination institutions functioning in the Republic of Armenia under one unified centre; provide that centre with equipment necessary for increasing the effectiveness of its activities.

Action	Responsible Body	2021	Outcome
Unify the state forensic examination institutions functioning in the Republic of Armenia under one unified centre; provide that centre with equipment necessary for increasing the effectiveness of its activities.	RA MoJ RA Ministry of Finance,	The programme for uniting state forensic examination institutions under one unified centre has been developed, the list of the equipment necessary for the expertise centre for its effective operation has been drawn up, the priorities and schedules for the provision have been defined.	The action is not performed within the deadline The state forensic examination institutions functioning in the RA have not been united.

According to the information of the RA Ministry of Finance, no unification of state forensic institutions functioning in the RA has taken place. By the decision of 25.02.2021, N 258-N of the Government of the Republic of Armenia, 328.5 million AMD was allocated to the "Expertise Center of the Republic of Armenia" SNCO at the expense of EU grants to provide material and technical equipment.

Thus: **The action is not performed within the deadline.**

Action 3. Elaborating, discussing the draft Law "On forensic examination activities" and submitting it to the Office of the Prime Minister.

Action	Responsible Body	2021	Outcome
Elaborate the draft Law "On forensic examination activities", ensure its discussion and submission to the Office of the Prime Minister	RA MoJ	The draft Law "On forensic examination activities" has been elaborated	The action is not performed within the deadline

			The draft Law "On forensic examination activities" has not been elaborated.
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According to the Monitoring Report of the Ministry of Justice for the actions to be performed in 2019, 2020, 2021, which were performed in the first and second semesters of 2021, the action was performed "partially". According to the report, the draft law "On Forensic Activity" is being developed, which is expected to be submitted for public discussion in January 2022.

In this regard, it was mentioned during the FGD that, in fact, there is no law "On Forensic Activity" in the Republic of Armenia. The RA Ministry of Justice is already taking steps towards the discussion of that draft law. Based on its rich practical activity the Expertise Center can present a number of proposals. An appropriate working group has been set up in the center, including lawyers, heads of branch/profile departments. The team is currently working on proposals regarding the law.

Thus: **The action is not performed within the deadline.**

SECTOR 6: REFORM OF THE LAW ENFORCEMENT SYSTEM

Goal 10. Reform of the Law Enforcement System

Summary			
Goal 10. Reform of the Law Enforcement System			
Annex 2	2019 2nd semester.	2020 1st semester.	2020 2nd semester.
Number of planned actions	0	0	5
of which performed within the deadline:	0	0	2
of which performed with certain violation of deadline	0	0	1
of which not performed	0	0	1
of which no information is available	0	0	1
performance indicator	60%		
Annex 3	2021		
Number of planned actions	2		
of which performed within the deadline:	0		
of which not performed	2		
performance indicator	0%		

Strategic Directions (Annex 2)

- Reform of the system of the Prosecutor's Office

Action 1. Introduce a mechanism to assess prosecutors' integrity, putting into effect the principles adopted to assess the judge's integrity, change the procedure for formation of the Ethics Commission carrying out assessment of prosecutors' integrity

Action	Responsible Body	1st semester of 2020	2nd semester of 2020	Verification measure	Outcome
Introduce a mechanism to assess prosecutors' integrity, putting into effect the principles adopted to assess the judge's integrity,	RA MoJ RA Prosecutor General's Office	The mechanism for the assessment of prosecutors' integrity has been elaborated; including the procedure for	The mechanism for the assessment of prosecutors' integrity and the procedure for	The mechanism for the assessment of prosecutors' integrity and the	The Action is performed with certain violation of

changing the procedure for formation of the Ethics Commission	(upon consent)	formation of the Ethics Commission carrying out assessment of prosecutors' integrity has been changed , by expanding the representation of prosecutors in non-senior positions and limiting the role of the Prosecutor General in the process of formation of the Commission.	formation of the Ethics Commission have been discussed with interested bodies, the civil society, approved by the Government and submitted to the NA	procedure for formation of the Ethics Commission have been discussed with interested bodies, the civil society, approved by the Government and submitted to the NA	deadline
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According to the Monitoring Report of the Ministry of Justice for the Second Semester of 2020, the action was assessed as performed "partially". The report in particular states that within the framework of the "Consolidation of the Justice system in Armenia» program which is implemented by the EU in cooperation with the IRZ and the RA Ministry of Justice the "Action plan on strengthening framework and capacity in the fight against corruption" program was approved in the working procedure. Within the framework of the latter, among others, it is planned to carry out relevant researches in January-March 2021 and submit proposals to the beneficiary departments, including for integrity testing of candidates for prosecutors, as well as for setting guidelines for interpreting the rules of conduct for prosecutors.

According to Article 23, Part 7 of the RA Law on the Prosecutor's Office: the procedure for the activities of the Ethics Commission, as well as for the election of members of the Prosecutor General shall be established by the order of the Prosecutor General of the Republic of Armenia. By the order of the RA Prosecutor General, an amendment was made to the order N 20 of 9 April, 2018 "On defining the procedure for electing the members of the Ethics Commission under the Prosecutor General of the Republic of Armenia", according to which, the position of at least one of the 3 prosecutorial members of the Ethics Commission must be provided for in parts 4, 5 or 6 of Article 37, Part 1 of the RA Law on the Prosecutor's Office. Moreover, one of the prosecutors of the Ethics Commission currently holds such a position.

According to the Monitoring Report of the Ministry of Justice for the actions to be performed in 2019, 2020, 2021, which were performed in the first and second semesters of 2021, the action is assessed as "performed".

The report states that within the framework of the legislative package aimed at the establishment of the Anti-Corruption Court on 14 April, 2021, the National Assembly adopted the Law on Making Amendments to the Law on the Prosecutor's Office and laws on amendments and additions to related laws, which defined the procedures for integrity checking of the prosecutors, including the

Prosecutor General and his candidates. In addition, in accordance with the regulations established by the mentioned law, an integrity checking is also carried out during the election of the prosecutors included in the service promotion lists, the Prosecutor General and his deputies. The law entered into force on 29 October, 2021.

On the basis of the mentioned legislative change, by the order N 87 of the RA Prosecutor General of 16 November, 2021, the subdivision to oversight the legality of pre-trial proceedings was established in the Anti-Corruption Committee; the department whose prosecutors' integrity was checked. The same order terminated of the activity of the Department for Control over the Legality of Pre-Trial Proceedings in the RA Special Investigation Service of the General Prosecutor's Office.

According to the information provided to the ALA by the Prosecutor's Office, by the order N 59 of the Prosecutor General of the Republic of Armenia of 30 June, 2020, the procedure for forming an Ethics Commission under the Prosecutor General of the Republic of Armenia was changed, expanding the representation of prosecutors in non-senior positions. In particular, according to the mentioned order, at least one of the members of the Ethics Commission attached to the RA Prosecutor General must be a prosecutor holding a position provided for in parts 4, 5 or 6 of Article 37, Part 1 of the RA Law on the Prosecutor's Office.

Part of the participants of the FGD organized with competent authorities and stakeholders confirmed the view that the involvement of civil society actors in the Ethics Commission of Prosecutors can strengthen the tools of oversight. However, the RA Prosecutor General's Office is not in favor of this position. As a mechanism of control tools, the RA Prosecutor's Office submitted proposals to create a Prosecutorial Council instead of the Board of the RA Prosecutor's Office, which will consist of the Prosecutor General, his deputies, 4 heads of departments of the General Prosecutor's Office, and 5 specialists in the field of law. The latter must be elected by the prosecutors by secret ballot, have at least the academic title of associate professor, 10 years of scientific and pedagogical experience - at least 3 published scientific articles in the last 5 years. It envisages that this council, among others, will have powers in the formation of qualification and ethics commissions. It is also suggested that these two commissions should not operate under the auspices of the Prosecutor General, but should have the status of a subcommittee of the Prosecutorial Council.

Thus: **The Action is performed with certain violation of deadline.**

Action 2. Change the rules of formation of the Qualification Commission, so that the simple majority of the members thereof is appointed through a process not incorporating the involvement of the Prosecutor General, and expand the representation of prosecutors holding non-senior positions in the representative bodies of prosecutors.

Action	Responsible Body	1st semester of 2020	2nd semester of 2020	Verification measure	Outcome
Change the rules of formation of the	RA Moj	The Law "On making amendments and supplements	The Law "O n making amendments and	The Law "On making amendments	The action is not performed

Qualification Commission, so that the simple majority of the members thereof is appointed through a process not incorporating the involvement of the Prosecutor General, and expand the representation of prosecutors holding non-senior positions in the representative bodies of prosecutors.	RA Prosecutor General's Office (upon consent)	to the Law "On Prosecutor's Office" has been elaborated.	supplements to the Law 'On Prosecutor's Office'" has been discussed with interested bodies, the civil society, and submitted to the NA	and supplements to the Law 'On Prosecutor 's Office'" has been discussed with interested bodies, the civil society, and submitted to the NA	The Draft Law has been sent to the RA Moj
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According to the Monitoring Report of the Ministry of Justice for the Second Semester of 2020, the action is assessed as performed "partially". The report in particular states that the Draft Law "On making amendments and supplements to the Law 'On Prosecutor's Office" has been developed and is currently being finalized based on the remarks and suggestions received from different subdivisions of the RA Prosecutor's Office. The draft law will amend a number of ambiguities and interpretations of the RA Law on the Prosecutor's Office. The draft envisages, among other things, assigning the authority to appoint 4 prosecutor members of the qualification commission and 3 legal scientists not to the RA Prosecutor General, but to the Board of the RA Prosecutor's Office. The list of members of the Board of the Prosecutor's Office is defined by Part 2 of Article 22 of the RA Law on the Prosecutor's Office and cannot be changed at the discretion of the RA Prosecutor General.

According to the information provided by the Prosecutor's Office to the ALA, the Draft Law "On making amendments and supplements to the Law 'On Prosecutor's Office" has been developed in this direction in the RA Prosecutor's Office, and was sent to the RA Ministry of Justice in accordance with the established procedure. According to the Prosecutor's Office, this draft is aimed not only at ensuring the implementation of this action, but also to overcome the legal issues in the Law on the Prosecutor's Office.

Thus: **The Action is not performed.**

Action 3. Ensure the transparency of the competition for selection of prosecutors.

Although this action is presented in Appendix 2 as an action to be performed, the table of information of data about this action is missing, which is probably is a result of a technical error.

Action 4. Implement structural changes and capacity building of the Prosecutor’s Office in the field of protection of state interests through non-criminal procedure measures, as well as investigation of corruption, economic, official and other crimes, work with electronic evidence, and in other fields.

Action	Responsible Body	1st semester of 2020	2nd semester of 2020	Verification measure	Outcome
Implement structural changes and capacity building of the Prosecutor’s Office in the field of protection of state interests through non-criminal procedure measures, as well as investigation of corruption, economic, official and other crimes, work with electronic evidence, and in other fields.	<p>RA Moj</p> <p>RA Academy of Justice; (upon consent);</p> <p>RA Prosecutor General’s Office (upon consent)</p>	The draft Law “On making amendments and supplements to the Law ‘On Prosecutor’s Office’”, providing for structural changes, has been elaborated; training programs for prosecutors in relevant fields have been elaborated.	The draft Law “On making amendments and supplements to the Law ‘On Prosecutor’s Office’”, providing for structural changes, has been discussed with interested bodies, the civil society, approved by the RA Government, and submitted to the NA	The draft Law “On making amendments and supplements to the Law ‘On Prosecutor’s Office’”, providing for structural changes, has been discussed with interested bodies, the civil society, and submitted to the NA; prosecutors have started undergoing training on the basis of the programs elaborated.	<p>The action is performed</p> <p>The Draft Law “On making amendments and supplements to the Law ‘On Prosecutor’s Office’” has been discussed with interested bodies, approved by the RA Government and submitted to the RA NA</p>

According to the Monitoring Report of the Ministry of Justice for the Second Semester of 2020, the action is assessed as performed "partially". The report in particular states that there is no need to make changes in the Law on the Prosecutor's Office in order to achieve this result. Thus, Article 8 of the RA Law on the Prosecutor's Office defines the territorial subdivisions of the RA Prosecutor's Office, including the RA General Prosecutor's Office and the RA Military Prosecutor's Office. According to Article 3, Part 4 of the Law on Administrative Legal Relations: the statute of the state body defines, among others, the structural subdivisions of the given body; and it follows from the combined analysis of Article 9, Part 1, Clause 1 and Part 2, Clause 8 of the same law, that the authority to approve the charter of the RA Prosecutor's Office, to make changes in it, including the creation of new structural subdivisions, is vested in the RA Prosecutor General. That is, new professional subdivisions in the structure of the RA Prosecutor Office, including the RA Prosecutor General's Office, may be established by the order of the RA Prosecutor General, by making changes in the relevant sections of the charter of the RA Prosecutor's Office.

According to the RA Prosecutor's Office, in the context of the implemented judicial reforms, the vision of the RA Prosecutor's Office reforms, among other things, it is based on the principle of deepening the specialization of the RA Prosecutor's Office subdivisions according to the types of crimes and, consequently, increasing the efficiency of the prosecutorial functions. It should be noted that the need for specialization of prosecutors has always been mentioned in international legal documents related to the activities of the Prosecutor's Office as a state body, as a necessary condition for increasing the efficiency of the Prosecutor's Office. In particular, in paragraph 119 of Advisory Opinion No. 9 of the Consultative Council of European Prosecutors (CCPE) of 17 December 2014, on "European norms and principles concerning prosecutors"; paragraphs 27 and 54 of Opinion No. 11 of 18 November, 2016, "on the quality and efficiency of the work of prosecutors, including when fighting terrorism and serious and organized crime" is clearly indicated that 'the need of specialization of prosecutors, as well as within the public prosecutors organizational structure, should be considered as a priority in order to increase the efficiency of the work of prosecutors, as well as to properly respond to various manifestations of crime.' Due to all this, the charter of the RA Prosecutor's Office was approved by the order N 39 of 24 September, 2019 of the RA Prosecutor General, including the list of the main professional structural subdivisions of the RA Prosecutor General's Office, which includes, inter alia, the Department for Combating Corruption Crimes, Department for Combating Economic Crimes, Department of Supervision over Legality of Pre-Trial Proceedings in the RA Special Investigation Service. Such an approach increases the maximum professionalism of prosecutors promoting a more proper implementation of prosecutorial oversight and judicial management functions.

Referring to the protection of state interests through non-criminal procedure means, the RA Prosecutor's Office informs that in 2020 the Department for Confiscation of Property of Illicit Origin was established within the RA General Prosecutor's Office, which is already engaged in the implementation of the functions provided by the RA Law on Confiscation of Property of Illegal Origin. Within the framework of the 3rd Public Sector Modernization Program, a contract was signed for the implementation of the task "Supply and installation of the electronic management system for the pre-trial proceedings of criminal cases in Armenian". Annual training programs for prosecutors in relevant fields have been developed. Training programs for persons included in the 2020 list of candidates for prosecutors with functions of confiscation of property of illegal origin have been developed, as well as for the second group of the persons included in the 2020 list of candidates for prosecutors with functions of confiscation of property of illegal origin, have been developed, which were approved by the Board of the Academy of Justice.

The professional trainings of the persons included in the list of candidates for prosecutors and the annual trainings of prosecutors were carried out on the basis of the developed program, Training courses on the mentioned topics have been developed and are also carried out in cooperation with international partners, including within the framework of the CoE HELP remote platform.

Measures have been taken to develop the capacity of prosecutors in relevant areas.

During the FGD, questions about the choice of topics covered in the training were raised referring: a) to what extent they are based on needs, b) Do prosecutors ensure their participation in the selection process? If so, by what mechanism? Regarding the mentioned, the representative of the Academy of Justice informed that the procedure of choosing the topics of the teaching processes and training programs has been defined. According to that, the training is done by modernizing the programs. Each year, until 1 August, the Prosecutor General, and in the case of investigators, the Chairman of the Investigative Committee, based on their needs, submits their proposals on subject of the courses. The academy also conducts research on current issues, and as a result, new subjects are developed, after which discussions take place.

Another question raised during the FGD, the implementation of which was not clearly answered by the competent authorities, referred to the action according to which the involvement of independent experts, whose opinion will have an advisory significance in the election process of the RA Prosecutor General by the NA Standing Committee should be mandatory.

Thus: **The action is performed.**

Strategic Direction (Annex 2)

- Reform of investigative bodies

Action 1. With a view to assessing the integrity of investigators, review the grounds and procedure for subjecting investigators to disciplinary liability with a view to ensuring the transparency thereof, by putting into effect the principles adopted for the assessment of integrity of judges, ensuring the assessment of integrity by the body subjecting investigators to disciplinary liability.

Action	Responsible Body	1st semester of 2020	2nd semester of 2020	Verification measure	Outcome
Make amendments and supplements to respective legal acts, aimed at the improvement of the grounds and the procedure for subjecting investigators to disciplinary liability	Moj RA Investigative Committee; RA SIS RA NSS	The package of drafts envisaging amendments and supplements to respective legal acts providing for changes of the grounds and procedures for subjecting investigators to disciplinary liability has been elaborated	The package of drafts envisaging amendments and supplements to respective legal acts providing for changes of the grounds and procedures of subjecting investigators to disciplinary liability has	The package of drafts envisaging amendments and supplements to respective legal acts providing for changes of the grounds and procedures for subjecting	The action has been performed in terms of the RA Investigative Committee and Special Investigation Service.

			been discussed with interested bodies, the civil society, approved by the RA Government, and submitted to the NA.	investigators to disciplinary liability has been submitted to the RA NA	Information regarding the RA NSS is missing.
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According to the Monitoring Report of the Ministry of Justice for the Second Semester of 2020, the action is assessed as performed "partially". The report, in particular, states that the "Code of Conduct for Special Investigation Service Officers" and "The procedure for conducting an official investigation against an employee of the Special Investigation Service", which have been complied with the requirements set by the RA Law on Public Service, has been in force in the RA Special Investigation Service since 2014.

According to the Monitoring Report of the Ministry of Justice for the actions to be performed in 2019, 2020, 2021, which were performed in the first and second semesters of 2021, the action is assessed as performed "partially". The report states that the RA Law on the Anti-Corruption Committee was adopted, within the framework of which a toolkit for checking the integrity of investigators and operative officers was introduced.

According to the information provided to the ALA by the Investigative Committee, within the framework of this action, the RA Investigative Committee developed, circulated and submitted to the National Assembly the RA draft law "On Making Amendments and Addenda to the RA Law on the Investigative Committee of the Republic of Armenia", which was adopted on 09.12.2020. *The above-mentioned law NO-494-N of 09.12.2020* envisages provisions aimed at improving the grounds and procedures for subjecting investigators to disciplinary liability. In particular, the stages of the official investigation carried out against the person holding an autonomous position of the RA Investigation Committee in connection with the fact of disciplinary violation are clearly specified: preliminary investigation and disciplinary proceedings. In addition, it is envisaged that the procedure for conducting a preliminary investigation for the purpose of conducting an official investigation shall be established by the order of the Chairman of the RA Investigative Committee. According to the amendments, penalties severe reprimands, demotion of class by one degree, demotion of position by one degree, dismissal, are applied to persons holding autonomous positions of the RA Investigative Committee only after conducting an official investigation. While the penalties disciplinary warnings and reprimands are imposed without disciplinary action, in which case the person holding an autonomous position of the RA Investigation Committee shall submit a written explanation to the official authorized to impose a disciplinary sanction. If in the explanation, the investigator of the RA Investigative Committee, who committed a disciplinary violation, does not admit his guilt in the committed violation, then an official investigation is conducted.

The RA NSS did not provide an answer to the inquiry submitted by the ALA regarding this action.

Thus: The action has been performed in terms of the RA Investigative Committee and RA Special Investigation Service.¹⁹
Information regarding the RA NSS is missing.

Action 2. Implement investigators' capacity building in the fields of investigation of corruption, economic, official and other crimes, work with electronic evidence and in other fields

Action	Responsible Body	1st semester of 2020	2nd semester of 2020	Verification measure	Outcome
Implement investigators' capacity building in the fields of investigation of corruption, economic, official and other crimes, work with electronic evidence and in other fields	RA MoJ, RA Academy of Justice (upon consent)	The programs for trainings of investigators in relevant fields have been elaborated	Investigators have started undergoing training in accordance with the programs elaborated	Investigators have started undergoing training in accordance with the programs elaborated	The action is performed Investigators have started undergoing training in accordance with the programs elaborated

According to the Monitoring Report of the Ministry of Justice for the Second Semester of 2020, the action is assessed as “performed”.

Training programs for investigators in the areas envisaged by the Strategy have been developed. These include, in particular, courses on "Investigation of Corruption Cases" and the "Investigation of official corruption cases", “Financial crimes of corrupt nature and Fight against Transnational Organized Crime”, "Methodology of Investigation of Crimes against Property and Economic Activities", as well as "Problems of using electronic evidence in criminal proceedings". Training courses on the mentioned topics have been developed and are also carried out in cooperation with international partners, including within the framework of the CoE HELP remote platform. According to the 2020 training program, the training schedule for employees (investigators) of the RA Investigative Committee has been set for May-December 2020.

According to the report on the progress of the action to be implemented in the second semester of 2020, measures aimed at developing the capacity of investigators have been carried out.

Thus: The action has been performed within the deadline

¹⁹ At the time of the implementation of the action, the Special Investigation Service had not yet been dissolved in accordance with the law.

Strategic Directions (Annex 3)

1. Raising the prosecutors' salary and supplements added thereon and increasing the number of prosecutors.
2. Raising the investigators' salary and supplements added thereon and increasing the number of investigators.

Action 1. Elaborate legislative amendments aimed at raising the prosecutors' salary and supplements added thereon and increasing the number of prosecutors

Action	Responsible Body	2021	Outcome
Elaborate legislative amendments aimed at raising the prosecutors' salary and supplements added thereon and increasing the number of prosecutor	RA MoJ, RA Ministry of Finance RA General Prosecutor's Office (upon consent)	The package of drafts of legislative amendments aimed at raising the prosecutors' salary and supplements added thereon and increasing the number of prosecutor has been elaborated.	<u>The action has not been performed</u> The package of drafts of legislative amendments is not elaborated

According to the information provided to the ALA by the Prosecutor's Office: The RA General Prosecutor's Office has developed a "Draft Law on Making Amendments to the RA the Law on Remuneration of Persons Holding Public Positions and Public Service Positions", which proposes to pay to the prosecutors additional monthly payment of 100% of the official rate. On 5 January 2022, RA Prosecutor General sent the draft to the Ministry of Justice.

In addition, a letter sent by the RA Deputy Prosecutor General on 16 December, 2021 to the RA Ministry of Justice stated that after the entry into force of the new Criminal Procedure Code, the scope of the prosecutor's work will inevitably increase, due to the introduction of new criminal justice institutions (for example: making decisions by the prosecutor on initiating criminal prosecution against a person, suspending or resuming the term of criminal prosecution, not initiating or terminating criminal prosecution, participating in negotiations during the conciliation proceedings, trial in absentia, etc.). Due to that circumstance, it was proposed to add one prosecutor in each of the structural subdivisions of the RA General Prosecutor's Office and the RA Central Military Prosecutor's Office. As a result, in 13 departments of the RA General Prosecutor's Office, 3 divisions of the RA Central Military Prosecutor's Office, Yerevan City Prosecutor's Office, 7 Yerevan District Prosecutor's Offices, 10 regional Prosecutor's Offices and 9 Garrison Prosecutor's Offices, It will be necessary to increase the number of prosecutors by 43 prosecutorial positions..

According to the information provided to the ALA by the Ministry of Finance: As a result of the additions and amendments made to the “RA the Law on Remuneration of Persons Holding Public Positions and Public Service Positions” higher rates for calculating official rates have been set for prosecutors coordinating the functions of confiscating property of illegal origin (compared to other prosecutors holding relevant positions)

(24 March, 2021 HO-152-N) for the investigators of the Anti-Corruption Committee (as opposed to the Investigative Committee and Special Investigative Service investigators) (HO-247-N of 16.04.2020 and HO-342-N of 25.06.2020). The Ministry of Justice of the Republic of Armenia has circulated a draft decision of the Government of the Republic of Armenia «on defining the amount and procedure for paying bonuses due to job characteristics associated with risks and requiring specialization, as well as a range of especially risky positions requiring specialization” (Based on 24.03.2021 HO-152-N), on which an impact assessment was submitted by the RA Ministry of Finance, according to which, the adoption of the draft will require an additional 209.5 million AMD annually from the RA state budget for the remuneration of the above-mentioned prosecutors.

On the other hand, during the FGDs with the competent authorities and stakeholders, the participants stated that a draft had been elaborated according to which only the salaries and bonuses of the Prosecutor General, his deputies, prosecutors of the Anti-Corruption Department and the Department for Confiscation of Property of Illicit Origin Departments would be increased.

In this context, it was proposed to draw up a plan for 2022 and 2023 to carry out the action mentioned in the Strategy or to establish an appropriate action for other departments while developing the Strategy, and not for the general prosecutorial system, based on the capabilities of the state budget.

Thus: **The action is not performed.**

Action 2. Elaborate legislative amendments aimed at raising the investigators’ salary and supplements added thereon and increasing the number of investigators

Action	Responsible Body	2021	Outcome
Elaborate legislative amendments aimed at raising the investigators’ salary and supplements added thereon and increasing the number of	RA MoJ, RA Ministry of Finance RA Investigation Committee	The package of drafts of legislative amendments aimed at raising the investigators’ salary and supplements added thereon and increasing the number of investigators has been elaborated.	<u>The action has not been performed</u>

investigators	(upon consent) RA Special Investigation Service (upon consent),		The package of drafts of legislative amendments is not elaborated
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According to the information provided to the ALA by the Ministry of Finance: As a result of the additions and amendments made to the “RA the Law on Remuneration of Persons Holding Public Positions and Public Service Positions” (24 March, 2021 HO-152-N) for the investigators of the Anti-Corruption Committee (as opposed to the Investigative Committee and Special Investigative Service investigators) higher rates for calculating official rates have been set. It is also provided that persons holding positions of special risk, due to complications and requiring specialization are provided with an additional payment in the amount of one hundred percent of the official salary in accordance with the procedure established by law.

According to the participants of the FGD, there is a problem in terms of changing the guarantees of the prosecutor's office and the investigative bodies, as a result, also in terms of linking the load solution The necessary vacancies are not fully filled and the positions remain vacant. At the same time, an attempt is being made to involve more experienced investigators in the Anti-Corruption Committee, thus leaving other vacancies in other positions. Thus, these changes do not improve the system. The idea of increasing the salaries of investigators and prosecutors by increasing the number of employees in the respective positions is not realistic. The Committee, in turn, does not share these concerns, noting that Articles 15 and 16 of the Law on the Anti-Corruption Committee regulate the main requirements for the Committee's staff and the conditions for appointment.

According to the FGD participants, the emphasis should be made on building the authority and trust of the investigative and prosecutorial activities. One of the FGD participants suggested the regular presentation of content films, videos or other awareness-raising materials as the best way to increase reputation and trust, based on the experience of the US partners. Also provide certain social guarantees, the content of which will meet the needs of the system, in particular for investigators and prosecutors working in the regions (e.g. health insurance).

Thus: **The action has not been performed.**

SECTOR 7. LEGISLATIVE REFORMS

Goal 11. Reform of the criminal and criminal procedure legislation²⁰

Summary			
Goal 11. Reform of the criminal and criminal procedure legislation			
Annex 2	2019 2nd semester.	2020 1st semester.	2020 2nd semester.
Number of planned actions	5	5	0
of which performed within the deadline:	5	1	0
of which performed with certain violation of deadline	0	2	0
of which performed with significant violation of deadline	0	2	0
of which not performed	0	0	0
performance indicator	80%		

Strategic Directions (Annex 2)

- Elimination of the criminal subculture
- Introduction of a system of alternative punishment
- Introduction of criminal liability of legal persons
- Reform of the criminal procedure legislation
- Introduction of alternative pre-trial restrictions
- Plea bargaining and cooperation proceedings
- Improvement of the proceedings with the involvement of minors and vulnerable persons
- Envisaging effective mutual legal assistance regulation regarding criminal cases

Action 1. Elaborate a new Draft Criminal Code of the RA and submit it to the NA

Action	Responsible Body	2nd semester of 2019	1st semester of 2020	Verification measure	Outcome
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²⁰ The sequence of actions presented in this section under this goal does not correspond to the sequence presented in Annex 2; as grouping of similar actions related to the new RA Criminal Code and the new RA Criminal Procedure Code were carried out to make it more perceptible to the reader.

Elaborate a new Draft Criminal Code of the RA	RA Moj	The new Draft Criminal Code of the RA has been elaborated.		The new Draft Criminal Code of the RA has been elaborated.	The Action is performed within the deadline The new Draft Criminal Code of the RA was submitted to the RA Prime Minister's Office in the 2nd semester of 2020 .
Organize public consultations on the new Draft Criminal Code of the RA.	RA Moj	The new Draft Criminal Code of the RA is discussed with representatives of the civil society and all the interested parties; it is amended based on the recommendations and comments received.		The version of the RA Draft Criminal Code, agreed with all the interested parties, is elaborated; the summary of the recommendations and comments submitted on the draft is available.	The Action is performed within the deadline The new Draft Criminal Code of the RA was discussed with the representatives of CSOs and other interested parties.
Submit the new Draft Criminal Code of the RA for discussion to the RA Government, and subsequently to the RA NA.	RA Moj	The new Draft Criminal Code of the RA is submitted to the Office of the RA Prime Minister; approved by the RA Government.	The new Draft Criminal Code of the RA is submitted to the RA National Assembly.	The new Draft Criminal Code of the RA is approved by the RA Government and submitted to the RA NA.	The Action is performed within the deadline The new Draft Criminal Code of the RA was submitted to the RA NA in the 1st semester of 2020

According to the information provided to the ALA by the Ministry of Justice: In the second semester of 2019, the draft of the new RA Criminal Code was submitted to the RA Prime Minister's Office, approved by the RA Government, then in the first semester of 2020, the draft of the new RA Criminal Code was submitted to the RA National Assembly. According to the draft submitted to the RA National Assembly, the RA criminal legislation has been improved, the punishment system has been modernized, the issues related to subjecting a person to criminal liability and releasing a person from criminal liability have been clarified; measures of criminal action against

minors have been improved; the scope of criminal acts has been reviewed; the rules for qualifying crimes have been clarified; the contradictions in the current code have been eliminated. In the second semester of 2019, the draft of the new Criminal Code of the Republic of Armenia was discussed with representatives of civil society and all stakeholders; it was amended based on the received suggestions and observations. Thus, the new RA Criminal Code was adopted on 05.05.2021 by the RA NA, signed on 27.05.2021 by the RA President. It will come into force on 1 July, 2022.

Thus: **The action and its sub-actions has been performed within the deadline.**

Action 2. Elaborate a new draft Criminal Procedure Code of the RA and submit it to the NA.

Action	Responsible Body	2nd semester of 2019	Verification measure	Outcome
Elaborate a new draft Criminal Procedure Code of the RA	RA Moj	The new Draft Criminal Procedure Code of the RA has been elaborated.	The new Draft Criminal Procedure Code of the RA has been elaborated.	<p>The Action has been performed within the deadline</p> <p>The new Draft Criminal Procedure Code of the RA has been elaborated in the 2nd semester of 2019.</p>
Organize public discussions on the new Draft Criminal Procedure Code of the RA.	RA Moj	The new Draft Criminal Procedure Code of the RA has been discussed with representatives of the civil society and all interested parties and revised based on the recommendations and comments received.	The version of the RA Draft Criminal Procedure Code, agreed with all the interested parties, has been elaborated; the summary paper on the Draft is available.	<p>The Action has been performed within the deadline</p> <p>The new Draft Criminal Procedure Code of the RA has been elaborated taking into account the opinions of the civil society, all interested parties.</p>
Submit the new Draft Criminal Code of the RA for discussion to the RA Government, and subsequently to the RA NA.	RA Moj	The new Draft Criminal Procedure Code of the RA has been submitted to the Office of the RA Prime Minister, approved by the RA Government.	The new Draft Criminal Procedure Code of the RA has been submitted to the NA.	<p>The Action has been performed within the deadline</p> <p>The new Draft Criminal Procedure Code of the RA has been submitted to the NA.</p>

As for the draft of the new RA Criminal Procedure Code, *according to the information provided by the RA Ministry of Justice to the ALA*, the draft of the new RA Criminal Procedure Code was developed in the second semester of 2019. The new draft Criminal Procedure Code of the Republic of Armenia clarifies and improves the procedures of criminal proceedings in the Republic of Armenia; plea bargaining and co-operation proceedings, the functions of the participants in the criminal proceedings and the mechanisms for their effective implementation have been introduced; the legal basis and practical structures for the protection of human rights in criminal proceedings have been improved; regulations on investigative and other legal actions have been updated; regulations related to the review of judicial acts have been amended; the Code was brought in line with the recommendations of the OECD Istanbul Anti-Corruption Action Plan 4th Round Monitoring results. The draft of the new RA Criminal Procedure Code was discussed with the representatives of the civil society and all the interested parties; it was amended based on the received suggestions and observations. The version agreed with all stakeholders has been developed; a summary of the draft is available.

Thus, the new RA Criminal Procedure Code was adopted by the National Assembly on 30.06.2021; signed by the RA President on 27.07.2021; and will enter into force on 01.07.2022.

Thus: **The action and its sub-actions has been performed within the deadline.**

Action	Responsible Body	2nd semester of 2019	1st semester of 2020	Verification measure	Outcome
Trainings on the new Draft Criminal Code of the RA for all public participants of criminal proceedings and judges	RA MoJ, RA Academy of Justice	Specialists to elaborate the training programs and to deliver the trainings have been selected; the main directions of the training programs have been elaborated.	The training programs have been elaborated; trainings are being delivered	Training programs for public participants of criminal proceedings and judges have been elaborated; trainings are being delivered	The Action has been performed with certain violation of deadline.
Trainings on the new Draft Criminal Procedure Code of the RA for all public participants of criminal proceedings	RA MoJ, RA Academy of Justice	Specialists to elaborate the training programs and to deliver the trainings have been selected; the main directions of the training programs have been	The training programs have been elaborated; trainings are being delivered	Training programs for public participants of criminal proceedings and	The Action has been performed with certain violation of deadline.

and judges		elaborated.		judges have been elaborated; trainings are being delivered	
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According to Monitoring Report of the Ministry of Justice for the Second Semester of 2020, the implementation of the trainings on both the new RA Criminal Code and the new RA Criminal Procedure Code is assessed as "partially performed". The report in particular mentions that the training programs have been developed, which have included the topics related to the envisaged changes of conceptual provisions of the draft of the new RA Criminal Code. Based on the developed program, trainings for public participants in criminal proceedings and judges were conducted. Awareness-raising activities for public participants in criminal proceedings and judges on the regulations of the new Criminal Code have been carried out. Taking into account the fact that the new RA Criminal Code has not been fully adopted yet, the work aimed at training of all public participants and judges on the new RA Criminal Code has not started. Similar information was provided on the trainings on the new RA Criminal Procedure Code.

According to information provided by the Academy of Justice: The trainings on the provisions of the new Criminal Code were conducted according to the annual training program of the persons included in the list of Judges and Judges candidates. In 2021, 76 judges from the Republic of Armenia, 7 from the Artsakh Republic; in 2020 – 78, and in 2019 - 77 judges from the Republic of Armenia were trained in the courses envisaged by the module of special professional training in criminal law (The trainings provided by the module of special professional courses in criminal law included issues related to the regulations of the new Criminal Code).

The trainings on the provisions of the new Criminal Code were conducted according to the annual training program of the prosecutors. In 2021, 158 prosecutors from the Republic of Armenia, 33 from the Artsakh Republic; in 2020 – 176 prosecutors and in 2019 – 105 prosecutors from the Republic of Armenia were trained in the courses envisaged by the module of special professional training (The trainings provided by the module of special professional courses in criminal law included issues related to the regulations of the new Criminal Code).

The trainings on the provisions of the new Criminal Code were conducted according to the training program for the person holding an autonomous position (investigators) of the RA Investigation Committee. In 2021, 58 investigators, in 2020 - 247 investigators and 50 senior investigators, and in 2019 - 270 investigators were trained.

On 3 September, 2021, about 15 judges of different courts of the Republic of Armenia were trained on "Issues of application of the new RA Criminal Code", within the framework of the "Consolidation of the Justice system in Armenia" program which is implemented by the EU in cooperation with the IRZ and the RA Ministry of Justice the "Action plan on strengthening framework and capacity in the fight against corruption" program. On 17 September, 2021, within the framework of the same program, 11 prosecutors and 11 investigators were trained on "Issues of application of the new RA Criminal Code" at the Academy of Justice. On 1-3 October, 2021, a training for trainers on the new Criminal Code of the RA was held in Aghveran, The training was conducted jointly with the Academy of Justice and the Council of Europe within the framework of the "Supporting the criminal justice reform and harmonizing the application of European standards in Armenia". 10 judges and prosecutors participated.

According to the information provided to the ALA by the Academy of Justice, 15 judges were trained on "Issues of application of the new RA Criminal Procedure Code" within the framework of the "Consolidation of the Justice system in Armenia" program, on 24 September, 2021, Within the framework of the same program 9 prosecutors and 8 investigators were trained on the new RA Criminal Procedure Code at the Academy of Justice, on 1 October, 2021, In the period of 8 to 10 October, 2021, in Aghveran, 16 trainers of the Academy of Justice, the School of Advocates, the Academy of the Police Educational Complex participated in the training on the existing issues of the new Criminal Procedure Code.

During the FGD with government agencies and stakeholders, the content of the training was discussed, in connection with which it was mentioned that the persons teaching at the Academy of Justice attend the training as participants. The trainings use materials related to the current issues of the new RA Criminal and Criminal Procedure Codes. Materials related to topical issues of the new Criminal and Criminal Procedure Codes of the Republic of Armenia are used at the trainings.

Thus: **The Action has been performed with certain violation of deadline.**

Action	Responsible Body	2nd semester of 2019	1st semester of 2020	Verification measure	Outcome
Provide material and technical support necessary for performing the functions deriving from the legislative amendments to the bodies conducting	RA Ministry of Finance; RA Moj SJC (upon consent) Investigative Committee	The list of material-technical resources required for the bodies administering the criminal proceeding, including the courts, to perform the functions, as derived from the	Material and technical support necessary for performing the functions deriving from the legislative amendments has started to be provided to bodies conducting criminal	The list of material and technical resources necessary for bodies conducting criminal proceeding, including the courts, to perform the functions deriving from the legislative	The Action has been performed with significant violation of deadline. Necessary logistical support was provided to

criminal proceedings including the courts.	(with consent), Prosecutor General's Office (with consent), RA SIS (with consent), RA Police	legislative amendments, the priorities and the schedule thereof are elaborated.	proceeding, including the courts, based on priorities and the schedule.	amendments, the priorities and the schedule thereof have been elaborated; the process of providing the resources has started.	the bodies conducting criminal proceedings under the agreements signed within the framework of the third program of modernization of the public sector during the 2nd semester of 2021.
Provide material and technical support necessary for performing the functions deriving from the legislative amendments to the bodies conducting criminal proceedings including the courts.	RA Ministry of Finance;	The list of material-technical resources required for the bodies administering the criminal proceeding, including the courts, to perform the functions, as derived from the legislative amendments, the priorities and the schedule thereof are elaborated.	Material and technical support necessary for performing the functions deriving from the legislative amendments has started to be provided to bodies conducting criminal proceeding, including the courts, based on priorities and the schedule.	The list of material and technical resources necessary for bodies conducting criminal proceeding, including the courts, to perform the functions deriving from the legislative amendments, the priorities and the schedule thereof have been elaborated; the process of providing the resources has started.	The Action has been performed with significant violation of deadline. Necessary logistical support was provided to the bodies conducting criminal proceedings under the agreements signed within the framework of the third program of modernization of the public sector during the 2nd semester of 2021.

According to the report “On the progress of activities to be implemented in the second semester of 2020 issuing from the “2019-2023 Strategy for Judicial and Legal Reforms of the Republic of Armenia and the Action Plans for 2020 Deriving Therefrom,” which was adopted by the Decision N 1441-L of the Government of the Republic of Armenia of 10 October, 2019”, the implementation of the trainings on both the new RA Criminal Code and the new RA Criminal Procedure Code is assessed as "not performed". The report states that the envisaged legislative changes do not lead to such a change in the functions of the RA Police, which may cause the need to acquire additional material and technical means.

According to the information provided to the ALA by the RA Ministry of Finance, That in order to provide the material and technical base, the RA state budget has envisaged: 1) for courts - about 704.0 million AMD in 2019, of which 627.1 million AMD were actually spent, and in 2020, about 629.5 million AMD, of which 441.0 million AMD were actually spent; 2) For the Investigative Committee,

about 26.4 million AMD in 2019, of which 26.3 million AMD was actually spent, and in 2020, about 27.5 million AMD, of which 22.5 million AMD was actually spent; 3) For the Prosecutor's Office, about 31.1 million AMD in 2019, of which 29.1 million drams were actually spent, and in 2020, about 40.8 million AMD, of which 28.7 million drams were actually spent.

By the decision of the Government of the Republic of Armenia N 1113-A dated 08.07.2021, within the framework of the loan agreement No. 8539-AM signed between the International Bank for Reconstruction and Development and the Republic of Armenia, the necessary material and technical assistance was provided to the bodies conducting criminal proceedings.

Thus: **The Action has been performed with significant violation of deadline.**

Goal 12. Reform of the civil and civil procedure legislation.

Summary			
Goal 12. Reform of the civil and civil procedure legislation			
Annex 2	2019 2nd semester.	2020 1st semester.	2020 2nd semester.
Number of planned actions	0	0	3
of which performed within the deadline:	0	0	0
of which not performed	0	0	3
performance indicator	0%		
Annex 3	2021		
Number of planned actions	3		
of which performed within the deadline:	0		
of which not performed	3		
performance indicator	0%		

Strategic Directions (Annex 2)

1. Reform of the civil legislation
2. Solution of issues recorded by the results of the inventory of issues having arisen in the law enforcement practice of civil procedure
3. Defining cases of compulsory reconciliation in the civil procedure and improving the procedure for appointment of a conciliator /annex 3/
4. Reforming the civil legislation, Reviewing the institute of returning of a statement of claim /annex 3/

Action 1. Elaborate draft laws aiming at amendments to the RA Civil Code and other legal acts.

Action	Responsible Body	1st semester of 2020	2nd semester of 2020	Verification measure	Outcome
Elaborate draft laws aiming at amendments to the RA Civil Code and other legal acts.	RA MoJ RA CB (upon consent)	The draft laws have been elaborated, circulated in the prescribed manner and submitted to the Office of the RA Prime Minister	The draft laws have been approved by the RA Government and submitted to the RA NA	The draft laws are elaborated and have been submitted to the RA NA	The Action has not been There are drafts that are still being finalized.

According to the Monitoring Report of the Ministry of Justice for the Second Semester of 2020, the implementation of the action is assessed as "partially performed". According to this report, the drafts have been elaborated. At the same time, the support of the Council of Europe is expected to receive expert assistance on a number of issues. A technical task was developed in this regard and presented to the CE partners. The implementation of the works has been delayed due to martial law as a result of the war, as well as the coronavirus epidemic in the country.

According to the Monitoring Report of the Ministry of Justice for the actions to be performed in 2019, 2020, 2021, which were performed in the first and second semesters of 2021, a package envisaging amendments to the Civil Code and other legal acts, which regulates issues related to electronic contracts, model contract terms, contracts for state needs, etc., was elaborated and circulated. All legal acts on the improvement of intellectual property legislation have been developed and circulated by the Ministry of Economy.

During the FGDs with the stakeholders, the experts highlighted the introduction of electronic tools in civil and administrative proceedings that will enable the filing of lawsuits and other court documents electronically, including through datalex.am platform, which is currently under reconstruction. This has recently become more relevant in the light of epidemic restrictions.

Thus, no action under the actual Strategy on civil law reform has been properly implemented. There are drafts that are still being finalized.

Thus: **The Action has not been performed**

Action	Responsible Body	1st semester of 2020	2nd semester of 2020	Verification measure	Outcome
Elaborate drafts aiming at making amendments to the RA Law “On Consumer Crediting”; the RA Law “On Attraction of Bank Deposits”; the RA Law “On Banks and Banking Activity”; RA Law “On Compulsory Insurance of Liability Arising from the Use of Motor Vehicles”, the RA Law “On Fund Transfers through Payment Oder”, the RA Law “On Bank Secrecy” and other legal acts deriving from the mentioned laws.	RA Moj RA CB (upon consent)	The draft laws have been elaborated, circulated in the prescribed manner and submitted to the Office of the RA Prime Minister	The draft laws have been approved by the RA Government and submitted to the RA NA	The draft laws are elaborated and have been submitted to the RA NA :	The Action has not been performed There are drafts that are still being finalized.

According to the Monitoring Report of the Ministry of Justice for the Second Semester of 2020, the implementation of the action is assessed as "partially performed".

According to the report, the package of draft laws on the RA Law “On Consumer Crediting”; the RA Law “On Attraction of Bank Deposits”; the RA Law “On Banks and Banking Activity”; RA Law “On Compulsory Insurance of Liability Arising from the Use of Motor Vehicles”, the RA Law “On Fund Transfers through Payment Oder”, the RA Law “On Bank Secrecy” was adopted by the National Assembly in the first reading on 3 June of this year and is currently in the National Assembly. However, studies are currently underway, in terms of making changes to other laws provided by the action, aimed to involve experts and carry out design work. The implementation of the works has been delayed due to martial law as a result of the war, as well as the coronavirus epidemic in the country.

According to the information provided to the ALA by the Central Bank, within the framework of this action the laws on making amendment to the RA Law “On Consumer Crediting”; RA Law “On Attraction of Bank Deposits”; RA Law “On Banks and Banking Activity”; RA Law “On Compulsory Insurance of Liability Arising from the Use of Motor Vehicles”, RA Law “On Fund Transfers through Payment Oder”, and RA Law “On Bank Secrecy” were adopted.

Based on the FGDs, it should be added that the amendments to the Civil Code are aimed at defining the procedure for concluding electronic contracts and significant reforms. The draft was elaborated, put for public discussion in 2020, and discussed with the interested bodies. As a result, the draft was revised based on the recommendations and observations received. In 2021, as a result of the amendment, it was put for public discussion again. At present, based on the received proposals, it is being finalized to be submitted to the RA Prime Minister's Office. The development of the draft is especially important, as in the stage of development of electronic technologies; the legislative regulations should protect the rights of consumers as much as possible when concluding electronic contracts. Regulations are also envisaged for electronic input through electronic platforms, for concluding contracts as a result of downloading applications.

Thus: **The Action has not been performed**

Action 2. Separation of issues having arisen during the application of the Civil Procedure Code of the RA and making amendments with a view to solving them

Action	Responsible Body	1st semester of 2020	2nd semester of 2020	Verification measure	Outcome
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Separation of issues having arisen during the application of the Civil Procedure Code of the RA and making amendments with a view to solving them	RA MoJ RA SJC (upon consent)	The draft Law "On making amendments to the RA Civil Procedure Code" has been elaborated; the draft has been circulated in the prescribed manner and sent to the Office of the RA Prime Minister.	The draft Law "On making amendments to the RA Civil Procedure Code" has been approved by the RA Government.	The draft Law "On making amendments to the RA Civil Procedure Code" is elaborated and has been submitted to the RA NA.	The Action has not been performed The draft law of the Republic of Armenia "On Transfer of Funds by Payment Order" has not been developed yet
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According to the Monitoring Report of the Ministry of Justice for the Second Semester of 2020, the implementation of the action is assessed as "partially performed". According to the report, the drafts are in elaboration phase, discussions are underway with representatives of the judicial power. International expert assistance in this area is expected through the program of the German Foundation for International Legal Cooperation (GIZ), meetings were held with the experts of the program. The work was delayed due to the coronavirus epidemic.

In this regard, it can be said that basically changes have already been made and adopted in all laws; however, the draft law of the Republic of Armenia "On Transfer of Funds by Payment Order" has not been developed yet. It should also be added that according to the representatives of the Ministry of Justice, the expediency of this measure at the stage of developing a new strategy may become a subject of discussion.

Thus: **The Action has not been performed**

Strategic Direction (Annex 3):

- Reforming the civil and civil procedure legislation

Action 1. Making amendments to the Civil Procedure Code of the Republic of Armenia and the Law "On Mediation"

Action	Responsible Body	2021	Outcome
Making amendments to the Civil	RA MoJ	Draft Laws "On making amendments to the Civil	The Action has not

Procedure Code of the Republic of Armenia and the Law “On Mediation”	RA SJC (upon consent)	Procedure Code of the Republic of Armenia” and “On making amendments to the Law “On Mediation”” have been elaborated; the drafts have been circulated and sent to the Office of the Prime Minister of the Republic of Armenia as prescribed.	been performed The draft laws still in elaboration phase
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According to the Monitoring Report of the Ministry of Justice for the Second Semester of 2020, the implementation of the action is assessed as "partially performed".

According to this report, the draft laws Draft Laws “On making amendments to the Civil Procedure Code of the Republic of Armenia” and “On making amendments to the Law “On Mediation” are in the elaboration phase. Preliminary versions of the draft laws "On Making Amendments to the Law on Mediation" and relevant by-laws are already available. The implementation of the works has been delayed due to martial law as a result of the war, as well as the coronavirus epidemic in the country.

According to the same source, the draft law on amendments to the “RA Law on Mediation” has been developed and a public discussion has been held. Discussions on the elaborated version were also organized with representatives of the judiciary. It has been revised based on the received recommendations and observations. The revised version will be presented to the Prime Minister's Office in the near future. The adoption of this law is expected to relieve the burden on the courts. The institute of obligatory mediation on some family issues has been envisaged; as well as a number of guarantees so that individuals will not bear the financial burden, for which a certain state budget reimbursement system has been introduced. An opportunity for online mediation, as well as a number of legal regulations to subject self-regulatory organization of mediators, governing bodies, to disciplinary liability has been provided. These changes are expected to improve the institution of conciliation.

Thus: **The Action has not been performed**

Action 2. Elaborate draft laws aimed at making amendments to the Civil Code of the Republic of Armenia and other legal acts.

Action	Responsible Body	2021	Outcome
Elaborate draft laws aimed at making amendments to the Civil Code of the Republic of Armenia and other legal acts.	RA Moj	The draft Laws have been elaborated circulated and submitted to the Office of the Prime Minister of the Republic of Armenia as prescribed by law.	The Action has not been performed The draft laws are in elaboration phase

According to the report “On the progress of activities to be implemented in the second semester of 2020 issuing from the “2019-2023 Strategy for Judicial and Legal Reforms of the Republic of Armenia and the Action Plans for 2020 Deriving Therefrom,” which was adopted by the Decision N 1441-L of the Government of the Republic of Armenia of 10 October, 2019”, the implementation of the action is assessed as "partially performed". The report states that the drafts are in elaboration phase, and study of international experience is also carried out. At the same time, the support of the Council of Europe is expected to receive expert assistance on a number of issues. A technical task was developed in this regard and presented to the CE partners. The implementation of the works has been delayed due the coronavirus epidemic in the country as well.

Thus according to the evaluation methodology of this report, the action is not performed

Thus: **The Action has not been performed**

Action 3. Make amendments to the Civil Procedure Code of the Republic of Armenia by reviewing the institute of returning of statement of claim

Action	Responsible Body	2021	Outcome
Make amendments to the Civil Procedure Code of the Republic of Armenia by reviewing the institute of returning a of statement of claim	RA MoJ RA SJC (upon consent)	The draft Law “On making amendments to the Civil Procedure Code of the Republic of Armenia” has been elaborated; the draft has been circulated and sent to the Office of the Prime Minister of the Republic of Armenia as prescribed.	The Action has not been performed The draft laws have not been elaborated

According to the Monitoring Report of the Ministry of Justice for the actions to be performed in 2019, 2020, 2021, which were performed in the first and second semesters of 2021, the action is assessed as "performed partially". According to the report, studies are being carried out to inventory the existing problems within the framework of the CoE program. The work has been delayed due to the holding of new elections in the country and the determination of possible priorities under the action plan of the new Government formed as a result.

Based on the FGD, we can note that this action is currently in progress: in terms of making changes to the RA Civil Procedure Code; studies are carried out within the framework of the Council of Europe in order to find out the problems that have arisen in practice,

including case law and various observations and recommendations. After the completion of the study, the development of the draft will begin.

Regarding the partial/incomplete implementation of the actions envisaged under this goal, the representatives of the relevant bodies mentioned that the problem was the unpredictable circumstances that arose in 2020: the epidemic, the war and the formation of a new Government.

Thus: **The Action has not been performed.**

Goal 13. Administrative Justice and Administrative Proceedings

Summary			
Goal 13. Administrative Justice and Administrative Proceedings			
Annex 2	2019 2nd semester.	2020 1st semester.	2020 2nd semester.
Number of planned actions	0	0	10
of which performed within the deadline:	0	0	2
of which performed with certain violation of deadline	0	0	1
of which not performed	0	0	7
performance indicator	30%		
Annex 3	2021		
Number of planned actions	1		
of which performed within the deadline:	0		
of which not performed	1		
performance indicator	0%		

Strategic Directions (Annex 2)

1. Establishing an administrative chamber of the Court of Cassation
2. Repealing the procedure of administrative proceedings with regard to disputing the decisions, actions and inactions of the administrative staff of a penitentiary institution.
3. Improving notification procedures in administrative proceedings
4. Applying written and simplified procedures in administrative proceedings
5. Reviewing regulations relating to the state duty
6. Increasing the efficiency of special administrative procedure proceedings
7. Expanding the scope of administrative bodies and disputing their actions
8. Increasing the efficiency of administrative act appeal through the administrative procedure
9. Improving the legislation relating to administrative offences
10. Reviewing the fines envisaged for administrative offences

Action 1. Make amendments to the RA Administrative Procedure Code, envisaging an Administrative Chamber of the Court of Cassation.

Action	Responsible Body	1st semester of 2020	2nd semester of 2020	Verification measure	Outcome
Make amendments to the RA Administrative Procedure Code, envisaging an administrative chamber of the Court of Cassation.	RA MoJ RA SJC (upon consent)	Draft Laws “On making amendments to the RA Administrative Procedure Code” and the Constitutional Law “Judicial Code of the Republic of Armenia” have been elaborated, circulated in the prescribed manner and sent to the Office of the RA Prime Minister.	The Drafts “On making amendments to the RA Administrative Procedure Code” and the Constitutional Law “Judicial Code of the Republic of Armenia” have been approved by the RA Government and submitted to the NA	The Drafts “On making amendments to the RA Administrative Procedure Code” and the Constitutional Law “Judicial Code of the Republic of Armenia” have been elaborated and submitted to the RA NA.	The Action has been performed within deadline

In the first semester of 2020, the Drafts “On making amendments to the RA Administrative Procedure Code” and the Constitutional Law “Judicial Code of the Republic of Armenia” were developed, circulated in accordance with the established procedure and sent to the RA Prime Minister's Office. In the second semester of 2020, the drafts “On making amendments to the RA Administrative Procedure Code” and the Constitutional Law “Judicial Code of the Republic of Armenia” have been approved by the RA Government and submitted to the National Assembly. Thus, the draft law on the establishment of the Administrative Chamber in the Court of Cassation was elaborated and circulated, on the basis of which the summary of the draft was amended and compiled.

Thus; **The action has been performed within deadline.**

Action 2. Make amendments to the RA Administrative Procedure Code and the Criminal Procedure Code.

Action	Responsible Body	1st semester of 2020	2nd semester of 2020	Verification measure	Outcome
Make amendments to the RA Administrative Procedure Code and the Criminal Procedure Code.	RA MoJ RA SJC (upon consent)	The Drafts “On making amendments to the RA Administrative Procedure Code” and “On making amendments to the RA	The Drafts “On making amendments to the RA Administrative Procedure Code” and “On making amendments to the RA	The Drafts “On making amendments to the RA Administrative Procedure Code”	The action has not been performed The draft laws have

		Criminal Procedure Code” have been elaborated, circulated in the prescribed manner and sent to the Office of the RA Prime Minister.	Criminal Procedure Code” have been approved by the RA Government and submitted to the NA.	and “On making amendments to the RA Criminal Procedure Code” are elaborated and have been submitted to the RA NA	not been elaborated
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According to the Monitoring Report of the Ministry of Justice for the actions to be performed in 2019, 2020, 2021, which were performed in the first and second semesters of 2021, the implementation of the action is assessed as "partially performed". As it is mentioned in the report, on the basis of the decision of the Constitutional Court of 22 January, 2019, SDO-1439, a legislative package was developed and on 16 July, 2019, submitted to the Prime Minister's Office in accordance with the procedure established. Discussions aimed at developing a common approach were held with stakeholders. According to that, the Draft was amended and submitted to the Prime Minister's Office on 15 July, 2020, from where proposals to make changes in the Draft were received. Discussions are currently taking place with the interested bodies.

Thus: **The Action has not been performed**

Action 3. Make amendments to the RA Administrative Procedure Code, introducing new notification procedures

Action	Responsible Body	1st semester of 2020	2nd semester of 2020	Verification measure	Outcome
Make amendments to the RA Administrative Procedure Code, introducing new notification procedures	RA MoJ RA SJC (upon consent)	A Draft Law “On making amendments to the RA Administrative Procedure Code” has been elaborated; the Draft has been circulated in the prescribed manner and sent to the Office of the RA Prime Minister.	The Draft Law “On making amendments to the RA Administrative Procedure Code” has been approved by the RA Government and submitted to the NA.	The Draft Law “On making amendments to the RA Administrative Procedure Code” is elaborated and has been submitted to the RA NA.	The action has not been performed The draft laws have not been elaborated

According to the Monitoring Report of the Ministry of Justice for the actions to be performed in 2019, 2020, 2021, which were performed in the first and second semesters of 2021, the implementation of the action is assessed as "partially performed". Within the

framework of this action, the draft has been elaborated and is being amended, taking into account the proposals received from the interested bodies, including the representatives of the judiciary.

The implementation of the work has been delayed due to the new elections held in the country and the possible priorities of the new Government formed as a result.

Thus: **The Action has not been performed**

Action 4. Make amendments to the RA Administrative Procedure Code, introducing new written and simplified proceedings.

Action	Responsible Body	1st semester of 2020	2nd semester of 2020	Verification measure	Outcome
<p>Make amendments to the RA Administrative Procedure Code, introducing new written and simplified proceedings.</p>	<p>RA Moj RA SJC (upon consent)</p>	<p>The comprehensive study relating to simplified and written procedures in the administrative procedure has been conducted; a Draft Law “On making amendments to the RA Administrative Procedure Code” has been elaborated; the Draft has been circulated in the prescribed manner and sent to the Office of the RA Prime Minister.</p>	<p>The Draft Law “On making amendments to the RA Administrative Procedure Code” has been approved by the RA Government and submitted to the NA.</p>	<p>The Draft Law “On making amendments to the RA Administrative Procedure Code” is elaborated and has been submitted to the RA NA.</p>	<p>The action has been performed with certain violation of deadline</p> <p>Corresponding amendments have been made in the RA Administrative Procedure Code: new written and simplified proceedings have been introduced</p>

According to According to the Monitoring Report of the Ministry of Justice for the actions to be performed in 2019, 2020, 2021, which were performed in the first and second semesters of 2021, the implementation of the action is assessed as "performed", As the relevant amendments to the Administrative Procedure Code have been made, new written and simplified proceedings have been introduced.

Thus` **The action has been performed with certain violation of deadline.**

Action 5. Make amendments to the RA Administrative Procedure Code and the Law “On State Duty”, defining an obligation to pay state duty in applications on appealing the actions of compulsory enforcement officers, as well as appeals against a decision made by relevant authorized bodies on administrative offences.

Action	Responsible Body	1st semester of 2020	2nd semester of 2020	Verification measure	Outcome
<p>Make amendments to the RA Administrative Procedure Code and the Law “On State Duty”, defining an obligation to pay state duty in applications on appealing the actions of compulsory enforcement officers, as well as appeals against a decision made by relevant authorized bodies on administrative offences.</p>	<p>RA MoJ RA SJC (upon consent)</p>	<p>Draft Laws “On making amendments to the RA Administrative Procedure Code” and “On making amendments to the Law ‘On State Duty’” have been elaborated; the Drafts have been circulated in the prescribed manner and sent to the Office of the RA Prime Minister.</p>	<p>The Draft Laws “On making amendments to the RA Administrative Procedure Code” and “On making amendments to the Law ‘On State Duty’” have been approved by the RA Government and submitted to the NA.</p>	<p>The Draft Laws “On making amendments to the RA Administrative Procedure Code” and “On making amendments to the Law ‘On State Duty’” are elaborated and have been submitted to the RA NA.</p>	<p>The action has been performed.</p> <p>Amendments to the RA and the Law “On State Duty” have been made</p>

Amendments have been made to the “Law on State Duty”; the challenge of decisions on subjecting persons to administrative liability is no longer exempt from state duty. One of the objectives of this change was to prevent actions related to abuse of law, which can help unload the burden of courts in terms of lawsuits. According to the “Law on State Duty”, the process of compulsory executions and decisions has been transferred to the sphere of collection of state fees. However, in this regard, an opposing view was expressed during the FGD with stakeholders, according to which the amendments to the “Law on State Duty” actually affect the accessibility of the courts. Citizens often do not have the financial means to pay the state duty, which hinders the exercise of the right to judicial protection.

Thus: **The action has been performed**

Action 6. Make amendments to the RA Administrative Procedure Code, reviewing the types of special proceedings.

Action	Responsible Body	1st semester of 2020	2nd semester of 2020	Verification measure	Outcome
Make amendments to the RA Administrative Procedure Code, reviewing the types of special proceedings.	RA MoJ RA SJC (upon consent)	A Draft Law "On making amendments to the RA Administrative Procedure Code" has been elaborated; the Draft has been circulated in the prescribed manner and sent to the Office of the RA Prime Minister.	The Draft Law "On making amendments to the RA Administrative Procedure Code" has been approved by the RA Government and submitted to the NA.	The Draft Law "On making amendments to the RA Administrative Procedure Code" is elaborated and has been submitted to the RA NA.	The action has been performed The draft law has not been elaborated

According to the Monitoring Report of the Ministry of Justice for the actions to be performed in 2019, 2020, 2021, which were performed in the first and second semesters of 2021, the implementation of the action is assessed as "partially performed". We learn from the report that currently studies are being carried out.

The implementation of the work has been delayed due to the new elections held in the country and the possible priorities of the Action Plan of the new Government formed as a result.

Thus: **The action has not been performed**

Action 7. Expanding the scope of administrative bodies and disputing their actions

Action	Responsible Body	1st semester of 2020	2nd semester of 2020	Verification measure	Outcome
Make amendments to the Law "On the Fundamentals of Administration and Administrative Procedure" and the Administrative	RA MoJ RA SJC (upon consent)	The Draft Laws "On making amendments to the Law 'On the Fundamentals of Administration and Administrative Procedure'" and "On making amendments to the RA Administrative Procedure Code" have been elaborated,	The Draft Laws "On making amendments to the Law 'On the Fundamentals of Administration and Administrative Procedure'" and "On making amendments to the RA Administrative	The Draft Law "On making amendments to the Law 'On the Fundamentals of Administration and Administrative	The action has not been performed The draft laws have not been

Procedure Code, expanding the scope of administrative bodies and disputing their actions.		circulated in the prescribed manner and submitted to the Office of the RA Prime Minister.	Procedure Code" have been approved by the RA Government and submitted to the NA.	Procedure" and "On making amendments to the RA Administrative Procedure Code" are elaborated and have been submitted to the RA NA.	elaborated
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According to According to the Monitoring Report of the Ministry of Justice for the actions to be performed in 2019, 2020, 2021, which were performed in the first and second semesters of 2021, the implementation of the action is assessed as "partially performed". Studies are currently being carried out. The German Foundation for International Legal Cooperation (GIZ) is involved in the implementation of the event. The implementation of the work has been delayed due to the new elections held in the country and the possible priorities of the new Government formed as a result.

Thus: **The action has not been performed**

Action 8. Make amendments to the Law “On the Fundamentals of Administration and Administrative Proceedings”, defining compulsory appeal procedures for administrative acts

Action	Responsible Body	1st semester of 2020	2nd semester of 2020	Verification measure	Outcome
Make amendments to the Law “On the Fundamentals of Administration and Administrative Proceedings”, defining compulsory appeal procedures for administrative acts.	RA Moj	The Draft Law “On making amendments to the Law ‘On Fundamental of Administration and Administrative Proceedings’” has been elaborated, circulated in the prescribed manner and submitted to the Office of the RA Prime Minister.	The Draft Law “On making amendments to the Law ‘On Fundamental of Administration and Administrative Proceedings’” has been approved by the RA Government and submitted to the NA.	The Draft Law “On making amendments to the Law ‘On Fundamental of Administration and Administrative Proceedings’” is elaborated and has been	The action has not been performed The draft law has not been elaborated

				submitted to the RA NA.	
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According to According to the Monitoring Report of the Ministry of Justice for the actions to be performed in 2019, 2020, 2021, which were performed in the first and second semesters of 2021, the implementation of the action is assessed as "partially performed". The report states that studies are currently being carried out. The implementation of the work has been delayed due to the new elections held in the country and the possible priorities of the Action Plan of the new Government formed as a result.

Thus: **The action has not been performed**

Action 9. Introduction of effective mechanisms for appealing administrative acts by way of superiority.

Action	Responsible Body	1st semester of 2020	2nd semester of 2020	Verification measure	Outcome
Make amendment to the Law “On Fundamentals of Administration and Administrative Proceedings”, envisaging effective mechanism for appeal of administrative acts by way of superiority.	RA Moj	The Draft Law “On making amendments to the Law ‘On Fundamentals of Administration and Administrative Proceedings’” has been elaborated, circulated in the prescribed manner and submitted to the Office of the RA Prime Minister.	The Draft Law “On making amendments to the Law ‘On Fundamentals of Administration and Administrative Proceedings’” has been approved by the RA Government, and submitted to the NA.	The Draft Law “On making amendments to the Law ‘On Fundamentals of Administration and Administrative Proceedings’” is elaborated and has been submitted to the RA NA.	The action has not been performed The draft law has not been elaborated

According to According to the Monitoring Report of the Ministry of Justice for the actions to be performed in 2019, 2020, 2021, which were performed in the first and second semesters of 2021, the implementation of the action is assessed as "partially performed". Studies are currently being carried out. The Eurasia Partnership Foundation (EPF) is involved in the implementation of the event. The implementation of the work has been delayed due to the new elections held in the country and the possible priorities of the Action Plan of the new Government formed as a result.

Thus: **The action has not been performed**

Action 10. Adopt a new Code on Administrative Offences

Action	Responsible Body	1st semester of 2020	2nd semester of 2020	Verification measure	Outcome
Adoption of a new Administrative Offences Code	RA Moj	The new Draft Administrative Offences Code has been elaborated, circulated in the prescribed manner and submitted to the Office of the RA Prime Minister.	The new Draft Administrative Offences Code has been approved by the RA Government and submitted to the NA.	The new Draft Administrative Offences Code is elaborated and has been submitted to the RA NA.	The action has not been performed The draft code has not been elaborated

According to the Monitoring Report of the Ministry of Justice for the actions to be performed in 2019, 2020, 2021, which were performed in the first and second semesters of 2021, the implementation of the action is assessed as "partially performed". It is also planned to develop a new Code on Administrative Offences with the involvement of international experts. It is also planned to elaborate a new "Administrative Offences Code" with the involvement of international experts.

Thus: **The action has not been performed**

Strategic Directions (Annex 3)

- Review of the principles of administrative procedure, evidence, rules for distribution of the burden of proof, scope of classification of claims, appealing against additional decisions of the Administrative Court and judgments of the Administrative Court, limits of appeal and cassation.

Action 1. Making amendments to the Administrative Procedure Code of the Republic of Armenia

Action	Responsible Body	1st semester of 2021	Outcome
Making amendments to the Administrative Procedure Code of the Republic of Armenia	RA Moj RA SJC (upon consent)	The draft Law "On making amendments to the Administrative Procedure Code of the Republic of Armenia" has been elaborated; the draft has been circulated and sent to the Office of the Prime	The action has not been performed

		Minister of the Republic of Armenia as prescribed.	The draft code has not been elaborated
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According to According to the Monitoring Report of the Ministry of Justice for the actions to be performed in 2019, 2020, 2021, which were performed in the first and second semesters of 2021, the action is assessed as "not performed". The report states that the implementation of the work envisaged by the action has been delayed due to the holding of new elections in the country and the possible priorities of the Action Plan of the new Government formed as a result.

It was registered during the FGD that there are no changes related to the RA Administrative Procedure Code yet.

Thus: **The action has not been performed**

In general, the reasons for the partial performance of the activities under the goals of reform of the Civil and Civil Procedure Legislation and the Reform of the Administrative Justice and Administrative Proceedings were the unpredictable events that arose in 2020: the epidemic, the war, and the formation of a new Government. It was also mentioned that during the identification of the existing problems of the drafts, other problems and directions arising from them have arisen. In fact, the question on what those additional problems, are remain unanswered by the competent bodies.

SECTOR 8. JUSTICE SUPPORT SYSTEMS

Goal 14. Bankruptcy system

Summary Goal 14. Bankruptcy system			
Annex 2	2019 2nd semester	2020 1st semester	2020 2nd semester
Number of planned actions	0	0	6
of which performed within the deadline:	0	0	4
of which performed with certain violation of the deadline	0	0	2
performance indicator	100%		
Annex 3	2021		
Number of planned actions	3		
of which performed within the deadline:	3		
performance indicator	100%		

Strategic Directions (Annex 2)

1. Improvement of the procedures for acquiring the profession, qualification and appointment of bankruptcy administrator, introduction of a toolkit to increase their responsibility and the efficiency of their activity
2. Review and improvement of regulations relating to debtor's property inventory, assessment and sale
3. Increasing the role of creditors, judges (the court) in the bankruptcy proceeding.

Action 1. Adopt a normative legal act of the Minister, defining the procedure of qualification implementation for bankruptcy administrators.

Action	Responsible Body	1st semester of 2020	2nd semester of 2020	Verification measure	Outcome
Adopt a normative legal act of the Minister, defining the procedure of qualification implementation for	RA Moj	The draft normative legal act is elaborated, circulated in the prescribed manner.	The normative legal act is adopted.	The new qualification regulation for bankruptcy administrators is adopted and put into effect.	The Action has been performed within the deadline

bankruptcy administrators.					A normative legal act of the Minister, defining the procedure of qualification implementation for bankruptcy administrators is adopted.
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According to the report Monitoring Report of the Ministry of Justice for the Second Semester of 2020, the implementation of the action is assessed as "performed". During the FGD, the representative of the relevant body also mentioned about the given action that it was in fact done by the adoption of a normative legal act of the Minister establishing the procedure for the implementation of the qualification of bankruptcy administrators. In 2020, the Minister of Justice adopted Order No. 112-N, which defined the new procedure.

During the FGD held with the stakeholders, the importance of public discussions on drafts, concepts and opening of new centers, which are not defined by the Strategy for a number of actions, was emphasized. Feedback from civil society and non-governmental organizations on measures implemented according to the strategy should be highlighted at the strategic level. Within the framework of the strategy, the composition of the participants in the public discussions is missing, in particular, with which public or political organization it is planned to hold a public discussion?

According to expert interviews, this action is very important due to two circumstances. First of all, the process has become easier, it has become more accessible and the duties have been reduced. On the other hand, the process of qualifying bankruptcy administrators has become more complicated in terms of content and there is no more database logic any longer. The new procedure defines the areas where the questions are asked.

Thus: **The Action has been performed within the deadline**

Action 2. Initiate the elaboration of scientific practical commentary, manuals and/or guides for the Law “On Bankruptcy”

Action	Responsible Body	1st semester of 2020	2nd semester of 2020	Verification measure	Outcome
Initiate the elaboration of scientific practical commentary, manuals	RA MoJ Higher Education	Making a schedule for work performance, involvement of	Based on the identified directions, elaborating appropriate sources,	Scientific practical commentary, manuals and/or guides for the	The Action has been performed with certain violation of

and(or) guides for the Law “On Bankruptcy”	Institutions (upon consent); Bankruptcy court (upon consent).)	appropriate specialists, identification of main directions of papers	papers, organizing editorial treatment, testing, summarizing and publishing the works.	Law “On Bankruptcy” are prepared and published.	deadline (with reservation) The manual / guide for the Law “On Bankruptcy is in the stage of publication. :
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According to the report Monitoring Report of the Ministry of Justice for the Second Semester of 2020, the action is assessed as performed "partially". According to this report, work is underway with the EBRD to develop guidelines with its support.

According to the results of the FGD, the work has been completed and currently the manual on the Bankruptcy Law is in publication phase. As a result, we can assess that the action was performed (with a reservation), but it was performed in violation of the deadlines, after the deadline set by the strategy. About which, during the focus group discussion, it was mentioned that the reason for the postponement of the works was the unpredictable situation in the country - the epidemic and the war.

At the same time, it should be noted that during the FGD, the issue was raised that the universities were not involved in any way in carrying out this action, despite the fact that the universities are also mentioned as co-performers of the action.

Thus: **The Action has been performed with certain violation of deadline (with reservation).**

Action 3. Improve the training programs for bankruptcy administrators

Action	Responsible Body	1st semester of 2020	2nd semester of 2020	Verification measure	Outcome
Improve the training programs for bankruptcy administrators	RA Moj, Self-regulatory organizations of bankruptcy administrators (upon consent)	Making a schedule for work performance, involvement of appropriate specialists, designing the main directions of training programs.	Conducting studies based on the identified directions; elaboration (up-to- dating the programs), discussion, summarizing and approval of new training programs.	New training programs for bankruptcy administrators are prepared and approved.	The Action has been performed with certain violation of deadline (with reservation) The Training program is presented.

According to the report Monitoring Report of the Ministry of Justice for the Second Semester of 2020, the action is assessed as performed "partially". According to this report, the Minister's Order N 104-N "On Defining the Procedure for Conducting Compulsory Annual Training of Bankruptcy Administrators" was adopted on 12 March, 2020. The self-regulatory organization of bankruptcy administrators presented the training program, on the basis of which the Ministry of Justice will soon nominate candidates for trainers. According to a letter of the Collegium of Business-Managers on Bankruptcy a Self-Regulatory Organization, all administrators (except two) participated in the 24 academic hours training courses for bankruptcy administrators in 2020. Collegium of Business-Managers on Bankruptcy a Self-Regulatory Organization has published an announcement on conducting training courses in 2021.

The FGD with the relevant bodies also showed that the action has been performed, but in violation of the deadlines, later than envisaged by the Strategy. It is planned to conduct distance learning with the support of the EBRD. The working version of the program has already been developed and is planned to be launched in the near future. The Collegium of Business-Managers on Bankruptcy a Self-Regulatory Organization approves and publishes the program of training and schedules on its official website (<http://www.snank.am/>) according to point 9 of the Minister's order.

According to interviews with experts, the implementation of trainings is generally evaluated positively, but in the conditions of the epidemic, the transition to the online format has reduced their effectiveness.

Thus: **The Action has been performed with certain violation of deadline.**

Action 4. Elaborate property declaration sample forms; introduce control mechanisms over the process of inventory and assessment.

Action	Responsible Body	1st semester of 2020	2nd semester of 2020	Verification measure	Outcome
Elaborate property declaration sample forms; introduce control mechanisms over the process of inventory and assessment.	RA Moj	The Draft Law providing for amendments to the Law "On Bankruptcy" is elaborated, circulated in the prescribed manner and submitted to the RA Office of the Prime Minister	The Draft Law providing for amendments to the Law "On Bankruptcy" is approved by the RA Government.	The Draft Law providing for amendments to the Law "On Bankruptcy" is elaborated and submitted to the RA NA.	The Action has been performed within the deadline Amendments have been made to the Law "On Bankruptcy" to elaborate property declaration sample

					forms; introduce control mechanisms over the process of inventory and assessment.
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According to the report Monitoring Report of the Ministry of Justice for the Second Semester of 2020, the action is assessed as “performed”. Amendments have been made to the Law “On Bankruptcy” to elaborate property declaration sample forms; introduce control mechanisms over the process of inventory and assessment. In particular, an amendment was made to Article 54.1, which stated that the debtor must submit a declaration to the administrator. In this regard, also in 2020, the Minister of Justice adopted Order No. 102-N, which regulated the form, procedure and similar issues of defining the declaration. A reference to the control was made in the Law on Bankruptcy. In particular, the relations related to the disciplinary proceedings against the bankruptcy administrators have been settled, and in this respect the Minister of Justice who has the power to oversee compliance with the provisions of the law and to impose disciplinary liability exercises the control.

Experts positively evaluate the developed sample, noting that it gives a complete list. On the other hand, according to them, there is still a lack of its real application, and complete completion.

Thus: **The Action has been performed within the deadline.**

Action 5. Elaborate a draft Government Decree defining the procedure for carrying out property sale in the bankruptcy proceedings.

Action	Responsible Body	1st semester of 2020	2nd semester of 2020	Verification measure	Outcome
Elaborate a draft Government Decree defining the procedure for carrying out property sale in the bankruptcy proceedings.	RA Moj	The draft Government Decree is elaborated, circulated in the prescribed manner and submitted to the RA Office of the Prime Minister.	The Government Decree is adopted.	The procedure of carrying out the debtor’s property sale in the bankruptcy proceeding is adopted and in effect.	The Action has been performed within the deadline

According to the report Monitoring Report of the Ministry of Justice for the Second Semester of 2020, the action is assessed as “performed”. The report also states that after the adoption of the Strategy, the draft law on amendments to the Law “On Bankruptcy”, which resulted from the implementation of this measure, has undergone some changes. As a result of which it was determined that the Minister of Justice will adopt a procedure for implementation of the sale of property in bankruptcy proceedings, which has already been adopted and thus as a result of the action defined by the strategy has been performed. As for the adoption of the act by the Government, the Government will define the procedure for conducting the electronic auction, for which the above-mentioned draft has set a deadline until March 2021.

Thus the draft Government Decree defining the procedure for carrying out property sale in the bankruptcy proceedings provided by this action has been developed. In this regard, in 2020, the Minister of Justice adopted, the Order No. 107N defining the form of analysis of the financial situation and the Order No. 116N, which refers to the procedure for selling property through public bargaining.

Thus: **The Action has been performed within the deadline.**

Action 6. Review the training programs for bankruptcy judges.

Action	Responsible Body	1st semester of 2020	2nd semester of 2020	Verification measure	Outcome
Review the training programs for bankruptcy judges.	RA MoJ RA SJC (upon consent) RA Academy of Justice (upon consent)	Making a schedule for the work performance; involvement of appropriate specialists; designing the main directions of training programs.	Conducting studies based on the identified directions; elaboration (updating the programs), discussion, summarizing and approval of new training programs.	New training programs for judges are prepared and approved	The Action has been performed within the deadline Training programs for judges are developed.

According to the report Monitoring Report of the Ministry of Justice for the Second Semester of 2020, the action is assessed as “performed”. The report also states that the Joint Training Program for Bankruptcy Judges is being developed under a joint program with the German Foundation for International Legal Cooperation (GIZ) and the EBRD, which is scheduled to launch in the fall. The World Bank in turn, is developing an e-learning platform, which will be provided to the Judicial Department and bankruptcy judges to participate in the training.

The work implementation schedule has been drawn up. Relevant specialists were involved in the preparation process of programs. The 2020 training program for persons included in the list of judges and candidates for judges has been approved: Annex 1 to the Decision No. KK-010-19/1 of the Governing Board of the Academy of Justice of 29 November, 2019; Its Point 2 of Part 2 is dedicated to the module of special professional courses with bankruptcy specialization.

Bankruptcy judges were trained on the basis of the developed program. In addition to training on legal issues ("Current issues of bankruptcy proceedings", "Current issues of RA civil litigation", "Current issues of corporate law", "Current issues of obligatory relations", "Current issues of banking law"), trainings on non-legal course on "Financial Management" for the Bankruptcy judges were also conducted, which includes the following topics: modern concepts of financial management, directions of financial management development, practical skills in applying the rules governing financial management relations, other current issues related to the field.

Thus, Action 6 has also been performed. E-training programs for bankruptcy judges have been developed within the framework of the Joint Training Program of the German Foundation for International Legal Cooperation (GIZ) and the EBRD, Training of the judges has been carried out.

According to interviews with experts, it would be desirable for the training of bankruptcy court judges to lead to the formation of common approaches among them, and training should help address this issue. Otherwise, in case of differences in approaches, the citizen may suffer or benefit depending on which judge is hearing the case, and in the field of bankruptcy this issue is especially acute.

Thus: **The Action has been performed within the deadline.**

Strategic Directions (Annex 3)

- Improving the procedures for acquiring a profession of bankruptcy administrators, introducing a toolkit for increasing the effectiveness of liability and activities
- Establishing sustainable mechanisms contributing to financial rehabilitation
- Enhancing the role of judges (court) in bankruptcy proceedings
- Raising public awareness about the bankruptcy system
- Elaborating a universal bankruptcy legislation

Action 1. Make relevant amendments to the Law "On bankruptcy", by reviewing the requirements for a bankruptcy administrator and the procedure for appointment thereof

Action	Responsible Body	1st semester of 2021	2nd semester of 2021	Outcome
Make relevant amendments to the Law “On bankruptcy”, by reviewing the requirements for a bankruptcy administrator and the procedure for appointment thereof	RA Moj	The draft Law providing for amendments to the Law “On bankruptcy” has been elaborated, circulated and submitted to the Office of the Prime Minister of the Republic of Armenia as prescribed	The draft Law providing for amendments to the Law “On bankruptcy” has been approved by the Government of the Republic of Armenia.	The Action has been performed within the deadline Relevant changes were made in the Law “On bankruptcy” by the law HO-294-N of 12 December, 2019

According to the Monitoring Report of the Ministry of Justice for the actions to be performed in 2019, 2020, 2021, which were performed in the first and second semesters of 2021, relevant changes were made in the Law “On Bankruptcy” by the law HO-294-N of 12 December, 2019. At the same time, changes were made in the order N 111-N of 13.03.2020, of the Minister of Justice. The action in this report was assessed as "performed". These results were confirmed during the FGD as well.

Thus: **The Action has been performed within the deadline**

Action 2. Make relevant amendments to the Law “On bankruptcy”, by establishing a toolkit promoting the application of the Financial Rehabilitation Plan, in particular, flexible mechanisms for remuneration and awards of bankruptcy administrators in case of approving the financial rehabilitation plans, tools for ensuring state aid in the financial rehabilitation of companies.

Action	Responsible Body	1st semester of 2021	2nd semester of 2021	Outcome
Make relevant amendments to the Law “On bankruptcy”, by establishing a toolkit promoting the application of the Financial Rehabilitation Plan, in particular, flexible mechanisms for remuneration and awards of bankruptcy administrators in case of approving the financial rehabilitation	Ra Moj	The draft Law providing for amendments to the Law “On bankruptcy” has been elaborated circulated and submitted to the Office of the Prime Minister of the Republic of Armenia as prescribed.	The draft Law providing for amendments to the Law “On bankruptcy” has been approved by the Government of the Republic of Armenia.	The Action has been performed within the deadline Relevant changes were made in the Law “On bankruptcy” by the law

plans, tools for ensuring state aid in the financial rehabilitation of companies.				HO-294-N of 12 December, 2019
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The participants of the FGD praised the amendments to the Law “On Bankruptcy”, which can facilitate the work of the bankruptcy sector. At the same time, according to them, there are some legislative and practical contradictions that can cause certain problems. In particular, the submission of a financial recovery plan in the Law “On Bankruptcy” must have the consent of the pledgor to use the collateral, which in many cases does not coincide because pawnshops do not agree to invest their collateral in the financial recovery plan for the use of their collateral by the administrator, taking into account that these pawnshops are the banks of the Republic of Armenia.

According to the expert opinion, it is important to review the salaries of bankruptcy administrators, as the same scale applies to both small and large assets. It is desirable to calculate it in accordance with the price of the property with certain percentages.

The expert noted two main issues regarding financial recovery programs:

- The total duration of the financial recovery plan after its initial approval by the court may not exceed 72 months, and the duration of the initial approved financial recovery plan may not exceed 36 months. This is a limitation. If necessary, it should be possible to include longer timeframe.
- There is also a problem with evaluating the financial recovery plan, in particular in the sense that the plan is considered accepted if a simple majority of creditors vote in favor of its adoption. It would be desirable if it did not depend, for example, on 51% of the votes. The criteria by which a recovery plan is approved or rejected by a court should be clearer by law, on the basis of which the recovery plan is accepted or rejected by the court, so that the creditor with a larger share will not be able to impose opinion on others.

Thus: **The Action has been performed within the deadline**

Action 3. Elaborate forms of financial rehabilitation plans; organize relevant courses for bankruptcy administrators, judges and interested bodies.

Action	Responsible Body	1st semester of 2021	2nd semester of 2021	Outcome
Elaborate forms of financial rehabilitation plans; organize relevant courses for bankruptcy	RA MoJ RA SJC (upon consent)	Draw up a schedule for implementing the activities and developing training programmes, involving	Conducting studies based on the directions predetermined, developing (modernizing), discussing, summarizing training	The Action has been performed within the deadline

administrators, judges and interested bodies.	RA Academy of Justice (upon consent) Self-Regulatory Organization of Bankruptcy Administrators (upon consent)	relevant specialists.	programmes, preparing and approving forms.	The courses are being implemented. There is no information on the development of forms.
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Information on the courses provided under this activity is provided in Annex 2, Action 3. At the same time, it should be noted that the monitoring reports published by the Ministry of Justice do not provide information on the development of financial recovery plan templates.

According to one of the sectoral experts, applying to the bankruptcy court, going through the whole process is quite difficult. This is especially true of voluntary bankruptcy cases. In this case, on the one hand, a larger number of documents are required; on the other hand, there is a very different approach among judges. In contrast, the process of involuntary bankruptcy is simpler, at the same time; it contains greater risks of certain agreements / schemes. That is, it is necessary to balance the processes of voluntary and involuntary bankruptcy: in case of a involuntary bankruptcy, the threshold (especially in terms of required documents) should be lowered to some extent, in case of involuntary, it should be raised.

Thus: **The Action has been performed within the deadline**

Goal 15. Developing alternative dispute resolution means

Summary			
Goal 15. Developing alternative dispute resolution means			
Annex 2	2019 2nd semester	2020 1st semester	2020 2nd semester
Number of planned actions	0	1	1
of which performed within the deadline:	0	0	0
of which not performed	0	1	1
performance indicator	0%		
Annex 3	2021 1st semester		
Number of planned actions	2		
of which performed within the deadline:	0		
of which not performed	2		
performance indicator	0%		

Strategic Direction (Annex 2)

- Improving the arbitration legislation

Action 1. Elaborate a Draft Law on making amendments to the Law “On Commercial Arbitration”

Action	Responsible Body	1st semester of 2020	2nd semester of 2020	Verification measure	Outcome
Elaborate a Draft Law on making amendments to the Law “On Commercial Arbitration”	RA MoJ	The Draft Law is elaborated, circulated in the prescribed manner and submitted to the RA Office of the Prime Minister.	The Draft Law is approved by the RA Government.	The Draft Law is elaborated and submitted to the RA NA.	The Action has not been performed Draft Law on making amendments to the Law “On Commercial Arbitration” has not been elaborated

According to the Monitoring Report of the Ministry of Justice for the Second Semester of 2020”, the action is assessed as “partially performed”. In particular, the report states that a concept has been developed; the development of drafts is conditioned by the work on the establishment of an arbitration center. In this regard a technical task has been developed and submitted to the donor

organization for funding and involvement of experts. As a result, it is expected to carry out not only the action in question, but also other actions arising from the strategy in the field of arbitration (for the coming years) in one package. The implementation of the works has been delayed due to martial law as a result of the war, as well as the coronavirus epidemic in the country.

According to the Monitoring Report of the Ministry of Justice for the actions to be performed in 2019, 2020, 2021, which were performed in the first and second semesters of 2021, this action was not fully implemented either. In particular, the report states that reports on the development of alternative dispute resolution in Armenia have been elaborated. Reference was made to the development of arbitration legislation as well. However, references to the above-mentioned reports are not provided by the Ministry of Justice. The monitoring report also states that taking into account the arbitration development measures envisaged by the Government's 2021-2026 program, based on the issues raised in the reports, the legislation will be reviewed in the framework of the establishment of a new arbitration center in Armenia.

Thus: **The Action has not been performed / there are certain violation of deadlines**

Strategic Directions (Annex 3)

1. Establishing arbitration centers
2. Developing other alternative methods of dispute settlement
3. Raising the level of relevant legal education and public awareness

Action 1. Initiate and/or support the establishment of an institutional arbitration body

Action	Responsible Body	1st semester of 2021	Outcome
Initiate and/or support the establishment of an institutional arbitration body	RA MoJ	The directions, financial resources of the establishment of the centre have been outlined, relevant specialists have been involved.	The action has not been performed The directions, financial resources of the establishment of the centre have not been outlined, relevant specialists have not been involved

According to the Monitoring Report of the Ministry of Justice for the actions to be performed in 2019, 2020, 2021, which were performed in the first and second semesters of 2021, this action is assessed as performed "partially". This report states that in order to support the establishment of the center, contacts have been established with international donors, as well as specialists of reputable companies. As a result of the work with the latter, the schedule for the establishment of the center, the initial version of the financial model of the center was compiled. At the same time, the draft arbitration rules and charter of the center were developed. Taking into account that the action plan and deadlines for the establishment of the Center have been revised in accordance with the program of the Government for 2021-2026, this action will be implemented in accordance with the new program of the Government.

During the FGD with the state bodies responsible for the implementation of the action, it was also reported that the work on the draft law on making changes in the “Law on Commercial Arbitration” has started, a concept was developed, joint work was carried out in cooperation with international partners and experts. The main emphasis is on the creation of the new center, in terms of which changes in deadlines have been made in the Government program. Some actions shall be carried out in the period of 2024 to 2026. At the same time, it is planned to review the timelines of some actions in the new Strategy. It is also planned to carry out awareness campaigns in the future. However, as it became clear during the FGD, the organizational status and management model of the new arbitration center have not been discussed yet. As for the discussion of the planned changes in the sphere with the professional community, it also became clear that such were not implemented.

Thus: **The Action has not been performed**

Action 2. (1) Implement measures of public awareness of bankruptcy processes (through billboards, television advertisements and programmes, press); (2) develop and introduce relevant educational programmes or modernize the current educational programmes

Action	Responsible Body	1st semester of 2021	Outcome
(1) Implement measures of public awareness of bankruptcy processes (through billboards, television advertisements and programmes, press); (2) develop and introduce relevant educational programmes or modernize the current educational programmes	RA MoJ RA Ministry of Education, Science, Culture and Sports	The plan for public awareness and the plan schedule for its implementation have been drawn up, educational programmes have been developed.	The action has not been performed The development of a public awareness program, implementation-plan schedule, educational programs is not completed.

It should be noted that the information presented in the Monitoring Report of the Ministry of Justice for the Second Semester of 2020, the information presented in this action reiterates the information regarding the establishment of Arbitration Institutional Structure, and does not refer to the development of a public awareness program, implementation-plan schedule, and educational programs.

During the FGD, the representatives of the RA Ministry of Justice stated that the implementation of the above-mentioned action was in progress at the moment. Discussions about the awareness campaign plan are taking place, but there is no schedule yet. At the same time, it is planned to review the deadlines of some actions in the new strategy.

According to the additional information provided by the Ministry of Education, Science, Culture and Sports, the subject "Social Science" is studied in the 8th-12th grades in the RA secondary educational institutions, within the framework of which the students also touch upon important topics of legal education such as: person and society, fundamental values, freedom, justice, tolerance, power, law, rule of law, fundamental human rights and freedoms, civil society, etc. In particular, the 9th and 11th grade social science textbooks aim to instill in the learner the psychological determination of citizens who fight for their rights and freedoms, who are aware of their responsibilities and liabilities, who have a legal culture. In the educational institutions implementing secondary professional educational programs, the subject "Fundamentals of Law" is taught according to the educational standards. Higher education institutions, in accordance with Article 6, Part 2, Clause 3 of the Law on Higher and Postgraduate Professional Education: the competence of the higher education institution is to "develop and approve curricula and subject programs for higher and postgraduate professional education professions and specializations, publishing educational literature and teaching manuals." Based on the mentioned legal regulation, the Higher Educational Establishment independently carry out the monitoring of their educational programs and the changes of the subject programs or curricula based on them.

Thus, as this action envisages the development of a public awareness program and an implementation-plan schedule and educational programs in the first semester of 2021, but it has not been implemented yet and is under discussion, the action is considered not performed.

Thus: **The action has not been performed**

Goal 16. The Notary System

Summary Goal 16. The Notary System	
Annex 3	2021 1st semester
Number of planned actions	3
of which performed within the deadline:	0
of which not performed	3
performance indicator	0%

Strategic Directions (Annex 3)

1. Improving the institute of notary writ of execution
2. Review of the procedure for subjecting a notary to disciplinary liability
3. Increasing the effectiveness of notarial actions

Action 1. Making amendments to the Law “On notary” and other legislative acts, by increasing the effectiveness of the institution of notary writ of execution

Action	Responsible Body	1st semester of 2021	Outcome
Making amendments to the Law “On Notary” and other legislative acts, by increasing the effectiveness of the institution of notary writ of execution	RA MoJ RA Notary Chamber (upon consent)	The drafts have been elaborated, the drafts have been circulated and sent to the Office of the Prime Minister of the Republic of Armenia as prescribed.	The action has not been performed the drafts have been circulated and sent to the Office of the Prime Minister of the Republic of Armenia as prescribed.

According to the report, Monitoring Report of the Ministry of Justice for the actions to be performed in 2019, 2020, 2021, which were performed in the first and second semesters of 2021, this action is assessed as performed "partially". According to this report, a study of international experience has been carried out, the drafts are still under development. The work has been delayed due to the holding of new elections in the country and the determination of possible priorities under the action plan of the new Government formed as a result.

During the FGD meeting with the representatives of the Ministry of Justice and the Notary Chamber of the Republic of Armenia, it was presented that the draft referring to the increase of the efficiency of the institution of notary writ of execution has been developed and will be published in the near future.

According to the participants of the FGD, the RA Law on Notary has been amended from the legislative point of view, but there are still a number of problems from the practical point of view, in particular, due to its incomplete application. If while getting acquainted with the case the notaries see that there is a minor probability of a dispute during the process, they reject it. They send it to court to resolve the case, with reasoning of the lack of notary tools. This contributes to the increase of the workload of the courts. According to the participants, the problem is not in the notaries, but in the legislative gaps.

Thus: **The Action has not been performed / there are certain violation of deadlines**

Action 2. Making amendments to the Law “On notary”, by improving the procedures for subjecting a notary to disciplinary liability

Action	Responsible Body	1st semester of 2021	Outcome
Making amendments to the Law “On notary”, by improving the procedures for subjecting a notary to disciplinary liability.	RA MoJ RA Notary Chamber (upon consent)	The draft Law “On making amendments to the Law “On notary”” has been elaborated; the draft has been circulated and sent to the Office of the Prime Minister of the Republic of Armenia as prescribed.	The action has not been performed The implementation deadlines have been revised in accordance with the 2021-2026 Government program

According to the report “On the progress of activities to be implemented in the 1st and 2nd semesters of 2021, this action has not been performed and the terms of its implementation were revised in accordance with the 2021-2026 program of the Government.

Thus, **the Action has not been performed/the deadlines have been revised**

Action 3" Make amendments to the Law “On notary”, by ensuring the effective protection of the interests of both notaries and the parties, decreasing the probability of judicial disputes and providing the opportunity of using additional evidence in case of judicial disputes.

Action	Responsible Body	1st semester of 2021	Outcome
Make amendments to the Law “On notary”, by ensuring the effective protection of the interests of both notaries and the parties, decreasing the probability of judicial disputes and providing the opportunity of using additional evidence in case of judicial disputes.	RA MoJ RA Notary Chamber (upon consent)	The draft Law “On making amendments to the Law “On notary”” has been elaborated; the draft has been circulated and sent to the Office of the Prime Minister of the Republic of Armenia as prescribed.	The action has not been performed The implementation deadlines have been revised in accordance with the 2021-2026 Government program :

According to the report “On the progress of activities to be implemented in the 1st and 2nd semesters of 2021, this action has not been performed and the terms of its implementation were revised in accordance with the 2021-2026 program of the Government.

In general, it should be noted that no measures have been taken to increase the efficiency of the notary system under Goal 16.

Thus, **the Action has not been performed / the deadlines have been revised**

Objective 17. Advocacy System

Summary Objective 17. Advocacy System			
Annex 2	2019 2nd semester	2020 1st semester	2020 2nd semester
Number of planned actions	0	2	4
of which performed within the deadline:	0	0	1
of which not performed	0	2	3
performance indicator	33%		

Strategic Directions (Annex 2)

1. Broadening the scope of beneficiaries of free legal aid
2. Developing alternative mechanisms of providing free legal aid
3. Increasing the efficiency of the public defenders' activity
4. Developing the activities of the School of Advocates
5. Improving the rules of conduct and integrity of advocates
6. Developing internal mechanisms of the Chamber of Advocates

Action 1. Make amendments to the Law “On the Profession of Advocate”, broadening the scope of persons having the right to receiving free legal aid.

Action	Responsible Body	2nd semester of 2019	1st semester of 2020	Verification measure	Outcome
Make amendments to the Law “On the Profession of Advocate”, broadening the scope of persons having the right to receiving free legal aid.	RA MoJ RA Chamber of Advocates (upon consent)	The Draft Law “On making amendments and supplements to the RA Law ‘On the Profession of Advocate’” is elaborated, circulated in the prescribed manner and submitted to the Office of the RA Prime Minister	The Draft Law “On making amendments and supplements to the RA Law ‘On the Profession of Advocate’” is approved by the RA Government.	The Draft Law “On making amendments and supplements to the RA Law ‘On the Profession of Advocate’” is elaborated and submitted to the RA NA.	The action has not been performed The amendments to the Law on Advocacy have not been made.

According to the Monitoring Report of the Ministry of Justice for the Second Semester of 2020, the implementation of the action is assessed as "partially performed". A draft on expanding the mechanisms for receiving free legal aid is being developed. A concept paper on sector reform is being developed as well. The implementation of the works has been delayed due to martial law as a result of the war, as well as the coronavirus epidemic in the country. According to the Monitoring Report of the Ministry of Justice for the actions to be performed in 2019, 2020, 2021, which were performed in the first and second semesters of 2021, the implementation of the action is also assessed as "partially performed".

According to the report, which refers to the implementation process of the actions which were performed in the 1st and 2nd semesters of 2021 according to action plans for 2019, 2020, 2021 approved by the “Strategy for Judicial and Legal Reforms of the Republic of Armenia and the Action Plans Deriving Therefrom,” which was adopted by the Decision N 1441-L of the Government of the Republic of Armenia of 10 October, 2019”, the implementation of the action is also assessed as "partially performed". Within the framework of the action, in particular, a concept for the development of the advocacy sector was developed, on the basis of which the work on elaboration of the draft law was started. In order to improve the conceptual approaches, international experts were involved, who prepared relevant reports, a number of proposals of which were also included in the concept and the draft. Currently, there is a preliminary version of the draft, which now is in the stage of working and professional discussions before being formally submitted for public discussion.

According to the expert assessment, the implementation of this action is positive, but when expanding the circle of persons receiving free legal aid, there is a need to adjust the resources. At the moment, the Public Defender's Office is overloaded. At the same time, it is important to set clear criteria for the provision of free legal aid (for example, it is mentioned that people with 1st and 2nd degree disabilities have the right to use the service, but it may be that the latter are quite solvent). The grounds for refusal also need to be clarified so that the Public Defender's Office and the judiciary are not burdened with some unnecessary cases.

Thus: **The Action was not performed / There are significant violations of deadlines.**

Action 2. Make amendments to the Law “On the Profession of Advocate”, introducing an effective mechanism for pro-bono legal services.

Action	Responsible Body	2nd semester of 2019	1st semester of 2020	Verification measure	Outcome
Make amendments to the Law “On the Profession of	RA Moj RA Chamber of	The Draft Law “On making amendments and supplements to the RA	The Draft Law “On making amendments and supplements to the RA	The Draft Law “On making amendments and supplements to the RA	The action has not been performed

Advocate”, introducing an effective mechanism for pro-bono legal services.	Advocates (upon consent)	Law ‘On the Profession of Advocate” is elaborated, circulated in the prescribed manner and submitted to the Office of the RA Prime Minister.	Law ‘On the Profession of Advocate”” is approved by the RA Government.	Law “On the Profession of Advocate” is elaborated and has been submitted to the RA NA.	The amendments to the Law on Advocacy have not been made.
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The process of performing this action is similar to the previous action.

According to experts, Pro-bono can be an effective solution if in some way to distinguish between cases, some of which will be considered by the Public Defender’s Office. On the other hand, the introduction of this system should not give lawyers some privileges. Such services should be equally accessible, avoiding the risk of having "monopolies" for some people.

Thus: **The Action was not performed / There are significant violations of deadlines.**

Action 3. Conduct a comprehensive study regarding the workload of public defenders and the reform of the infrastructures of the Office of the Public Defender; make appropriate legislative amendments by the study results.

Action	Responsible Body	2nd semester of 2019	1st semester of 2020	Verification measure	Outcome
Conduct a comprehensive study regarding the workload of public defenders and the reform of the infrastructures of the Office of the Public Defender; make appropriate legislative amendments by the study results.	RA Moj RA Chamber of Advocates (upon consent)	A comprehensive study regarding the workload of public defenders and the reform of the infrastructures of the Office of the Public Defender has been conducted; appropriate draft legislative amendments have been elaborated; the draft has been circulated in the prescribed manner and submitted to the Office of the RA Prime Minister.	The appropriate draft legislative amendments are approved by the RA Government.	The appropriate draft legislative amendments are elaborated and submitted to the RA NA.	The action has not been performed The amendments to the Law on Advocacy have not been submitted to the RA NA.

According to the Monitoring Report of the Ministry of Justice for the First and Second Semesters of 2020, the implementation of the action is assessed as "partially performed". A draft on expanding the mechanisms for receiving free legal aid is being developed, as well as a conceptual reform document is being developed. A concept paper on sector reform is being developed as well. The implementation of the works has been delayed due to the coronavirus epidemic.

According to the expert on this issue, public defenders only receive a salary, but do not enjoy other social guarantees (social package, surcharge), which is not commensurate with the workload and complexity of the work.

Thus: **The Action was not performed / There are significant violations of deadlines.**

Action 4. Introduce improved procedures for professional education, qualification examination of the students of the School of Advocates, and for the professional training of advocates.

Action	Responsible Body	1st semester of 2020	2nd semester of 2020	Verification measure	Outcome
Introduce improved procedures for professional education, qualification examination of the students of the School of Advocates, and for the professional training of advocates.	RA Moj RA Chamber of Advocates (upon consent)	Needs assessment of professional education of the students of the School of Advocates and the professional training of advocates, and elaboration of improved procedures for qualification examination based on the study of the advanced practice.:	Introducing up-to- dated programs for professional education of the students of the School of Advocates and professional training for advocates, as well as improved procedures for qualification examination.	The structure, content and format of the education and training programs are updated; the procedures for conducting qualification examinations are improved.	The action has been performed

According to the Monitoring Report of the Ministry of Justice for the First and Second Semesters of 2020, the implementation of the action is assessed as "partially performed". The report presents that the procedure for organizing the "Law School of the Republic of Armenia" foundation was approved by the decision No. 04/03-L of the Managing Board of the RA School of Advocates dated 27.05.2020. By the decision No. 7/6-L of the Managing Board of the RA School of Advocates dated 08.04.2020, the "Procedure for accepting and passing the qualification exam in emergency cases", which is an appendix to the "Procedure for accepting and passing the qualification exam", was approved. The RA Chamber of Advocates has launched the institute of organizing universal distance training.

According to the information provided to the ALA by the Chamber of Advocates of the Republic of Armenia, the Board of Directors of the School of Advocates of the Republic of Armenia Decision No. 7/1-L approved the new procedure for organizing and conducting entrance exams; By order No. 8-L of 02-02-2020 of the Director of the school, the order on organizing distance learning in emergency cases was approved; The procedure for organizing education was approved by the decision No. 7/2-L of 17.11.2021 of the

Managing Board of the School: The disciplinary rules of conduct of the students were approved by the decision No. 7/3-L of 17.11.2021 of the Managing Board of the School; The Appendix 2 to the school principal's order No. 23-3 / 20-L dated 29-05-2020 approved the procedure of the activity and appeal of the appeal commission; by the decision No. 21/9-I of the Board of the Chamber of Advocates of the Republic of Armenia dated 21.10.2020, changes and additions were made in the order of passing and accepting the qualification exam; also the Chamber has launched the institute of organizing the universal distance training.

According to the expert, the levels of knowledge and experience of the participants of a course of the Law School can be different, due to which there is a problem of the degree of complexity of the course content. Therefore, there may be a situation when the content bar provided to the participants of the course is low and the participation of the latter in the course has no practical benefit. A solution to the problem may be to divide the participants into different groups, which, however, is connected with the attraction of additional financial means. As for the training of lawyers, the process in general and the content are assessed positive. It is mentioned that the online format of trainings reduces the efficiency. On the other hand, it provided an opportunity to involve in the trainings the lawyers living in the regions as well.

Thus: **The action has been performed**

Action 5. Improve the rules of advocate's conduct in cooperation with the Chamber of Advocates

Action	Responsible Body	1st semester of 2020	2nd semester of 2020	Verification measure	Outcome
Improve the rules of advocate's conduct in cooperation with the Chamber of Advocates	RA MoJ RA Chamber of Advocates (upon consent)	The draft for the improvement of the rules of advocate's conduct has been elaborated and placed for discussion.	The draft for the improvement of the rules of advocate's conduct has been approved by the Chamber of Advocates.	The draft for the improvement of the rules of advocate's conduct has been approved by the Chamber of Advocates.	The action has been performed within deadline The draft for the improvement of the rules of advocate's conduct is approved

According to the Monitoring Report of the Ministry of Justice for the First and Second Semesters of 2020, the implementation of the action is assessed as "partially performed". According to this report, a concept paper on sector reform is currently being developed.

According to the information provided to the ALA by the Chamber of Advocates of the Republic of Armenia, the General Assembly of the Chamber of Advocates approved the Code of Conduct for Advocates by Decision No. 1-L of 19.10.2019, which allows assessing the mentioned point.

According to expert opinion, practicing lawyers are not against the establishment of rules of ethics in the field of advocacy activity, but the need for them in public affairs is not so acute, as, for example, in the case of judges. It is also proposed to liberalize the area of conflict of interest, for example, if there is no real conflict of interest, lawyers can be more flexible in choosing the case.

Thus: **The Action has been performed within deadline**

Action 6. Make amendments to the Law “On the Profession of Advocate”, introducing effective self-management mechanisms for the Chamber of Advocates.

Action	Responsible Body	1st semester of 2020	2nd semester of 2020	Verification measure	Outcome
Make amendments to the Law “On the Profession of Advocate”, introducing effective self-management mechanisms for the Chamber of Advocates.	RA MoJ RA Chamber of Advocates (upon consent)	The Draft Law “On making amendments and supplement to the RA Law ‘On the Profession of Advocate’” has been elaborated, circulated in the prescribed manner and submitted to the Office of the RA Prime Minister.	The Draft Law “On making amendments and supplement to the RA Law “On the Profession of Advocate”” has been approved by the RA Government.	The Draft Law “On making amendments and supplement to the RA Law ‘On the Profession of Advocate’” is elaborated and has been submitted to the RA NA.	The action has not been performed The amendments to the Law on Advocacy have not been submitted to the RA NA.

The process of performing this action is similar to the previous action.

Thus: The Action was not performed / There are significant violations of deadlines.

In general, as a result of the FGD, it is also recorded that all strategic actions of Goal 17 aimed at "increasing the efficiency of Advocacy System" have been partially implemented. The representatives of the relevant bodies state as reasons the situation in the country in 2020. According to the Ministry of Justice, at the moment the draft amendments to the Law on the Profession of Advocate has been developed and sent to all advocates, discussions were held with the participation of the representatives of the Chamber of Advocates and the advocates of the Board of the Chamber. Based on the received proposals, the draft was amended and put up for public discussion. The draft is currently being revised jointly with the Chamber of Advocates

However, it should be noted that within the framework of the reforms in the field of advocacy, only one concept has been developed during the two years. The justification is that the elaboration of the concept, as well as the elaboration of the directions of legislative

reforms is a rather large-scale work. Due to the fact that taking into account the response received from all stakeholders, including lawyers, the work is carried out in violation of deadlines. Due to the fact of taking into account the feedback received from all stakeholders, including lawyers, the work is carried out in violation of deadlines. It should also be noted that the lawyers participating in the discussions countered, stating that they, as lawyers, did not participate in those actions and discussions in any way, and that work has started just a few months ago, therefore, the above-mentioned reasoning of the Ministry of Justice is not grounded.

According to the expert opinion, the draft has shortcomings, for example, in the sense that the process of subjecting the lawyer to disciplinary liability is supposed to include external representatives: from the judiciary, NGOs, the ombudsman's office, which no longer fits into the logic of self-government.

Goal 18. Compulsory Enforcement System

Summary Goal 18. Compulsory Enforcement System		
Annex 3	2021 1st semester	2021 2nd semester
Number of planned actions	1	1
of which performed within the deadline:	0	0
of which not performed	1	1
performance indicator	0%	

Strategic Directions (Annex 3)

1. Systemic review of the legislation of the compulsory enforcement sector
2. Improving the technical equipment of the Compulsory Enforcement Service

Action 1. Elaborate the draft Law “On enforcement proceedings

Action	Responsible Body	2nd semester of 2021	Outcome
Elaborate the draft Law “On enforcement proceedings	RA MoJ	The draft Law “On enforcement proceedings has been elaborated, circulated and submitted to the Office of the Prime Minister of the Republic of Armenia as prescribed	The action has not been performed

According to the Monitoring Report of the Ministry of Justice for the First and Second Semesters of 2021, the implementation of the action is assessed as "partially performed". The report in particular states that a Draft Law on Enforcement Proceedings has been developed within the framework of the action. The 21 chapters were revised and discussed by a working group set up by the order of the Minister of Justice.

The partial implementation of the action is conditioned by the Government Decision No. 1902-L of 2021, with the change of the term of defining the comprehensive legal regulations of the Law on Enforcement Proceedings, which was set until the third ten days of December 2023.

The participants of the FGD referred to certain problems and omissions. In particular:

- The Law on Bankruptcy states that from the moment judgment is made, all enforcement proceedings shall be terminated, after the judgment on declaring the debtor bankrupt. In many cases, the Compulsory Service does not receive copies of the judgments made. The administrator has no obligation to notify the compulsory service of the bankruptcy proceedings of the debtor or the company. Currently there are gaps in connection with the submission of notices.
- Conflict of interest was highlighted from the target issues of the Compulsory Service, when the examination of the appeal received in the order of superiority is again signed to the Compulsory Enforcement Officer whose actions are appealed in the order of superiority
- Other issues include the lack of common practice by Compulsory Enforcement Officer, problems in levy proceedings, and so on.

Thus: **The action has not been performed**

Action 2. Improving the technical equipment of the Compulsory Enforcement Service.

Action	Responsible Body	1st semester of 2021	Outcome
Improving the technical equipment of the Compulsory Enforcement Service.	RA MoJ	The priorities for technical assistance have been established and the schedule for providing the assistance has been approved, relevant technical tasks have been developed and approved.	No information available

According to the Monitoring Report of the Ministry of Justice for the First and Second Semesters of 2021, the implementation of the action is assessed as "partially performed".

The report in particular states that Annex 3 to the Strategy defines the means of verifying the performance of this action and the outcome of the action as the means and final outcome of verifying the full implementation of the actions to be performed during the first semester of 2021 and the second semester of 2023; they are partially applicable to actions to be implemented in the first semester of 2021. Thus, in fact, the monitoring report published by the Ministry of Justice does not provide information about this action.

Thus: **No information available about the action.**

**LEGAL ANALYSIS OF ACTIONS OF THE 2019-2023 STRATEGY FOR
JUDICIAL AND LEGAL REFORMS OF THE REPUBLIC OF ARMENIA CARRIED
OUT IN 2019-2021 AND SELECTED BY SAMPLING**

Annotation

Qualitative indicators of evaluation of legal acts adopted under the strategy reflect the results of the level of impact and link the action(s) implemented under the action plans (strategic directions) with the expected outcomes, specific strategic goals and strategic directions.

The following three goals, with a performance indicator of 50% or more as a result of the quantitative evaluation of the Strategy actions, were subjected to legal analysis.

- Goal 4: Reform of the electoral legislation.
- Goal 5: Strengthening the independence and impartiality of the judiciary.
- Goals 5, 6 and 7: Strengthening the independence and impartiality of the judiciary, improvement of mechanisms for public accountability of the judiciary and a judicial system free of corruption and sponsorship
- Goal 11: Reform of the criminal and criminal procedure legislation.

Summary of legal analysis of the performed actions²¹

Goal 4. Reform of the electoral legislation.

As a result of the **assessment of compliance** with the specific strategic goals, the implementation of actions was assessed as follows:

- a) Implementation of an electoral system that is understandable and predictable for the voters: **partially complies.**
- b) Improving electoral administration at all levels: **partially complies.**
- c) Improving the efficiency and transparency of control over the campaign financing: **not comply.**
- d) Introduce effective mechanisms to eliminate electoral bribery and pressure on voters: **partially complies.**
- e) Increase guarantees to exclude multiple voting and ensure access to voting processes: **partially complies.**
- £) Ensure the proper functioning of the actors overseeing the electoral process: **partially complies.**
- g) Clarification of electoral dispute processes by increasing their effectiveness: **not comply.**

²¹ The summaries are compiled as a result of a legal analysis of the adopted legal acts in accordance with the selected goals. Analyzes are available as separate attachments, which can be provided as needed.

Therefore, given the methodology for assessing specific strategic goals, all specific goals of the strategy **in terms of compliance are assessed as not complying**.

As a result of the assessment of the **completeness of the strategic directions**, their implementation was assessed as follows:

- a) Elimination of regional lists of candidates, adoption of a simple proportional electoral system: **complies and complete**.
- b) Lowering the minimum threshold for election to ensure party pluralism: **partially complies**.
- c) Reforming the order of forming coalitions: **not comply**.
- d) Increasing the possibilities of control over the electoral processes, including reviewing the procedures of electoral commissions' decisions, actions, and inaction: **partially complies**.
- e) Review of the amount of the election deposit: **partially complies**.
- f) Ensuring access to the electoral process for people with disabilities: **not comply**.
- g) Improving the efficiency of the process of compiling and maintaining voter lists: **partially complies**.
- h) Reform of debate and coverage procedures: **partially complies**.
- i) Reform of control over electoral processes through observation activities: **not comply**.

Therefore, given the methodology for assessing specific strategic goals, all specific goals of the strategy **in terms of completeness are assessed as not complete**.

Thus, the results of the level of influence registered under the overall goal of "Reform of the electoral legislation" of the Strategy and the action(s) implemented under the action plans (strategic directions) are evaluated in terms of compliance and completeness of the specific strategic goals and strategic directions of "Reform of the electoral legislation" is assessed as: **Not comply and not complete**.

Goal 5. Strengthening the independence and impartiality of the judiciary.

As a result of the assessment **of compliance with the specific strategic goals**, their implementation was assessed as follows:

- a) Ensuring transparency and professional potential of the Supreme Judicial Council in practice: **not comply**.
- b) Ensuring transparency in the activities of the General Assembly of Judges in practice, development of professional potential and institutional capacity **not comply**.
- c) Proportionality of funding of the judiciary, remuneration of judges and their staff: **not comply**.

- d) Improving the regulations for the appointment of judges and subjecting them to disciplinary liability: partially complies.
- e) Increasing public confidence in judges: not comply.

Therefore, given the methodology for assessing **specific strategic goals**, all specific goals of the strategy **in terms of compliance are assessed as not complying**.

As a result of the assessment of the **completeness of the strategic directions**, their implementation was assessed as follows:

- a) Introduce a new procedure for qualification checks for the incumbents of judge candidates in compliance with the international standards: not complete.
- b) Introduce grounds and procedures for subjecting the judges and members of the Supreme Judicial Council to disciplinary liability in accordance with international standards: not complete.
- c) Increasing public awareness and trust in the role of the judiciary: not complete.
- d) Increasing the salaries of judges and their staff and increasing the number of staff: not complete.

Therefore, given the methodology for assessing specific strategic goals, all specific goals of the strategy **in terms of completeness are assessed as not complete**.

Thus, the results of the level of influence registered under the overall goal of "Strengthening the independence and impartiality of the judiciary" of the Strategy and the action(s) implemented under the action plans (strategic directions) are evaluated in terms of compliance and completeness of the specific strategic goals and strategic directions of "Strengthening the independence and impartiality of the judiciary" is assessed as: not comply and not complete.

Goals 5, 6 and 7: Strengthening the independence and impartiality of the judiciary, improvement of mechanisms for public accountability of the judiciary and a judicial system free from corruption and sponsorship.

As a result of the assessment **of compliance with the specific strategic goals**, their implementation was assessed as follows:

- a) Ensuring the independence and impartiality of the judiciary: not comply.²²
- b) Improvement of mechanisms for public accountability of the judiciary: not comply.
- c) a judicial system free from corruption and sponsorship: partially complies.

²² This assessment was given for the "Goal 5. Strengthening the Independence and Impartiality of the Judiciary".

Therefore, given the methodology for assessing specific strategic goals, all specific goals of the strategy **in terms of compliance are assessed as not complying**.

As a result of the assessment of the **completeness of the strategic directions**, their implementation was assessed as follows:

- a) Publication of reports and statistics on the activities of the judiciary: not complete.
- b) Improving the decision-making procedure of the Supreme Judicial Council, ensuring transparency and justification: not complete.
- c) Improving the procedure for forming a disciplinary commission not complete.
- d) Complete declaration of property, income, interests and expenses of the members of the Supreme Judicial Council and judges not complete.
- e) Evaluating integrity of judges: not complete.
- f) Bringing the grounds for subjecting judges to disciplinary liability, in line with the goal of overcoming corruption: not complete.
- g) Improving the procedure for subjecting judges to disciplinary liability complete.
- h) Capacity building and raising awareness: complete.

Therefore, given the methodology for assessing specific strategic goals, all specific goals of the strategy **in terms of completeness are assessed as not complete**.

Thus, the results of the level of influence registered under the overall goal of "Strengthening the independence and impartiality of the judiciary, improvement of mechanisms for public accountability of the judiciary and a judicial system free from corruption and sponsorship" of the Strategy and the action(s) implemented under the action plans (strategic directions) are evaluated in terms of compliance and completeness of the specific strategic goals and strategic directions of "Strengthening the independence and impartiality of the judiciary" is assessed as: **Not comply and not complete**.

Goal 11. Reform of the criminal and criminal procedure legislation

As a result of the assessment **of compliance with the specific strategic goals**, their implementation was assessed as follows:

- a) Create the necessary legal basis for crime reduction and the elimination of the criminal subculture: not comply.
- b) Establishing clear features of distinguishing criminal acts from non-criminal acts, which will exclude spatial interpretation of the law: partially complies.
- c) Introduction of criminal liability of legal persons: complies.
- d) Improving the punishment system: complies.

- e) Ensuring compliance of criminal legislation with the norms of ratified international treaties, principles of international law, as well as the Constitution **partially complies.**

Therefore, given the methodology for assessing specific strategic goals, all specific goals of the strategy **in terms of compliance are assessed as not complying.**

As a result of the assessment of the **completeness of the strategic directions**, their implementation was assessed as follows:

- a) Elimination of the criminal subculture: **not complete.**
- b) Introduction of a system of alternative punishment: **complete.**
- c) Introduction of criminal liability of legal persons: **complete.**
- d) Reform of the criminal procedure legislation: **complete.**
- e) Introduction of alternative pre-trial restrictions **complete.**
- f) Plea bargaining and cooperation proceedings: **complete.**
- g) Improvement of the proceedings with the involvement of minors and vulnerable persons: **complete.**
- h) Envisaging effective mutual legal assistance regulation regarding criminal cases: **not complete.**

Therefore, given the methodology for assessing specific strategic goals, all specific goals of the strategy **in terms of completeness are assessed as not complete.**

Thus, the results of the level of influence registered under the overall goal of "Reform of the criminal and criminal procedure legislation" of the Strategy and the action(s) implemented under the action plans (strategic directions) are evaluated in terms of compliance and completeness of the specific strategic goals and strategic directions of "Strengthening the independence and impartiality of the judiciary" is assessed as: **not comply and not complete.**

CONCLUSIONS AND RECOMMENDATIONS

This section of the report presents methodological and content conclusions and recommendations²³ which are based on the results of alternative public monitoring and evaluation of the implementation of the 2019-2023 Judicial and Legal Reform Strategy of the Republic of Armenia and the Action Plans Deriving Therefrom for 2019-2021. The recommendations are presented according to the conditional division of the sectors, which is followed by the general conclusions and recommendations.

1. CONCLUSIONS AND RECOMMENDATIONS BY SECTORS

SECTOR 1: E-JUSTICE, ELECTRONIC SYSTEMS AND ELECTRONIC DATABASES

Performance indicator: 0%

- The activities under the Sector "e-Justice, electronic systems and electronic databases" are defined in Annex 4. They generally refer to two goals: "Goal 1. Introducing unified e-justice system" and "Goal 2. Ensuring the accessibility of the electronic systems and electronic databases in the justice sector and updating thereof". Goal 1 envisages 10 actions in the period from the second semester of 2019 to the second semester of 2021, none of which has been implemented according to the performance assessment methodology proposed in this Report (There is no information on one action). Goal 2 envisages 7 actions to be implemented in 2021, which were also not performed in a similar manner within the set deadlines.
- Thus, we can conclude that there have been no significant achievements in the implementation of the Action Plan provided for in Annex 4. There are significant violations of deadlines for almost all actions. In case of some actions, technical tasks for implementation of different systems have been developed, which probably means that the work on these actions is still at a very early stage.

Recommendation: Review the "Action Plan on setting up a unified e-justice system and ensuring accessibility of electronic databases and updating thereof deriving from the 2019-2023 strategy for judicial and legal reforms of the Republic of Armenia" setting realistic deadlines for implementation. Involve relevant sector consultants in setting deadlines for operations related to the development, implementation and operation of various e-systems, in order to set realistic timelines and present them in the revised action plan :

SECTOR 2: TRANSITIONAL JUSTICE

Performance indicator: 0%

- This Sector includes one goal: "Goal 2. Establish real democracy and strengthen the rule of law by applying the transitional justice toolkit, under which it is planned to carry out 1

²³ Content recommendations are being developed and will be presented in the final version of the report.

action: Elaboration of the Draft the Law “On the Procedure of Forming and the Activity of the Fact-Finding Commission” (upon necessity, the package of draft laws). The draft law was discussed with the interested parties, but was not submitted to the National Assembly. Thus, the performance rating of the sector according to the methodology of this report is 0%.

SECTOR 3: CONSTITUTIONAL REFORMS

Performance indicator: 100%

- There is one goal defined under this Sector – “Goal 3. Implementing Constitutional Reforms”. It was planned to elaborate the draft procedure for the formation of the Commission, discuss it with stakeholders and form the Commission by 2021
- and adopt a document defining the composition and the rules of procedure for formation) of the Constitutional Reform Commission by 2021. The planned actions were carried out on time, but after some time the Commission suspended the work, and later by the decision of the RA Prime Minister completely stopped its activity. The results of the work carried out by the Commission were transferred to the Secretariat of the RA Ministry of Justice:

Recommendation: :During the review of the action plans of the strategy, take into account the work done by the Commission and transferred to the Ministry of Justice, to ensure the most efficient use of the results of the work already carried out.

SECTOR 4: ELECTORAL LRGISLATION

Performance indicator: 100%

- There is also one goal defined under this sector "Goal 4. Reform of the Electoral Legislation", which envisages elaborating and publishing the draft law on making amendments and supplements to the RA Electoral Code during 2020, discussing it with the interested bodies and the civil society and submitting it to the National Assembly. One of the main conclusions is that the draft package of amendments and supplements for the RA Electoral Code during the 2020 was developed by the ruling political majority in a non-open and non-participatory procedure, and then submitted to the relevant authorities. The main gap related to the implementation of the mentioned action: The main gap in the implementation of this action, according to stakeholders, including civil society representatives, is improper provision of participation of experts in the field and various political forces, as well as unreasonably tight deadlines provided for implementation of reforms. This has led to a number of shortcomings in the Electoral Code: In particular, in Armenia, which has a parliamentary model of government, the principle of a stable parliamentary majority is endangered, the changes in the procedure for forming political coalitions contradict the constitutional requirement on restrictions on forming a political coalition. In addition, the amended Electoral Code does not contain systemic, comprehensive and effective legal arrangements to increase the effectiveness and transparency of campaign finance oversight. In practice, the Electoral and Administrative Procedure Codes do not provide for the resolution of electoral disputes in

the field of local self-government by the Administrative Court exclusively within seven days. One of the well-reasoned examples of which is the examination of the electoral dispute over the elections of the Council of Elders of Vanadzor enlarged community on 5 December, 2021. Implementing the strategic direction “Ensuring access to the electoral process for people with disabilities” remains problematic, because the lack of specific, appropriate and effective procedures and means does not allow in practice to ensure the accessibility of voters with limited mobility and visual impairment to implement their right to vote. The procedures for control over electoral processes through observation activities also remain problematic. In fact, the effective implementation of the control of electoral processes through observation activities was not ensured.

- *Results of the level of impact registered under the overall goal of "Reform of the electoral legislation" of the Strategy and the action(s) implemented under the action plans (strategic directions) are evaluated in terms of compliance and completeness of the specific strategic goals and strategic directions of "Reform of the electoral legislation" is assessed as: **“Not complying and not complete.”***

SECTOR 5: JUDICIARY

Performance indicator: 54%

- There are 4 goals in the Sector "Judiciary": “Goal 5: Strengthening the independence and impartiality of the judiciary”, “Goal 6: Improving the mechanisms for the public accountability of the judiciary”, “Goal 8: Increasing the effectiveness of activities of courts Strategic directions”, and “Goal 9: Providing a unified platform of services provided by state and local self-government bodies”, as well as the combined "Goals 5, 6 and 7: Strengthening the independence and impartiality of the judiciary, improvement of mechanisms for public accountability of the judiciary and a judicial system free of corruption and sponsorship.”
- **“Goal 5: Strengthening the independence and impartiality of the judiciary”»:**
Performance indicator: 56%
- 9 actions are envisaged under this goal, all of which are to be implemented by 2021 (envisaged by Annex 2). 4 of these actions were performed within the deadline (2 actions were assessed as performed within deadline with reservation). 1 action was performed with a certain violation of the deadline, and the remaining actions were not performed. In particular, amendments and supplements were made to the Judicial Code of the Republic of Armenia. On 14 April, 2021, the RA NA adopted the RA Law 331-N “On making an amendment and a supplement to the Constitutional Law ‘Judicial Code of the Republic of Armenia’”. Amendments have been made to the “RA Law on Remuneration of Public Officials and Public Service Positions”. However, these changes apply to a limited number of judges, particularly those who are judges of the Anti-Corruption Court, separate judges examining corruption cases in the Criminal Court of Appeal, Individual judges hearing civil cases initiated by the Civil Court of Appeals for protection of property and non-property interests of the state and for lawsuits for confiscation of property on the basis of the Law

on Confiscation of Property of Illegal Origin. while the specific strategic goal does not envisage such a demarcation and presupposes equal remuneration for all judges. In this context, it is also problematic to consider the approach that unfair remuneration was established between judges of the anti-corruption court and judges of the court of general jurisdiction. but at the same time, a balanced approach is not envisaged, on the one hand, between the remuneration of judges of the anti-corruption court and on the other hand, between their responsibility and professional experience. In other words, there are no stricter additional requirements and restrictions for the appointment of judge of an anti-corruption court. Trainings for judges were carried out. The action aimed at making changes in the relevant legal acts aimed at increasing the number of judges and their staff, as well as increase in the salaries of the judge's staff has been underperformed. The action of providing the courts with facility conditions necessary for their effective activity is performed with reservations. The action to provide the courts with a material and technical base necessary for their effective activity is assessed as not performed. No significant progress has been made in terms of awareness raising measures aimed at the public perception of the role of the judiciary and increasing the confidence therein. The other changes were not in fact introduced to improve the decision-making process by the SJC, including the transparency, rationale, and effective voting structures needed to make those decisions; rather, the quota of votes for important decision making has been reduced. In particular, according to the previous regulations, some important decisions were made if seven of the ten members of the SJC were present at the meeting. Decisions were considered rejected if at least five of the seven members present at the meeting voted in favor. No action has been taken to improve the reasoning for SJC decisions.

- *Results of the level of impact registered under the overall goal of "Strengthening the independence and impartiality of the judiciary" of the Strategy and the action(s) implemented under the action plans (strategic directions) are evaluated in terms of compliance and completeness of the specific strategic goals and strategic directions of "Strengthening the independence and impartiality of the judiciary" is assessed as: **"Not complying and not complete."***

"Goals 5, 6 and 7: Strengthening the independence and impartiality of the judiciary, improvement of mechanisms for public accountability of the judiciary and a judicial system free of corruption and sponsorship": Performance indicator: 83%

- The number of actions envisaged under these goals is 6, to be implemented by 2021 (envisaged by Annex 2). Five of the actions were performed within Deadline, and the information available to the ALA on one action is insufficient for evaluation. In particular: amendments and supplements have been made to the Constitutional Law "Judicial Code of the Republic of Armenia", aimed at the improvement of grounds for subjecting a judge and a member of the Supreme Judicial Council to disciplinary liability"; establishment of the Ethics and Disciplinary Commission, and so on. One of the problematic regulations is the involvement of non-judge members in the Ethics and Disciplinary Committee of the General Assembly of Judges (Ethics and Disciplinary Committee, Evaluation Committee,

Educational Affairs Committee) of the General Assembly of Judges, considering the fact that the General Assembly of Judges is a self-governing body of judges, therefore, the participation of non-judges in its composition, contradicts the essence of self-government. Eliminating the norm of the obviousness and rudeness of the violation of substantive or procedural law is also problematic, and in the case of classifying the violation as disciplinary, the emphasis was made on the fact that it was committed intentionally or through gross negligence. This regulation does not provide the judge with the predictability of subjecting him to disciplinary liability. In addition, it is not clear what the difference thresholds is between a disciplinary violation and a significant disciplinary violation. It is not clear how the difference between the following categories is determined: possible discrediting of the judiciary and discrediting of the judiciary as a result. The terms "fundamental violation" or "discrediting the judiciary" as such are not sufficiently clear. It is not clear what is the difference between the terms of a judge's relevance to the status of a judge and the content of the terms incompatible with the status of a judge due to circumstances or consequences.

- *Results of the level of impact registered under the overall goal of “Strengthening the independence and impartiality of the judiciary, improvement of mechanisms for public accountability of the judiciary and a judicial system free of corruption and sponsorship” of the Strategy and the action(s) implemented under the action plans (strategic directions) are evaluated in terms of compliance and completeness of the specific strategic goals and strategic directions is assessed as: **“Not complying and not complete.”***

“Goal 6: Improving the mechanisms for the public accountability of the judiciary”:
Performance indicator: 0%

- Only one action is envisaged under this goal to be implemented during 2021: “Introduce a mechanism for publishing reports and statistics providing summary of the activities of courts acting in the publicly accessible online mode,” which, however, has not been performed and no significant steps have been taken to implement this action.:

“Goal 8: Increasing the effectiveness of activities of courts Strategic directions”:
Performance indicator: 33%

- There are 3 actions defined under this goal, the implementation period of which is the second semester of 2021 (actions envisaged by Annex 3). Only 1 of the actions was performed within deadline, the other 2 actions are not finished yet. In particular: In 2021, judges were trained on the basis of developed programs. As for the other actions, they were not performed. The next action foresees to provide courts with the facility conditions necessary for their effective operation, however the process of providing the necessary building conditions for the effective operation of anti-corruption courts is not over yet.

“Goal 9: Providing a unified platform of services provided by state and local self-government bodies”:
Performance indicator: 33%

- Only 1 of the 3 planned actions to be implemented in 2021 has been completed within the deadline (actions envisaged by Annex 3). In particular: the RA MoJ has elaborated the roadmap for establishing a unified centre for providing some state services. The not performed actions include: unifying the state forensic examination institutions functioning in the Republic of Armenia under one unified centre, as well as elaboration of the draft Law "On forensic examination activities",

SECTOR 6: REFORM OF THE LAW ENFORCEMENT SYSTEM

Performance indicator: 43%

- The actions envisaged in the Sector Reform of the Law Enforcement System are in two directions: Reform of the system of the Prosecutor's Office and Reform of investigative bodies. There are three actions envisaged under the Reform of the system of the Prosecutor's Office, which are to be implemented until 2021 (envisaged by Annex 2). The number of actions under the Reform of investigative bodies is four; 2 of which are to be implemented by 2021 (actions envisaged by Annex 2), and 2 until 2022 (actions envisaged in Annex 3). According to the evaluation results, 3 of these actions were not performed, and the available information was not sufficient to evaluate 1 action. 2 actions were assessed as performed, and 1 action as performed with a certain violation of the deadline. In particular, a mechanism for the assessment of prosecutors' integrity has been introduced, structural changes in the prosecutor's office and capacity building have been implemented. Investigators' capacity building in the fields of investigation of corruption, economic, official and other crimes, work with electronic evidence and in other fields have been performed.

SECTOR 7: LEGISLATIVE REFORMS

Performance indicator: 41%

Reform of the criminal and criminal procedure legislation: Performance indicator:80%

- There is one goal under this sector: "Goal 11. Reform of the criminal and criminal procedure legislation." 10 actions are envisaged under this goal (actions defined by Annex 2), of which 5 are to be implemented in the 2nd semester of 2019, and the other 5 in the 1st semester of 2020. 6 of the actions were performed within the deadline, 2 - with a certain violation of deadline, the other 2 - with a significant violation of deadline. In particular, in the second semester of 2019, the drafts of the new RA Criminal Code and the new RA Criminal Procedure Code were discussed with CSO representatives and stakeholders, submitted to the RA Prime Minister's Office and submitted to the RA National Assembly in the first semester of 2020. Training programs for public participants in criminal proceedings and judges on the new RA Criminal Code and the new RA Criminal Procedure Code were elaborated and trainings were conducted with certain violations of deadlines. Necessary logistical support was provided to the bodies

conducting criminal proceedings under the agreements signed within the framework of the third program of modernization of the public sector with significant violation of deadline (during the second semester of 2021, instead of the first semester of 2020). One of the main conclusions is the presence in the codes of a number of innovations, new institutions and regulations; they are written in a completely new in style, trying to ensure their compliance with international standards. There are many notable innovations, ranging from the institution of criminal liability of legal entities to new alternatives to imprisonment and alternative pre-trial restrictions, These innovations, including plea bargaining and cooperation proceedings, the improvement of proceedings with the involvement of minors and vulnerable persons, were assessed positively. In addition to the above, it should be noted that at the moment it is difficult to predict how these new institutions will work in law enforcement practice, considering the fact that we are talking about systemic changes, which will have an impact on the everyday work of state bodies. In this case, it is necessary to introduce a serious organizational toolkit to ensure the smooth transition to the new codes and eliminate the risk of disruption of criminal proceedings. At the same time, it should be noted that the legislative regulations aimed at reducing the tendency to spread criminal subculture are subject to a positive assessment, but Systemic solutions should be implemented in penitentiaries to significantly reduce its impact. In addition, it is necessary to develop an effective mutual legal assistance regulation regarding criminal cases. In this regard, it should be borne in mind that the new Criminal Procedure Code, which will enter into force on 1 July, 2022, will no longer regulate these relations, and they are subject to regulation by a separate normative legal act. Meanwhile, no relevant normative legal act has been adopted by the RA NA so far.

- *Results of the level of impact registered under the overall goal of “Reform of the criminal and criminal procedure legislation” of the Strategy and the action(s) implemented under the action plans (strategic directions) are evaluated in terms of compliance and completeness of the specific strategic goals and strategic directions is assessed as: **“Not complying and not complete.”***

Reform of the civil and civil procedure legislation: Performance indicator: 0%

- There are two goals envisaged under the Sector “Civil and Civil Procedure Legislation”: “Goal 12. Reform of the civil and civil procedure legislation” and “Goal 13. Administrative Justice and Administrative Proceedings”. Goal 12 envisages 6 actions, 3 of which are expected to be completed by 2021 (Actions envisaged by Annex 2), and the other 3 by 2022 (actions envisaged in Annex 3). None of these actions were performed.

Administrative Justice and Administrative Proceedings: Performance indicator: 27%

- Goal 13 envisages 11 actions, 10 of which are expected to be completed by 2021 (actions envisaged by Annex 2), and 1 during the first semester of 2021 (action envisaged by Annex 3). Two actions were performed within deadline, and one action was performed with a certain violation of deadline. In particular, the Draft Laws “On making Amendments to the RA Administrative Procedure Code” and the “On making amendments to the Constitutional Law “Judicial Code of the Republic of Armenia” have

been elaborated. Relevant amendments were made to the Administrative Procedure Code, new written and simplified procedures were introduced, and amendments were made to the Law on State Duty.

SECTOR 8: JUSTICE SUPPORT SYSTEMS

Performance indicator: 38%

- There are 5 Goals under the Sector “Justice Support Systems”, that related to Bankruptcy, Alternative dispute resolution, Notary, Advocacy and Compulsory enforcement systems. In these areas progress has been made only in the bankruptcy system. Actions in the other four areas were not performed (within the set deadlines). Below is more detailed information on the implementation of actions under the Justice Assistance Systems.

Bankruptcy system. Performance indicator: 100%

- The bankruptcy system envisages a total of 9 actions, 6 of which are provided in Annex 2, and 3 - in Annex 3. A total of 7 actions were performed within deadline, 2 with a certain violation of the deadline. However, all planned actions, in accordance with the methodology of this Report, have been performed (1 of the actions was assessed as performed with a reservation). In particular, the normative legal act of the Minister, defining the procedure of qualification implementation for bankruptcy administrators was adopted; The Manual on Bankruptcy Law is publication phase; the training programs for bankruptcy administrators are improved; Amendments have been made to the Law “On Bankruptcy” to elaborate property declaration sample forms, introduce control mechanisms over the process of inventory and assessment; the Draft Government decree on the procedure of carrying out the debtor’s property sale in the bankruptcy proceeding has been elaborated; Bankruptcy judges’ training programs have been developed and trainings are being conducted.
- *No qualitative assessment of the legal acts adopted under this strategic goal has been performed.*

Alternative dispute resolution means. Performance indicator: 0%

- This Sector envisages 4 actions: 2 actions are provided in Annex 2, and 2 in Annex 3. None of the 4 planned actions was performed within deadline. In particular, the draft law on amendments to the Law on Commercial Arbitration has not been elaborated. The directions, financial resources of the establishment of the institutional body of arbitration centre are not clear, relevant specialists have not been involved. Elaboration of the plan for public awareness and the plan schedule for its implementation and the educational programmes have not been completed yet.

The Notary System. Performance indicator: 0%:

- The notary system is probably the sector with the lowest performance in justice systems, which shows that no significant achievements and progress have been registered in this field. In the Sector of Notary System, 3 actions are envisaged to be implemented in the

first semester of 2021, none of which were performed within deadline. Making amendments to the Law “On Notary” and other legislative acts have been elaborated but were not circulated in the prescribed manner and were not sent to the RA Prime Minister's Office. Deadlines for amendments to the Law on Notary aimed at improving the procedures for subjecting a notary to disciplinary liability and other issues have been revised in accordance with the 2021-2026 program of the Government. Thus, there are no significant achievements in this sector either.

Advocacy System. Performance indicator: 33%:

- Only two of the 6 actions planned for 2020 has been performed. The amendments to the RA Law on Advocacy have not been implemented. The draft for the improvement of the rules of advocate’s conduct has been approved. Within the framework of the reforms in the Sector of advocacy, a concept was developed during the two years, which, however, according to the lawyers participating in the discussions, was not sufficiently participatory.

Recommendation: Considering that the achievements in the Advocacy System under the Action Plan are very small, more attention needs to be paid to this sector in the process of reviewing action plans, discussing the defined scope and schedule with all stakeholders, including advocates.

Compulsory Enforcement System. Performance indicator: 0%

- One of the two actions envisaged in the Sector “Compulsory Enforcement System” is not performed on time, and information on the other is not provided. In particular, the draft Law “On enforcement proceedings has been elaborated, but it was not circulated and submitted to the Office of the Prime Minister of the Republic of Armenia as prescribed. And there is no information on improving the technical equipment of the Compulsory Enforcement Service.

2. GENERAL CONCLUSIONS AND RECOMMENDATIONS

- As focus group discussions with stakeholders show, in some cases co-operation and interaction between different government bodies can be problematic, which may be due to the unclear division of work and responsibilities between the bodies responsible for carrying out the action.

Recommendation: Clarify in the revised action plans the division of work and responsibilities between the bodies responsible for coordinating and implementing the actions.

- Although the trainings provided by the action plans are generally carried out in the prescribed volumes and deadlines, yet the action plans do not provide assessments of the effectiveness of these trainings and the satisfaction of the participants, which does not allow evaluating the results of the activities that assume training.

Recommendation: To establish formal mechanisms for maintaining feedback with the participants of the trainings and evaluating the effectiveness of the trainings, in the activities, in which it is planned to implement trainings, Activities, such as pre- and post-surveys / evaluations, systematic collection of suggestions, opinions, online evaluation of courses, etc. Include in monitoring reports as benchmarks the indicators of effectiveness evaluation, such as satisfaction of training participants,

- Significant underperformance of strategic plans should lead to certain consequences for the responsible bodies and public assessments of their actions or inactions. The Ministry of Justice should implement effective mechanisms to increase the performance of the action plans envisaged by the strategy and tools reflecting the real results of monitoring and evaluation.
- In general, most of the actions were performed with significant violation of deadlines or were not performed. The epidemic situation in Armenia and the circumstance of the Second Artsakh War since March 2020 are presented as justifications for non-fulfillment of actions by the responsible bodies. In this case, the state of war is considered a force majeure situation, in which case the delay is justified. Whereas in the conditions of the epidemic, the work of state agencies was not interrupted and continued remotely, therefore, the presenting of the epidemic as a valid reason by the responsible bodies is problematic.²⁴
- The strategy does not include the composition of the participants in the public discussions, in particular, with which public or political organization is planned to hold a public discussion. Due to this, a public demand was formed to present in the Strategy and/or and the plan developed to involve the stakeholders, the processes of organizing public discussions, the possible composition of the participants of the public discussions, the feedback on their proposals (in each case stating the reasons for accepting or rejecting the proposal), the schedule and etc.

3. METHODOLOGICAL OBSERVATIONS AND RECOMMENDATIONS

- There are technical shortcomings in the action plans of the strategy, such as: Goal 10 provides for "Action 3. Ensure the transparency of the competition for selection of prosecutors (Appendix 2), but the tabular data on this action below is missing.

²⁴ At the same time, we consider it necessary to mention that the period of the war is taken into account in the methodology of action assessment. In particular, the action is assessed as "performed within the deadline time" if evidence has been provided or made available to the monitoring team, indicating that the action was carried out within the period specified in the Strategic Action Plan or in violation of the period of up to one month. Thus, a one-month delay in the implementation of actions was allowed, given that the implementation of the Action Plan covers 2020, during which the war was a hindrance to action.

- In general, the action plans (especially those provided for in Annex 2) are quite extensive and structurally difficult to achieve, with certain duplication (repetitions) of similar or related actions which can cause complications during the implementation of action plans. When developing new action plans, it is recommended to simplify the structure of those plans as much as possible, excluding duplication of actions.
- It is necessary to maintain a logical sequence of action periods. For example, Annex 3 provides for "Improving the technical equipment of the Compulsory Enforcement Service", for the implementation of which two periods are defined: In the first semester of 2021, it is planned to "Define the priorities of technical assistance and approve the schedule of assistance, elaborate and approve the relevant technical tasks." And the implementation of the actual action - the provision of technical assistance - is planned to be performed during the second semester of 2023. The question arises here, as to what is the reason for the time interval of more than two years between the two sub-action, which presupposes this successive implementation. On the other hand, how realistic is it to expect that the assessment of the priorities implemented in the first semester of 2021 and the developed technical tasks will be relevant for the second semester of 2023.
- There are inconsistencies in the text of the description of some activities and the description of the work to be performed for different periods. For example, under Goal 4, if the description of the action and the verification measure (indicator) envisages "Elaborate the package of amendments and supplements for the RA Electoral Code and submit to the RA NA"; the description of the action to be implemented in 2020 envisages only "approved by the RA Government".
- Descriptions of baseline situations in action plans are often not based on factual data and are very general, thus contributing to the continuous formation of a negative opinion about the judiciary.
- For example, under the heading "Strengthening the Independence and Impartiality of the Judiciary", Activity 9 of Objective 5 states that "issuing from various surveys and public opinion analyzes it undeniable that the public has a deep distrust of the judiciary for decades. There is a need to inform the public about the process of judicial reform, the improvement of the courts, the increase of access to justice, the practical application of guarantees of judicial independence." Such judgments are not based on evidence and refer to public opinion without reference to specific research.
- The monitoring reports published by the Ministry of Justice need significant improvements. For example, the report "On introducing unified e-justice system and establishing a unified e-justice platform and ensuring accessibility of electronic databases and updating thereof issuing from the "2019-2023 Strategy for Judicial and Legal Reforms of the Republic of Armenia and the Action Plans Deriving Therefrom," which was adopted by the Decision N 1441-L of the Government of the Republic of Armenia of 10 October, 2019", does not comprehensively cover the process of implementation of all actions. On the other hand, the performance assessment system is not clear. For example, under Goal 2, the "Outcome" box of the action "Develop the e-notary system" merely states that "e-notary system software development works are in progress" and the action is assessed as "performed partially". This comment does not in fact represent what

work has been done so far and on what basis the action was assessed as "performed partially". In other cases, the action is assessed as "performed partially", provided that there are no significant achievements in terms of achieving the result of the action. For example, Goal 2 envisages to "Introduce an electronic system necessary for exchange of electronic contracts and documents subject to electronic certification by a notary", and according to the report of the Ministry of Justice, the technical task of the electronic system of electronic certification of transactions, exchange of necessary documents has been elaborated and was submitted to the Prime Minister's Office. The question arises here as to whether it is justified to assess the implementation of the action, which presupposes "introduction of an electronic system", as "performed partially", in case when only the technical task for the implementation of that system has been developed (without approval). Such unsubstantiated assessments may mislead decision-makers and implementers, as well as the public, about the implementation of the Strategy Action Plan.

- The comments submitted in the monitoring reports also do not contain data on implementation deadlines, which does not provide an idea on which work and in what period was done.
- Monitoring reports provide incomplete information in cases where the action includes several components. For example, Goal 14 envisaged as an action to “Elaborate forms of financial rehabilitation plans, organize relevant courses for bankruptcy administrators, judges and interested bodies.” The monitoring report published by the Ministry of Justice provides information on relevant courses for bankruptcy administrators, judges and interested bodies. However, no information is provided on the elaboration of financial rehabilitation plan templates. In this case, it is assumed that the assessment of the action by the monitoring specialist was carried out on the basis of incomplete information.

Recommendation: Review the report “On introducing unified e-justice system and establishing a unified e-justice platform and ensuring accessibility of electronic databases and updating thereof issuing from the “2019-2023 Strategy for Judicial and Legal Reforms of the Republic of Armenia and the Action Plans Deriving Therefrom,” which was adopted by the Decision N 1441-L of the Government of the Republic of Armenia of 10 October, 2019”, and other monitoring reports making them: 1) Sensitive to implementation deadlines by adding information on performed work deadlines. 2) Apply a substantiated methodology for the assessment of the performance of actions. 3) Make the information on the implementation actions more detailed and substantive.

Recommendation: There is a need to improve and clarify the methodology used by the Ministry of Justice for monitoring and evaluating the Strategic Action Plans, as well as to develop the Ministry's capacity in this area.

4. SECTORAL RECOMMENDATIONS

1. Amend the Electoral Code and ensure the implementation of the principle of a stable parliamentary majority.

2. Amend the Electoral and Administrative Procedure Codes and ensure in practice that the Administrative Court resolves electoral disputes in the field of local self-government within only seven exclusively.
3. Amend the Electoral Code and ensure the implementation of the constitutional requirement on restrictions on forming a political coalition.
4. Review the representation of non-judge members in the three commissions of the General Assembly of Judges (Ethics and Disciplinary Commission, the Commission for Performance Evaluation of Judges and the Training Commission), considering it in the sphere of compliance with the RA Constitution, taking into account the fact that the General Assembly of Judges is a self-governing body of judges, therefore, the participation of non-judges in its composition, except judges, contradicts the essence of self-government.
5. Review the requirements of the decision of the Ethics and Disciplinary Commission to reject the initiation of disciplinary proceedings against a judge and establish a mandatory reasoning requirement for the decision to reject the initiation of disciplinary proceedings against a judge.
6. Review the Judicial and Legal Reform Strategy and Action Plans Deriving Therefrom, or adopt a new Strategy and set a strategic goal aimed at introducing the “brain drain” program, providing our compatriots from the Diaspora the opportunity to carry out professional activities in high-ranking positions within the framework of experience exchange. The goal of this program and proposal is to compensate the short-term return of "brains" to the homeland to ensure the provision of their knowledge and experience in relevant fields. In the light of this proposal, also discuss the expediency of lifting the ban on becoming a judge for persons of Armenian nationality but without the RA citizenship.
7. Eliminate the discretionary right of the RA Minister of Justice to nominate legal scholars in the commissions examining the results of the written qualification examination and in the Appeals Commission of the written qualification examination, and to nominate candidates on a competitive basis. Provide for a tender procedure for the involvement of NGO representatives in these commissions.
8. Review and clarify the grounds for subjecting a judge to disciplinary liability, excluding uncertainty and the possibility of interpreting those grounds discretionally.
9. Review the accessibility of the Advisory Opinions on Integrity of the Commission for the Prevention of Corruption, make it open and accessible to the public, ensuring the confidentiality of personal data provided by law taking into account publicly available personal data.
10. To take comprehensive measures to reduce the prevalence of criminal subculture, which will not be limited to the development of purely legislative acts. It is necessary to take educational/training measures (activities) in combination with preventive measures. In this regard, it is important to carry out relevant awareness-raising activities, which will contribute to raising the level of awareness on this topic, both inside penitentiaries, and

in addition outside them, Moreover, as a target area, it is necessary to include people aged 14-21 years, who, according to the results of criminological examinations, may be more inclined to bear the influence of the criminal subculture. At the same time, clear preventive measures should be taken, which will significantly strengthen the control over the detection of cases of criminal subculture in penitentiaries and prevent their further spread.

11. Adopt a new normative legal act for the effective regulation regarding mutual legal assistance in criminal cases, which will comprehensively regulate the domestic procedures for requesting international legal assistance in criminal cases from the Republic of Armenia and fulfilling the requests for assistance requested by other states. In this regard, it is necessary to collect the problems registered during the last twenty years, taking into account that the relevant chapters of the current Criminal Procedure Code, which currently regulate the legal relations in question, almost have not developed and/or have not undergone radical changes. Only under these conditions will the regulation of mutual legal assistance in criminal cases be effective.

5. FINAL CONCLUSION

Number of planned actions	103	100%
of which performed within the deadline:	33	32%
of which performed with certain violation of deadline	7	6%
of which performed with significant violation of deadline	2	2%
of which not performed	58	56%
of which there is no information about the action	4	4%

- In total, **103 actions and sub-actions** were calculated according to the action plans deriving from the Strategy, **of which only 32% was performed within the deadline.** More than half of the actions, **56%, were not performed,** About **10% was performed with a certain or significant violation of the deadline.** The legal analysis of some of the actions, as well as the underperformance of the actions allows us to conclude that the goals set by the Strategy have not been achieved: in particular, the independence and impartiality of the judiciary has not been strengthened; mechanisms for public accountability of the judiciary have not been significantly improved; and the legislative reforms were not implemented in the envisaged volumes and content.
- Moreover, as a result of the quantitative evaluation of the Strategy actions, the following were separated from the goals with a performance index of 50% or more and subjected to legal analysis: “4. Electoral Legislation”, “5. Strengthening the independence and impartiality of the judiciary”, “5, 6, 7. Strengthening the independence and impartiality of the judiciary, improvement of mechanisms for public accountability of the judiciary and a judicial system free of corruption and sponsorship”, “11. Reform of the criminal and criminal procedure legislation”, the results of the level of influence registered under the goals and the actions carried out under the strategic directions. In terms of compliance

and completeness of these strategic goals and strategic directions, the latter were assessed as "**Not comply and not complete**".

- Considering the rather low performance indicators of the Strategy and the deriving actions, and the inconsistency and incompleteness of the results and the level of impact recorded under the separated strategic and legal objectives and strategic directions, and the actions taken, based on the preliminary agreements reached with the Ministry of Justice of the Republic of Armenia, other competent bodies and organizations, the professional and expert community during the 12 FGDs held in the period from 24 January to 1 February, 2022, we propose to develop a completely new five-year Judicial and Legal Reform Strategy, based on the observations, shortcomings and recommendations raised in this report, including proposals for review of actions that are not performed, ensuring high participation level in the process with the involvement of all actors in the field.