Appendix N 1

to Decision of the Government of Republic of Armenia

No 1133-L of July 21, 2022

2022-2026 STRATEGY
FOR JUDICIAL AND LEGAL REFORMS OF
THE REPUBLIC OF ARMENIA

YEREVAN -2022

CONTENT

INTRODUCTION

The judicial and legal reforms have been carried out in the Republic of Armenia since its independence, mainly conditioned by the adoption of the Constitution of the Republic of Armenia in 1995 and subsequent amendments thereto. Following adoption of the Constitution in 1995, the first judicial and legal reform has been carried out, aimed at substituting the existing Soviet judicial system with an autonomous judicial system of the newly independent Armenia, establishing domestic legislation, legal and judicial bodies of the independent republic.

Following the constitutional amendments of 2005, two strategies for judicial and legal reforms have been adopted: the first strategy covered the period of 2009-2011, and the second one — the period of 2012-2016 (the deadline for this program has been extended for one year, until the end of 2017)[1].

The above-mentioned two programs underlined the establishment of the efficient judiciary, as well as the formation[2] of an independent judicial system enjoying the public trust. Some positive amendments were made within the scope of the previous strategy, one of which is the adoption of some fundamental codes related to the sector of the judicial procedure. In particular, the adoption of the "Administrative Procedure Code" (adopted on December 5, 2013), the Constitutional Law "On Judicial Code" (adopted on February 7, 2018), and the "Civil Procedure Code" (adopted on February 9, 2018) needs to mention.

The political developments of 2018 in the Republic of Armenia put on the agenda the absolute priority of having a truly independent and effective judiciary, which is free of corruption and patronage. This priority was highlighted in the Programme of the Government of the Republic of Armenia of 2019, according to the priorities of which the Strategy for Judicial and Legal Reforms of the Republic of Armenia for 2019-2023 was developed and then adopted on October 10, 2019. The Strategy pointed out 18 strategic goals

[1] See https://www.arlis.am/DocumentView.aspx?docid=50926, https://www.arlis.am/DocumentView.aspx?DocID=110851

[2] For more details of the plans analysis, see "The impact of judicial and legal reforms programs on the independence of judiciary in the Republic of Armenia", which may be found at the following link:
http://prwb.am/new/hy/2019/01/25/%D5%B0%D5%A5%D5%BF%D5%A1%D5%A6%D5%B8%D5%BF%D5%B8%D6%82%D5%A9%D5%B5%D5%B8%D6%82%D5%B6-%D5%A4%D5%A1%D5%BF%D5%A1%D5%AF%D5%A1%D5%B6-%D6%87-%D5%AB%D6%80%D5%A1%D5%BE%D5%A1%D5%AF%D5%A1%D5%B6-%D5%A2/

of the reforms in the respective directions. The Strategy stipulates the following strategic goals: setting up an e-justice platform and ensuring accessibility of electronic databases and updating thereof, strengthening the rule of law by enforcement of the toolkit for the transitional justice, conducting constitutional reforms, reforming the electoral legislation, ensuring independence and impartiality of the judiciary, improving the mechanisms for public accountability of the judiciary, the judicial system free of corruption and patronage, increasing efficiency of functioning of the courts, establishing a unified platform of services provided by the state authorities and the local self-government bodies, reforming the law-enforcement system, reforming the criminal and criminal procedure legislation, reforming the civil and civil procedure legislation, raising effectiveness of the administrative justice and administrative proceedings, reforms in the field of bankruptcy, developing alternative methods of dispute settlement, raising efficiency of the notary system, raising efficiency of the system of advocacy, reforms within the compulsory enforcement system. Based on the Strategy and the Action Plans deriving thereof the following plans were developed: short-term Action Plan (from the 2nd half of 2019 to 2020), long-term Action Plan (from 2021 to 2023) and an Individual Action Plan on setting up an e-justice platform and ensuring the accessibility of electronic databases (from the 2nd half of 2019 to 2023).

The implementation of the actions envisaged by the Strategy was negatively affected by the emergency due to coronavirus disease and the subsequent announcement of quarantine and application of restrictions, as well as the 44-day war of 2020, which resulted in further disruption of normal functioning of state institutions and the impossibility of cooperation between different stakeholders.

Within this context, as of February 2022, out of 94 activities approved by the Appendix to the Strategy of the Judicial and Legal reforms of the Republic of Armenia for 2019-2023, total of 70 activities have been partially or fully implemented. As a result of the implemented actions, the new Criminal and Criminal Procedure Codes were adopted, the standards necessary for assessing the integrity of the judges and the members of Supreme Judicial Council were defined, the grounds for disciplinary action against judges were aligned with the goals of fighting corruption, new administrative and anti-corruption chambers were established in the Court of Cassation, an

institute for examining cases of pre-trial criminal proceedings by separate specialized judges were introduced, the electoral legislation was revised, as well as wide-scale works started towards the implementation of reforms in the field of bankruptcy, enforcement, etc.

The results of the implemented reforms have been referred to in the reports of various international organizations, which emphasized the need to continue the reforms. For example, according to the report on "Corruption Perceptions Index in RA (2021)", published by "Transparency International" anti-corruption centre, Armenia received 49 points, same as in the previous year. As a result, Armenia has made progress and ranks the 58th position among 180 countries, as compared to the 60th position last year and the 77th position in 2019. Armenia was included among the 25 countries that recorded a significant improvement in the corruption perception index over the past decade. The reforms have also contributed to the strengthening of the democracy in Armenia, as evidenced by the fact that Armenia is a leader in "Democracy and Good Governance" section (0.73 points) in the Eastern Partnership Index 2020-2021. Armenia was the leader here with the following indicators: "Democratic rights, elections and political pluralism" (0.84 points), "Free press" (0.67 points), "Freedom of opinion and expression, freedom of assembly and association" (0,84 points), “Fight against corruption” (0.88 points) and “Independent judiciary” (0.71 points).

Despite this, a number of reports have documented some continuous problems in the judiciary. For example, “The Freedom in the World” report[3] of “The Freedom House” non-governmental organization stated that the indicator of the independent judicial system during the years of 2019-2021 was rated only by 1 point every year, out of the maximum of 4 points, and the indicator of existence of fair electoral laws for the same period was rated by 2 points annually, out of the maximum of 4 points. According to the survey[4] conducted in December 2021 by the International Republican Institute (IRI) Polling Research Centre, only 8% of respondents were fully satisfied with the work of the courts, which proves that the judiciary remains the least trusted among all state entities.

[3] «Action 4 4 4 4 House» NGO Report “Freedom in the World” https://freedomhouse.org/report/freedom-world/2022/global-expansion-authoritarian-rule

[4] Centre for insights in survey research “Public Opinion Survey. Current population of Armenia” https://www.iri.org/wp-content/uploads/2022/02/Final-presentation_Arm.pdf

Thus, a number of actions are still required which will be aimed at increasing the independence, impartiality and confidence of the population towards the judiciary, reducing the burden on the courts, improving the quality of public services, improving civil and civil procedure legislation, introducing a unified electronic justice management system and other steps, necessary for the development of the judicial system of the Republic of Armenia.

In any case, the early parliamentary elections held on June 20 showed the irreversibility of democratic processes in the Republic of Armenia. It was the second consecutive national election that was highly praised by the international community. As a result of the elections, the Government presented its new action plan for 2021-2026, on the basis of which the action plan for 2021-2026 was adopted on November 18, 2021.

The program of the Government and the action plan deriving thereof set the priorities of the new Government in the area of justice as well, including the judicial and legal sphere, which means the revision of judicial and legal reform strategy in the light of the new government program. As a result, the revision of the judicial reform strategy was included in the Action plan, highlighting the electoral, e-justice and advocacy sectors, as well as the continuous development of alternative methods of dispute resolution and sub-specializations of specialized courts and judges, the implementation of bankruptcy legislation reforms, the provision of state and community services, including the improvement of the provision of services in the field of Civil Status Acts Registration, and the directions of the development of the draft of the Constitutional Reform concept.

Taking into account the above, as well as taking as a basis the 4th part of Article 146 of the Constitution, part 8 of Article 11 of the Law "On the Structure and Operation of the Government", the Strategy of the judicial and legal reforms for 2022-2026 has been developed as a revision of the strategy for 2019-2023.

The Strategy envisaged 12 strategic goals and 41 strategic directions - e-justice, transitional justice toolkit, the directions of democratic institutions (in particular, the constitutional and electoral) and judicial system reforms, criminal, civil and civil proceedings,

administrative and administrative proceedings, bankruptcy, alternative dispute resolution methods, advocacy, enforcement, notary and other areas of general development of the justice system.

The strategy consists of the Actions plan deriving thereof, which highlights the actions necessary to achieve each of the strategic goals, as well as the final, intermediate and the direct results of each strategic goal. The final result of each goal expresses the general output of the goal at the sector and the field level. The intermediate results directly derive from the corresponding final results of the strategic objective, which express the results at sub-sector and specific event level and contribute to the realization of final results. The direct results derive directly from the intermediate results of the strategic goal, which convey the quick results of each strategic objective expressed in qualitative or quantitative indicators at the lowest levels and contribute to the realization of the intermediate results.

A brief description of the action, its importance, the means of verifying the completion of the action and the source of collecting information about it, the authorities responsible for the action, as well as the source of funding of the action and its volume is introduced in regards of each goal's actions.

Each action has target indicators that express the level of the action in a certain period of time, which must be achieved as a result of the implementation of the action, as well as base indicators that reflect the initial state of the action, against which the target indicators are set and against which the level of implementation of the given action will be evaluated later. The strategy was established by the decision No. 1508-L of the Prime Minister as of December 30, 2021 "On approving the methodological instruction for the development, introduction and control of the strategic documents affecting state revenues and expenses" in accordance with the methodological instruction for the development, introduction and control of the strategic documents affecting state revenues and expenses.

The financial sustainability of the Strategy and the Action Plan is ensured through the provision of financial resources necessary for the implementation of the actions deriving from the strategic goals, within the framework of the available funds of State budget of the Republic of Armenia, which were calculated and reflected in the Action Plan to the possible extent.

In terms of efficient implementation of the actions, an importance is attached to the Partners, who constantly support the judicial and legal reforms in the Republic of Armenia, including the financial assistance under European Union budget support. In this context, it should be noted that the Ministry of Justice is going to create and arrange a coordination platform of international partners, in order to coordinate their support, as well as to ensure the integrity, effectiveness and complementarity of the actions.

At the same time, the Ministry of Justice will also ensure the coordination of actions between this Strategy and other strategic documents, including anti-corruption, penitentiary and probation, national strategies for the protection of human rights, the latter's complementarity and interaction among different responsible entities.

SECTION I. STRATEGIC GOALS AND DIRECTIONS

STRATEGIC GOAL

SETTING UP A UNIFIED "E-JUSTICE" MANAGEMENT SYSTEM AND ENSURING ACCESSIBILITY OF ELECTRONIC DATABASES AND UPDATING THEREOF

Due to the progress of public relations, the widespread use of digital technologies thereof, there is an objective need to use such technologies and solutions within the framework of public administration, including the administration of justice. In particular, a number of steps have been taken in recent years to introduce various electronic platforms. However, such a trend sh ould be continuous and regular, in view of both - the development of fundamental relations and the existence of areas where, despite the existing need, the electronic platforms have not been introduced.

In particular, in the context of the introduction of electronic systems, especially in the field of justice, a number of changes have been made, for example the introduction of a unified website for publication of draft regulatory legal acts (www.e-draft.am), some e-litigation modules, e.g. the application of a structure on issuing an order on payment. However, still much remains to be done to improve the electronic means of public administration, introduce the new tools, simplify the administration, and save the time through the use of such tools.

In addition, the provision of security guarantees for the newly introduced electronic systems is also very important. Therefore, within the context of the measures implemented due to security considerations, it is necessary to coordinate their implementation with the authorized State body in the field of national security.

STRATEGIC DIRECTIONS

The establishment of the unified "e-court" and "e-justice" management systems

The electronic systems available in the digital era create new challenges and opportunities for the field of justice. Currently, a number of bodies within the field of justice have electronic systems already in place; however, these systems fail to interact with the electronic systems of other bodies in the field of justice. Presently it is necessary to introduce a centralised electronic management system for the comprehensive solution of the problems in the field of justice. Moreover, the creation of the mentioned system should be carried out both by modernizing the existing systems in the judiciary and by creating new systems and combining them.

The introduction of the unified "e-justice" management system is aimed at:

(a) the establishment of an electronic document circulation system between the judicial and law enforcement authorities (Inquest and Preliminary Investigation Bodies, Prosecutor's Office), law enforcement bodies (the Compulsory Enforcement Service, Penitentiary Service, Probation Service) and between institutions of other bodies,

(b) the modernization of the electronic management systems operating in the courts and other bodies in the field of justice,

(c) the establishment and putting into operation of a unified "e-justice" electronic management system in the courts, that will ensure the transfer of cases from one court 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, make possible submission of evidences to the court, filing motions and carrying out other procedural actions;

(d) the introduction of an electronic platform by ensuring the official correspondence online, electronic documents circulation between all participants of the case, as well as creation of an opportunity for natural and legal persons for contacting state bodies online, submitting applications, complaints, and other documents thereto, in addition, creation of an opportunity of tracking the status of the case online,

(e) ensuring the collection of statistical data through the system during the entire course of proceedings,

(f) the unification of all the electronic systems and databases operating within the bodies of justice,

(g) ensuring the establishment of digital archives.

As a result of the implementation of the above-mentioned processes, the unified electronic system will ensure the implementation of document circulation electronically, contribute to the development of a unified policy for the management of the systems in the field of justice, for collection of the comprehensive statistical data, as well as for saving the time and material resources and simplification of the administration.

Referring to “e-court” system, which is a key component of "e-justice" system, it should be noted, that at present, the judicial system of the Republic of Armenia does not have a unified electronic system within which all court proceedings are conducted.

There are only several electronic tools that cannot ensure the full digitalization of the judicial process, in which case the functioning of the unified “e-justice” management system cannot be effectively implemented.

At the moment, the development and implementation of "e-court" unified management system is a priority, the realization of which will enable the court and the parties to carry out judicial functions within the framework of proceedings in electronic format.

It is expected that the system will include electronic tools for civil, administrative, bankruptcy and criminal cases, each with a separate module and combined with electronic databases of all bodies and organizations which are involved in the case or are the processors/managers or beneficiaries of the information necessary for the court.

Referring to electronic systems of inscription and distribution of judicial cases, as well as to official publication of judicial acts, it should be emphasized, that under the conditions of the current policy, the procedure for distribution of the cases does not take into account the workload of a judge and the complexity of a case, which leads to disproportionately greater burden on some judges.

At present, the distribution of cases by sectoral specializations is an urgent issue, especially among judges with specialization in civil law. The current model of general distribution does not ensure the effective examination of cases. Thus, there is a need for a fundamental reform in the procedure for electronic inscription and distribution of judicial cases.

Besides, it is necessary to improve the information system for the official publication of judicial acts, to expand its technical capabilities.

It is necessary to develop and introduce a unified e-management registry of the Institute of Mediation. At the moment, there is not a unified electronic registry of mediators in the Republic of Armenia, which would allow the Ministry of Justice to maintain and publish data on all active mediators, their status, specialization and the other necessary data, as well as there is no way to elect the candidates for mediators electronically. The need for this arises especially within the framework of the judicial and legal reform, with the planned introduction of online, compulsory mediation institutions, the qualification of new mediators and their listing in the registry, as a result of which there will be a need to introduce appropriate electronic tools. The introduction of an electronic registry will not only enable the maintenance of a unified database, but also, taking into account the specialization of the mediators, their workload, to select a candidate for a mediator by the method of drawing of lots. It is also necessary to ensure that each registered mediator has his own office to manage the workload and to use the flexible tools of the registry.

In the context of the above, it is necessary to conduct trainings for people involved in the process of using the new software.

Along with the abovementioned, it must be taken into account that the information and statistics on the activities of the judicial system currently have limited access. The statistical data is available at www.court.am website, however, the information base of the website is not updated on time, the statistical information is not generated automatically and is not introduced in a user-friendly format. Meanwhile, from the point of view of transparency and accountability of the activities of the judiciary, the importance is attached to the publication of reports and statistics, summarizing the activities of courts in the publicly accessible online mode. It is therefore necessary

to ensure the public accessibility of complete reports and statistics on the activities of the judicial system, which will increase public accountability of the judiciary.

Further development of electronic systems of justice sector bodies

Along with the introduction of "e-justice" and "e-court" electronic systems, it is necessary to refer to a number of systems related to the field of justice and modernize them, as the long-term vision of e-justice adopted by this Strategy can be guaranteed only upon the complex activities of the latter.

2020 Introduce and launch the electronic management system "e-probation", as well as upgrade "e-penitentiary" electronic management system

In line with the development trends of innovative technologies, it is necessary to introduce the modernization of "e-probation" and "e-penitentiary" electronic management systems in order to increase the efficiency of activities, reduce document circulation, ensure effective, transparent and accountable management of Penitentiary and Probation Services. It should be taken into account that though "e-penitentiary" electronic management system is currently operational, however it needs modernization, as the software base was developed about 6 years ago and does not meet the modern requirements.

The electronic management systems will make possible to digitize the results of the work carried out with detainees, convicts, and probation beneficiary. The systems will allow to receive the following information electronically - all functions performed by the law in relation to detainees and convicts, the required documents, information on conditional release, change of punishment regimes, prison visits, study, work and other relevant information. At the same time, the entire process of taking photos, fingerprinting, and video recording will be carried out digitally and archived in each person's personal folder. One of the advantages of the automation complex is the possibility of receiving reports in any format, as well as its analytical function.

2. Introduce and launch "e-criminal case" electronic management system (electronic management system for pre-trial criminal proceedings)

At present, there is no electronic management system for pre-trial criminal proceedings, which would enable to carry out the document circulation of the proceedings electronically. A number of issues are outlined in the chains directly involved in the preliminary investigation of the criminal case, and those are - large volumes of paper documents, high cost of stationery, imperfection of the notification system, lack of electronic support systems, etc. The Electronic Management System for Pre-trial Criminal Proceedings (EMSPCP) implies the use of modern information and communication technologies, as a result of which the efficiency of pre-trial criminal proceedings will be significantly improved. As a result of this, the financial and human resources will be saved, the possibility of shortcomings and omissions during the investigation of criminal cases will be reduced, the acquisition of evidence during the investigation of criminal cases will be facilitated, etc.

3. Introduction and operation of a new electronic management system for Compulsory enforcement service

In order to reduce the timeframe for performing enforcement actions and overall, in terms of increasing the efficiency of enforcement proceedings, the application of modern technical solutions is essential. In particular, the mechanisms for using electronic means in the enforcement proceedings and the mechanisms for electronic notifications need to be improved. In addition, in order to ensure the efficiency of the administration, it is necessary to develop the electronic system of document circulation between all state bodies and interested persons of the Compulsory Enforcement Service; to expand the possibility of communicating electronically with the compulsory executor for the participants of the enforcement proceedings, to ensure the consolidation of the legal grounds for receiving, appealing, filing applications, complaints, presenting documents in the framework of enforcement proceedings in the electronic form, receiving answers through a single electronic system and putting them into practice. It is necessary to ensure the circulation of documents among the parties of enforcement proceedings mainly through the personal electronic accounts/profiles, as well

as expand the circle of the users of those personal electronic accounts. This will result in reducing the need for direct communication between the participants of the enforcement proceedings and the enforcement officer and will control the stemming risks thereof.

It is also essential to ensure that a number of actions within the framework of enforcement proceedings are performed automatically, excluding the human intervention in the process as much as possible, which, in turn, will reduce the duration of the enforcement proceedings, the omissions due to human factors during enforcement proceedings and limit other possible risks. In addition, in order to ensure the accuracy of calculating the amounts subject to foreclosure, when implementing the writ of execution with monetary claims, it is necessary to introduce electronic tools for automatic calculation of all the accrued interest and other payments, thus excluding the calculation of the final amount to be confiscated on the basis of calculations submitted by the claimant (in particular, the bank or other financial institution).

It is also necessary to ensure the distribution of enforcement proceedings among enforcement officers automatically; to ensure the modernization of the existing systems of electronic circulation of documents between the state and the local self-government bodies of the Compulsory Enforcement Service, as well as to introduce the new electronic channels; automate and optimize the process of distributing the confiscated money and the process of terminating the enforcement proceedings to the maximum.

At the same time, it is necessary to ensure the modernization of the electronic system of compulsory electronic auctions and its integration with the new electronic system of the Compulsory Enforcement Service, as well as to reduce the risks of loss and/or leak of the personal data of the participants of proceedings and of the digital database of the service.

The digitization and modernization of public functions and databases assigned to the Ministry of Justice

Along with the introduction of "e-justice" and "e-court" electronic systems it is necessary to address the issue of digitization and modernization of public functions and databases assigned to the of the Ministry of Justice, considering the role and significance of those in achieving the strategic goal of establishing e-justice.

2020 Modernizing the official website for public notifications of the Republic of Armenia

The official website for public notifications of the Republic of Armenia (www.azdarar.am) (hereinafter referred to as "the Website") was set up in 2007, and subsequently some alterations were made to the software in 2009. The website was launched in 2011.

During the period from 2011 to 2015, 150 statements in average were input on the Website per day, whereas the average of the statements being entered currently reaches 800 per day. The statements on certain days range up to 1200. As a result of this, the load of the Website has drastically increased, thus slowing down the operation of the Website.

Being a platform for public notifications, in cases when it is envisaged by the law to make a public notification by way of publishing the information in the press, the mentioned public notification shall be posted on the Website.

Considering that the technical capacities of the Website fail to meet the current requirements, it is necessary to modernize it by furnishing it with new software solutions and ensure the publication of statements and notifications through a single effective mechanism, as well as introducing the system of individual notifications.

2. Developing and introducing a unified electronic management system of the RA National Archive

The demand for services provided by the National Archives is increasing year by year, for example, compared to 2016, in 2021 only the number of certificates issued to individuals has sharply increased; in 2016, the number was only 35,000, whereas in 2021 it became 58,000. However, the National Archives of Armenia is not yet able to provide services in electronic format, which significantly affects the speed and the efficiency of the process of providing services to citizens and to legal entities.

Due to an increase in the demand on one hand, as well as the need to provide better services to citizens in a quicker manner, on the other hand, it is necessary to modernize the archive services and bring them in line with the modern requirements.

The introduction of a unified electronic management system of the National Archives of the Republic of Armenia will make it possible to digitize the services provided, combine them within the unified “e-justice” management system and ensure the electronic circulation of documents with all bodies. The system will also allow everyone to apply to Archive through electronic means and to

receive the original documents in electronic format, as well as ensure the long-term preservation of archive materials.

3. Modernizing the "e-register" system of electronic registration of legal entities

The system of the State Register of the Legal Entities of the Ministry of Justice of the Republic of Armenia enables to make state registration/record-registration, state registration/record-registration of changes, state registration of liquidation and removal from record-registration of legal entities, individual entrepreneurs, as well as the separated subdivisions and institutions of legal entities.

The database of the State Register of the Legal Entities maintains information on all the legal entities, individual entrepreneurs, the separated subdivisions, and institutions of legal entities registered in the Republic of Armenia.

The software support of the system was set up in 2011 and has not been updated ever since. The system is aimed at realization of "one-stop shop" principle, however, now it fails to enable implementation of a number of functions, which are efficient in terms of time saving, minimizing the administration, improving the business environment and the services provided, in particular:

- the documents related to functions fulfilled by the agency as prescribed by the law, including the excerpts from the Register, the decisions on rejection of state registration and state record-registration and other documents are prepared in the form of electronic documents, however, the technical capabilities of the system do not allow sending the relevant documents automatically to the e-mail address provided by the person,
- the system doesn't enable to make the record-registration of the media, the "re-registration" of organizations registered/record-registered by another body, registration of closed joint stock companies,
- registration of non-governmental organizations,
- registration of shares of limited liability companies, etc.

The programme of reforms in the field aims at providing solutions to the above-mentioned problems, as well as the modernizing software support of the Register and ensuring the public access to the Register data.

4. Establishment of digital archives for State Register of Legal Entities

As of December 2021, the Agency of State Register of Legal Entities maintained a total of 149,780 current archive files of individual entrepreneurs, as well as 160,900 archived files of sole proprietors removed from record-registration; 98,295 files of legal entities (including their separate subdivisions, institutions), state bodies and current archive files of administrative institutions; also archive files of 55,680 liquidated legal entities and separated subdivisions removed from record-registration, which comprise approximately 14 million pages. So far, the indicated documents have not been fully digitalized (only the latest charters of existing legal entities have been digitized as part of the digitization work carried out before 2012).

In order to carry out the state registration and the record-registration in a fully electronic format, it is necessary to carry out the digitalization of the above-mentioned documents, which will allow to ensure the accessibility and the long-term storage thereof.

It is envisaged that people with limited abilities or disabilities, too, will be enrolled in the process of scanning the archive documents, record keeping of digitalized databases and collection of statistical data.

5. Ensuring the conditions for certification and exchange of contracts and documents concluded electronically by the notary public, by the electronic digital signature

Introduction of the electronic communication by use of the electronic management system in the field of notary between the notaries public and the financial institutions (banks, credit organizations) will enable to electronically exchange the documents and certify the PoS contracts concluded by the electronic digital signature. The templates of electronic contracts subject to electronic certification and the procedure for the electronic certification, as well as the procedure for exchanging documents between notaries public and financial institutions thereof will be established.

Such regulations will also enhance the provision of writs of execution by electronic format, expanding the institution of provision of writs of execution. As a result of the introduction of the system, the speed and the quality of notary services will increase.

At the same time, by making the legislative amendments, the possibility of certification of transactions by the notary public through means of electronic communication should be ensured. In case there is only one party in the transaction, the latter may be certified by the notary public by means of electronic video communication if such means enable direct visual contact between the party to the transaction and the notary public, and the party to the transaction is known to the notary public or the identification and the identity thereof may be verified under the established procedure. The identification, the identity, and the active legal capacity of the physical person in given situation are defined based on the identification documents and the valid electronic signature.

The technical possibility of certification of transactions by electronic means will be introduced after the relevant regulations are made to the legal acts, as well as the digitalization of certified documents will be ensured. This tool will be efficiently enforced specially to ensure the application of documents at a distance.

In such a way, it will be possible to carry out certification of transactions and exchange of documents both throughout the Republic of Armenia and for natural and legal persons located in the territory of a foreign state by means of telecommunications.

6. Introducing electronic bankruptcy system

Within the framework of e-justice, it is necessary to introduce an electronic system for bankruptcy, which is accepted and applied in a number of countries, expressed in different forms. It enables to carry out the bankruptcy proceedings (starting with institution of bankruptcy proceedings and ending with completion thereof) electronically, without any excessive document circulation, ruling out the human intervention as much as possible and carrying out the processes without direct participation of the parties.

This is especially true for auctions in bankruptcy proceedings. Introduction and putting into operation of electronic platform for bankruptcy should contribute to the formation of a more transparent system of bankruptcy. It should create an opportunity to ensure filing of applications and other documents to the court, to the bankruptcy administrator and to the participants of proceedings, as well as ensure the online access to the documents and the information concerning the bankruptcy proceedings, make electronic notifications,

arrange the election of the bankruptcy administrators and the electronic sales of property, publishing reports, consolidating statistical data etc.

The e-bankruptcy system needs to be integrated together with the e-bankruptcy court module to ensure the interoperability of court and non-court proceedings in bankruptcy proceedings.

STRATEGIC GOAL

APPLICATION OF TRANSITIONAL JUSTICE TOOLKITS TO DETECT SYSTEMIC HUMAN RIGHTS VIOLATIONS THROUGH FACT-FINDING ACTIVITIES

Transitional justice is a set of processes and structures that provides a comprehensive and universal review of the past to understand in a broader context how the laws have been adopted or enforced, how the systemic human rights violations are being identified, and how the violated rights are being restored, as well as in some cases they lead to achieve a reconciliation.

In this regard, it should be taken into account that the mass violations of human rights have periodically occurred in the Republic of Armenia since independence, accompanied with persistent systemic and political corrupt practices. This was underlined in a number of international reports[5].

The guiding principle for introduction and implementation of transitional justice toolkit should be the compliance of these processes with the Constitution of the Republic of Armenia, the laws and the international obligations assumed by the Republic of Armenia, and as a result of which it will be possible to ensure their adequacy, legality and efficiency.

In this context, the cases of national and local elections to local self-government bodies in the Republic of Armenia and organization and holding of referendums, political persecution in post-election processes, alienation of property in order to ensure the overriding interests of the public, other forms of expropriations, deaths of servicemen in non-combat conditions, as well as, if necessary, the cases of human rights violations in other areas systematically related to the above-mentioned events need a special study.

The selection of the fields of the above-mentioned violations is conditioned by the nature, scale of those violations and consequences they caused. In particular, the existence of mass violations of human rights in electoral and post-electoral processes for

[5] See, for example, Universal Periodic Review - Armenia (https://www.ohchr.org/EN/HRBodies/UPR/Pages/AMindex.aspx), Trial Monitoring Project in Armenia (April 2008 - July 2009) - OSCE / ODHIR (available at: https://www.osce.org/en/odihr/75779), Resolution 1609 (2008) The functioning of democratic institutions in Armenia (available at http://assembly.coe). int / nw / xml / XRef / Xref-XML2HTML-en.asp? fileid = 17643 & lang = en), The Human Freedom Index (https://www.cato.org/human-freedom-index-new), Freedom in the World 2018 (available at https://freedomhouse.org/report/freedom-world/freedom-world-2018), Control of Corruption Indicator - Millennium Challenge Corporation (available at https://www.mcc .gov / who-we-fund / scorecards? fwp_scorecard_country = 6170)

years has been stressed in the 2014 Report[6] submitted to the UN Human Rights Council by the civil society organizations of Armenia. The mentioned Report specifies, "one of more problematic institutions of the state administration system of Armenia is considered to be elections. The right to elect and to be elected, itself, is considered one of the rights being violated more frequently. The civil society organizations have emphasized that the elections having taken place in Armenia have contributed to the strengthening of the corruption practices observed and recorded by the civil society in the past 15 years, such as vote-buying, pressure over and intimidation of electors, observers and proxies, multiple and "carousel" voting, supervision carried out by criminals at electoral precincts and ballot box stuffing[7]".

There are also issues related to the political persecutions in electoral and post-electoral processes, recorded by international and domestic organizations. In particular, in its Resolution 1609 the PACE called upon Armenia to release the persons detained on politically motivated charges[8]. The political persecutions involved politicians, their affiliates, activists, etc.[9].

In respect of cases of death recorded in non-combat conditions, it should be emphasized that according to the data introduced by "Safe soldiers for a Safe Armenia" Programme, in 1994-2019, in total 1121 deaths[10] have been recorded in times of peace in the Armed Forces of the Republic of Armenia and the Defence Army of the Republic of Artsakh. For years "Peace Dialogue" NGO[11] and "Helsinki Citizens' Assembly-Vanadzor" NGO[12] have made periodic reports and analyses regarding the cases of death recorded in non-combat conditions. The activities carried out by the mentioned organizations have been stated also in the 2018 Report on Human Rights Practice[13]s, published by the Bureau of Democracy, Human Rights and Labour.

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[6] The joint report submitted to the UN Human Rights Council by the group of civil society organisations http://www.un.am/up/file/UPR%20report%20from%20OSI_FFHR_Volume%20I_arm.pdf

[7] Ibid

[8] http://assembly.coe.int/nw/xml/XRef/Xref-XML2HTML-en.asp?fileid=17643&lang=en,

[9] https://www.osce.org/odihr/34352?download=true

[10] https://safesoldiers.am/category_analysis and publications

[11] The information on "Peace Dialogue" NGO may be found at the following link: https://peacedialogue.am/

[12] The reports of "Helsinki Citizens' Assembly-Vanadzor" NGO may be found at the link: https://hcav.am/

[13] https://am.usembassy.gov/wp-content/uploads/sites/92/hrr2017_arm.pdf. With respect to one of the cases of death recorded in non-combat conditions, in November 2016 the ECtHR rendered a decision according to which in 2002, in relation to the death of private Suren Muradyan (served in the Republic of Artsakh) the State had violated the right to life and established that the State would pay the family of Muradyan a compensation in the amount of EUR 50.000. Although the Government paid that amount, no measures were taken to subject the persons found guilty in the death of Muradyan to liability (https://am.usembassy.gov/wp-content/uploads/sites/92/hrr2018_arm.pdf).

With respect to violations of the right of ownership, it is important to mention the 11 ECtHR judgments against Armenia, rendered as a result of Decision of the Government of the Republic of Armenia No 1151-N of 1 August 2002 and its previous Decision No 645 of 16 July 2001 and related decisions (concerning the construction of the North Avenue and Kentron District), with compensation of damages[14] in the amount of about 2 million. With respect to the mentioned program, in 2004 alone the Human Rights Defender received 176 and in the first five months of 2005 — 239 complaints[15].

While the large-scale reforms that followed the political events in 2018 significantly improved the structure for protection and guarantee of the individual rights, however, full disclosure of the causes and consequences of systemic violations since Armenia's independence can be critical in mitigating or neutralizing the risks of their occurrence in the future, in restoring completely the violated rights of individuals, and in ensuring the continuity of institutional reforms. The implementation of these functions will be possible through fact-finding activities.

STRATEGIC DIRECTION

Introduction of necessary structures for fact-finding activities

In order to study the cases of human rights violations in Armenia since its independence and to collect information about them, it is necessary to form a body, which, in turn, should have such functions that will allow to study and map out the cases of mass and periodic violations of human rights in the Republic of Armenia since 1991, as well as to study their causes, submit the proposals to restore and protect the identified violated rights, as well as to exclude their recurrence. In this context, the body conducting fact-finding functions should study and collect the cases /since September 1991/ of national and local elections to local self-government bodies in the

[14] See, inter alia, Minasyan and Semerjyan v. Armenia (Application no. 27651/05), Tunyan and others v. Armenia (Application no. 22812/05), Danielyan and others v. Armenia (Application no. 25825/05), Ghasabyan and others v. Armenia (Application no. 23566/05), Baqhdasaryan and Zarikyan v. Armenia (Application no. 43242/05), Vardanyan and Nanushyan v. Armenia (Application no. 8001/07), Gharibyan and others v. Armenia (Application no. 19940/05), Hovhannisyan and Shiroyan v. Armenia (Application no. 5065/06), Safaryan v. Armenia (Application no. 576/06), Yeranosyan and others v. Armenia (Application no. 3916/06), Tadevosyan v. Armenia (Application no. 69936/10).

[15] https://ombuds.am/images/files/0252f17326b9ec684029ae0da5bbbb9c.pdf. Other issues relating to the right of ownership may be found in the reports of the Human Rights Defender which may be found at the following link: https://ombuds.am/am/site/SpecialReports

Republic of Armenia and organization and holding referendums, political persecution in post-election processes, alienation of property in order to ensure the overriding interests of the public, other forms of expropriations, deaths of servicemen in non-combat conditions, as well as, if necessary, the cases of human rights violations in other areas systematically related to the above-mentioned events.

The body conducting fact-finding functions should be able to publish reports after the investigations and findings are identified, which will be the result of the work done, thus addressing the presented cases, events, facts and violations, as well as the conclusions and recommendations reached thereof. Moreover, these reports can be addressed to the relevant state authorities or local self-government bodies for their study and for taking relevant actions, if necessary. In turn, these reports can be submitted to the National Assembly for discussion to make the findings as the subject of a more effective public discussion, as well as, as necessary, to implement the legislative initiatives aimed at resolving the findings and preventing similar situations in the future.

The body conducting fact-finding functions in the course of its activities and as a result of the case studies shall develop recommendations for institutional reforms in order to prevent its recurrence, including the recommendations aimed at the need of making necessary legislative changes, increasing the effectiveness of measures of protecting human rights, detecting the crimes, violations and accountability mechanisms to increase the efficiency of the state and local self-government, as well as aimed at strengthening and improving the integrity of civil servants, etc.

To achieve its objectives, the functions of the body conducting fact-finding activities inter alia should include documenting the information provided by the victims of violations, publishing their stories with the consent of the victims, requesting information from state bodies, calling persons for explanations, as well as developing the methodology for study of the activities of judicial and other relevant bodies and evaluation of those activities, as well as referring to the detection of corruption schemes based on them. In the context of the above, among other models, the creation of such a structure within the framework of an already existing body can be considered as an example.

STRATEGIC GOAL

DEVELOPMENT OF DEMOCRATIC INSTITUTIONS

Within the context of the establishment and strengthening of democracy, the regular progress and development of democratic institutions is also essential. Due to the above, it is necessary to address the development of democratic institutions (the constitution and the electoral system) included in the context of judicial and legal reforms.

According to amendments to the Constitution of 2015, the Republic of Armenia made a transition from a semi-presidential system of government to a parliamentary one, and as a result of this the entire constitutional-legal system was transformed, which predetermined the prospects for the development of the Republic of Armenia in a number of directions. For example, compared with constitutional amendments of 2005, the definition of fundamental human rights and freedoms has been significantly improved. However, as a result of the enforcement practice of the Constitution and the legal-political events that took place in the country, it is becoming a subject of discussion in various circles of the society, including the professional ones, that the Constitution, nevertheless, contains various problematic provisions that to one degree or another can undermine the constitutional order, the establishment of the constitutional culture, the proper provision of the principle of rule of law and the smooth application of constitutional norms. Thus, the implementation of constitutional reforms should be aimed at identifying the existence of such problems and, if necessary, guarantee the constitutional stability, the proper functioning of constitutional and other bodies and the realization of fundamental rights of a person.

Therefore, the main purpose of the constitutional amendments is to have a constitution free of all kinds of subjective factors, adopted by the people without any guidance and as a result of free expression of their will.

It should be noted, that within the context of the Government Program for 2019-2023 and the Judicial and Legal Reform Strategy for 2019-2023, a number of reforms have been implemented in accordance with the goals set in the framework of the electoral legislation. In particular, in 2021, comprehensive amendments were made to the Electoral Code, which were widely discussed and supported by the majority of parties and civil society groups. As a result, the electoral system has been simplified, the system of regional

voter lists has been eliminated, the procedures for forming coalitions and campaign procedures have been improved, and the transparency of elections has been increased. Early parliamentary elections of 2021 were assessed by the ODIHR Observation Mission as competitive and generally well organized, taking into account the short timeframe for organizing the latter, and also the fact that the voters had a wide choice and the campaigns[16] were organized freely. In addition, in accordance with the new legislation of 2021, large-scale elections to local authorities were held in 38 enlarged communities according to the proportional electoral system.

However, following the results of the elections, it became clear that within the framework of the electoral legislation there is still a need for continuous improvement of certain areas in order to fully ensure the proper implementation of the electoral right. In this regard, the need for improvement is also evidenced by the reports compiled by the observation missions of the OSCE Office for Democratic Institutions and Human Rights on the results of 2018 and 2021 National Assembly elections, which, though emphasize the positive developments in the electoral legislation of Armenia in this area, however, indicate that at the same time the need for changes in some directions still exist[17] .

At the same time, the basis for continuous reforms should be the application of the amendments to the reformed electoral legislation (especially the issues raised during 2021 parliamentary and local self-government elections), as well as the existing problems, regarding which the reforms are still needed.

STRATEGIC DIRECTIONS

Implementation of constitutional reforms

The Council for Constitutional Reforms was established by the decision of the Prime Minister on January 27, 2022, with the purpose of initiating the constitutional changes. The members and the procedure for activities of the Council were also approved. A

[16] https://www.osce.org/files/f/documents/2/0/508394.pdf
[17] See "Republic of Armenia, Early National Assembly Elections, December 9, 2018.", The final report of the ODIHR observation mission at the following link: https://www.osce.org/files/f/documents/9/b/413564_0.pdf, as well as "Republic of Armenia, Early National Assembly elections, June 20, 2021", The final report of the ODIHR observation mission at the following link: https://www.osce.org/files/f/documents/2/0/508394.pdf

five-member professional Commission on Constitutional Reforms has also been formed on a competitive basis on the basis of the same decision. In addition, the commission included a Doctor of Law, a PhD in Law or a lawyer with Master of Laws in a foreign country and with an experience in the field of law for at least seven years selected by the Council. The main function of the Council for Constitutional Reforms is to determine the directions of reforms, within the framework of which the professional Commission will elaborate the concept and based on it the draft amendments to the Constitution.

In the context of the above, it is necessary to ensure the clarification of the directions of the constitutional concept and elaboration of the draft constitutional amendments by the Council for Constitutional Reforms and Specialized Constitutional Reform Commission. In turn, in order to ensure the inclusiveness of constitutional reforms, it is necessary to organize discussions with the wide public, as a result of which it will be possible to determine the feasibility and the agenda for changes based on the needs, problems and solutions and then develop the concept of reforms and, if necessary, draft amendments to the Constitution.

The reform of the electoral legislation through the analysis of the issues having arisen and recorded during the past elections

Within the context of the designated strategic goal, it is necessary to raise various legal and practical issues revealed in the framework of the parliamentary elections of 2018 and 2021, as well as the local self-government elections of 2021, including the expansion of digital tools for organization and conduction of elections, the introduction of a universal identification of a person during elections (not only at local level), as well as the introduction of a unified method, including the implementation of the new toolkits aimed at the interoperability of information databases. In its turn, as referring to pre-election campaigns, it is necessary to properly balance the course of the pre-election campaign at the legislative level, to ensure equal access to public platforms and resources. From the point of view of improving the electoral legislation and proper implementation of the electoral right, the coordination and inventory of the identified issues that can serve as a basis for reviewing the electoral legislation is of particular importance. The basis for the above

may serve the positions of the Venice Commission on previous processes of electoral reform, as well as the issues raised in reports published by international and local election observation missions.

In connection with solving the inventoried problems of the electoral legislation, there will be a need to develop legal norms and structures aimed at their elimination, as well as initiate discussion and adoption of the latter by the National Assembly in the manner prescribed by the legislation.

STRATEGIC GOAL
ENSURING THE CONTINUITY OF JUDICIAL REFORMS

The Republic of Armenia, as a democratic state governed by the rule of law, has committed itself to continuous strengthening and developing democratic institutions, and the existence of an independent, impartial judiciary system is of paramount importance for the realization of this goal. In this context, according to the Principles on the Independence of the Judiciary[18] adopted by the United Nations in 1985, the independence of the judiciary shall be guaranteed by the State and enshrined in the Constitution or the law of the country. It is the duty of all state and non-state institutions to ensure the independence of the judiciary. Moreover, the principles prescribed the prohibition on the interference with judicial processes and on the revision of the rendered judicial decisions. The Recommendation[19] No (2010)12 of the Committee of Ministers of the Council of Europe prescribes the purpose of the independence of courts, according to which the purpose thereof is to guarantee the right of everyone to fair trial, on legal grounds and without any improper influence and based on legal grounds. The independence of judges must be regarded as a guarantee of freedom, respect for human rights and impartial application of the law.

In connection with the above, one of the important prerequisites for ensuring the independence of the judiciary is to increase the efficiency of justice and to ensure the unity of the judicial practice; the existence of legal certainty in the field of justice; ensuring better compliance with reasonable time limits of the court cases; the realization of the goal of effective application of the principle of saving the legal time. Due to the above, the continuous reforms of the judicial system, inter alia, shall pursue the following goals:

- To guarantee the effectiveness of justice and to ensure the unity of judicial practice, as well as to set a higher standard of legal certainty in the field of justice; to ensure the implementation of the target of more effective compliance with reasonable time limits of consideration of court cases, as well as the effective implementation of the principle of economy of the trial terms,

[18] Basic Principles on the Independence of the Judiciary, adopted by the Seventh United Nations Congress in 1985, is available at: https://www.ohchr.org/en/professionalinterest/pages/independencejudiciary.aspx

[19] Recommendation No (2010)12 of the Committee of Ministers, Council of Europe, point 3

- To ensure the specializations of courts and the sub-specializations of judges in different sub-fields of the law, which, on the one hand, will guarantee more professional consideration of the cases, especially when it comes to consideration of complicated and complex legal relations, requiring highly specialized knowledge, and will redistribute the overall burden on the judiciary, on the other hand,
- To increase the objectivity and validity of the process of selection of candidates for judges,
- To ensure the continuous increase of judges' remuneration in the judiciary, starting from higher instances,
- To ensure the continuous integrity checks of the judges,
- To continue the process of improving the building conditions of the courts.
- Other.

STRATEGIC DIRECTIONS

Ensuring the continuous capacity building and specialization of the Judges and the Courts, as well as ensuring the continuous development of integrity structures

Both public relations and law are constantly evolving, which makes it necessary for the state to envisage new approaches and structures for resolving legal disputes arising within the framework of new or developed public relations. In this regard, it should be noted that in the same field of law often take place developments that cause its diversification into different sub-sectors, in accordance with which the specializations of lawyers, including dispute resolution judges, also branch out.

Thus, in quite an objective way, different judges become more specialized in one or another sub-field of the law, as per relevant sub-specializations, for example - corruption crimes, cases of judicial supervision over pre-trial criminal proceedings, economic disputes, cases of tax violations, etc. In such cases, when the developments take place mainly at sub-levels, it seems rational not only to establish the specialized courts, but also to envisage judges with relevant sub-specialization in the courts of general jurisdiction or in any of the

specialized courts. Alternatively, rearrange the courts of general jurisdiction in a way that they will be able to proceed separately the disputes arising within such sub-sectors.

In terms of the specialization of the judges, now their specialization is envisaged according to the fields of law - civil, criminal and administrative, and there is a bankruptcy field within the framework of civil specialization. It is noteworthy that trends in the development of sub-specializations are already emerging in the legal system of Armenia. In particular, for example, the institute of judges examining motions on pre-trial criminal proceedings and the operational and intelligence activities has been introduced, administrative and anti-corruption chambers have been introduced in the Court of Cassation. In turn, the legislation provides for the possibility of separating the judges in certain types of cases. However, institutionally, such mechanisms are not currently in place and are left at the discretion of the Supreme Judicial Council.

In turn, in the context of the above, a special emphasis is placed on the continuous development of the capacity of the judges, which is aimed at ensuring effective justice, the proper guarantee of the right to judicial protection, improving professional qualities of the judges, as well ensuring the sustainable development of the professionalism of judges (sub-specializations). In this regard, it is necessary to organize trainings for judges, especially in newly introduced specializations, such as judges in anti-corruption courts.

In addition, it is necessary to envisage structures for continuous integrity checks of the judges, in the course of which verifications on property status, compliance with incompatibility requirements, situations of conflict of interest, other restrictions and other requirements and information stipulated by law will be carried out.

It should be noted that the current regulations allow to conduct integrity checks only for newly appointed and promoted judges, and afterwards only property status of the latter is checked. As a result of this, there is no possibility to disclose the existence of any incompatibility requirements, conflicts of interest, other restrictions, as well as other information defined by the law during the period of tenure.

Thus, although the legislation provides for the mechanisms aimed at carrying out the integrity checks of the judges, however, the existing structures do not provide with an opportunity to form a complete picture of the general integrity of the judicial system.

This is the reason why it is planned to form a "two-level" system of integrity check, which will cover the assessment of integrity of the newly appointed judges, the ones who are subject for promotion, as well as the assessment of integrity of the existing judges. With the implementation of the proposed structure, it will be possible to conduct the integrity check of judges at the stage of assuming the position and at the stage of the promotion (preliminary check), and later to carry out the ongoing check, which will ensure the continuous assessment of the integrity of the existing judges.

At the same time, it should be noted that periodic integrity check of the judges is essential for preventing corruption in the judiciary. On the other hand, these steps will ensure shaping of a judge's image possessing with high integrity, thus contributing to increasing the public confidence towards judiciary.

Improving the efficiency of the First Instance Court of General Jurisdiction of Yerevan

At present, the First Instance Court of General Jurisdiction operates in the city of Yerevan, where criminal and civil cases are considered. It is noteworthy that the annual budget allocated to the court is about 4.2 billion drams (for 2021), and it also employs 72 judges, 33 of them having a criminal specialization and 39 - civil specialization. Within this context, the staff of the First Instance Court of General Jurisdiction of Yerevan is the biggest in the judicial system of Armenia, due to which various difficulties arise in connection with the management of its activities.

Thus, the work of this court is coordinated and managed by one person - the president of the court. And in this case, some objective complications arise while ensuring the normal operation of the court, supervising the operation of the court staff and other similar issues. In addition, it is necessary to improve the process of distribution of cases (which are submitted to the court) among judges, taking into consideration the fact that the court of Yerevan currently has 6 sittings.

Therefore, it is necessary to study the legal possibility of forming the first-instance criminal and civil courts in the city of Yerevan and, as necessary, develop a package of legislative amendments regarding the formation of the said courts.

Continuous increase of the salaries of the Judges, starting from the Courts of Higher Instances

The issues related to the remuneration of judges of the Cassation Court and the Constitutional Court including the amount of salary are regulated by the "Law on Remuneration of Persons Holding State Positions and State Service Positions" (hereinafter referred to as the Law). However, the amount of the remuneration defined by the Law for judges of the Cassation Court and for the Constitutional Court does not correspond to the nature of the duties they perform and to the adequacy of the tasks assigned to them. The necessity to ensure adequate remuneration commensurate with the position and the responsibilities of the judge was also mentioned in the report[20] "Ensuring the independence of the judiciary through funding", prepared by "Protection of rights without borders" NGO with support of the "Open Society Foundations-Armenia" in the framework of the project "Ensuring the independence of the judiciary in the context of judicial reforms".

In this regard, it should be noted that, for example, the judge of the Anti-Corruption Court, due to the risks associated with the field of his activity, was given an increase in the amount of 70% of the official salary as per the addendums HO-337-N to the "Law on Remuneration of Persons Holding State Positions and State Service Positions" of April 14, 2021.

Similarly, for individual judges of the Criminal Court of Appeal examining the corruption cases and for cases of civil proceedings of the Civil Court of Appeal for the protection of property and non-property interests of the State, as well as for individual judges hearing

[20] See the following link https://www.osf.am/wp-content/uploads/2022/02/%D4%B6%D5%A5%D5%AF%D5%B8%D6%82%D5%B5%D6%81-%D4%B4%D5%A1%D5%BF%D5%A1%D5%AF%D5%A1%D5%B6-%D5%AB%D5%B7%D5%AD%D5%A1%D5%B6%D5%B8%D6%82%D5%A9%D5%B5%D5%A1%D5%B6-%D5%A1%D5%B6%D5%AF%D5%A1%D5%AD%D5%B8%D6%82%D5%A9%D5%B5%D5%A1%D5%B6-%D5%A1%D5%BA%D5%A1%D5%B0%D5%B8%D5%BE%D5%B8%D6%82%D5%B4-%D6%86%D5%AB%D5%B6%D5%A1%D5%B6%D5%BD%D5%A1%D5%BE%D5%B8%D6%80%D5%B4%D5%A1%D5%B6-%D5%B4%D5%AB%D5%BB%D5%B8%D6%81%D5%B8%D5%BE.pdf, page # 57:

the civil cases brought on the basis of the "Law on Confiscation of Property of Illegal Origin", an increase in the amount of 60% of the official salary was defined due to the risk associated with the field of his activity.

As a logical continuation of these changes, first it is necessary to review the remuneration of judges of the Cassation Court and the Constitutional Court. Such a need is due both - to the constitutional status of the Cassation and Constitutional Courts, enshrined in the national system with the current regulations of activity, and to the positions expressed by the international structures on the guarantees given to the judiciary. As a continuation of this process, it is necessary to take gradual steps to review the social guarantees of judges in other instances.

Ensuring the building and logistics of the Anti-Corruption Court

The development process of anti-corruption court started in 2021 as a result of relevant legislative changes. The process of selecting the candidates for judges is already underway, however, there are no building or logistics conditions to start the formation of the court. In particular, there is a need to build a new complex of buildings for Anti-Corruption Court and Anti-Corruption Committee in Yerevan, as well as it is necessary to carry out construction and repair works at the following addresses - Ara Sargsyan 5/1, Garegin Nzhdeh 23/1, Tbilisi Highway 3/9, Bashinjaghyan 100, to ensure the necessary building conditions and normal operation of the court for the judges of Anti-Corruption Court (including the staff reviewing complaints thereof).

Improving the process of selecting the candidates for Judges

The amendments to the Judicial Code in 2020 introduced a number of innovations in the process of selecting and appointing the judges, including the rules for appealing the results of a qualification test, as well as considering the results of the written test at the interview stage. However, in order to increase confidence in the process of selection of judges, as well as to increase the objectivity of the process, it is necessary to introduce such structures, through which the results of the written and oral stages of the process can be

compared through the unified assessment system. In its turn, it is necessary to review the legislative procedure for attracting the judges, which will allow the establishment of more flexible procedures for persons meeting various high level professional requirements, thus ensuring an increase in the attractiveness of the judiciary, as well as the recruitment of a larger number of professional personnel. At the same time, the Committee of Ministers of the Council of Europe also emphasizes the implementation of judicial appointments on the basis of objective criteria[21] provided by law, taking into account the person's qualifications, conduct, abilities and efficiency[22].

In this regard, the importance of improving the process was attached as a result[23] of the alternative monitoring of the Judicial and Legal Reforms Strategy for 2019-2023.

Provision of a legal opportunity to appeal against decisions of the Supreme Judicial Council in regards of disciplinary cases

The authorities that ensure the independence of courts and judges, such as judicial councils or disciplinary courts, along with the power to carry out disciplinary proceedings against judges, should have the possibility[24] of appealing against decisions in regards of disciplinary cases. In this context, in accordance with the Constitution and the Judicial Code, the issues of disciplinary actions against judges are resolved by the Supreme Judicial Council in Armenia, who acts as a court. However, it should be noted that there is no legal right to appeal against the decisions of the Supreme Judicial Council in regards of disciplinary cases, that is, to verify[25] the legality and reliability of a decision made by another person on the basis of the existing (not newly revealed) facts and evidences.

[21] Recommendation CM/Rec (2010)12 of the Committee of Ministers of the Council of Europe on the Independence, effectiveness and duties of judges, see https://www.icj.org/wp-content/uploads/2014/06/CMRec201012E.pdf.

[22] Opinion No. 17 of the European Advisory Council of Judges on the evaluation of the work of judges, the quality of justice and respect for judicial independence, 2014, see https://www.ejtn.eu/Documents/About%20EJTN/RoL%20Project/RoL_2019_02_Brussels-/CCJE%20Opinion%20no%2017%20on%20the%20evaluation%20of%20judges%60%20work,%20quality%20of%20justice%20and%20respect%20for%20judicial%20independence.pdf

[23] See the report "Monitoring Results of the 2019-2021 Strategy of Judicial and Legal Reforms of the Republic of Armenia for 2019-2023" prepared by the Armenian Association of Lawyers, see at the following link https://armla.am/wp-content/uploads/2022/05/%D4%B4%D4%BB%D4%B2%D5%8C_%D4%B6%D5%A5%D5%AF%D5%B8%D6%82%D5%B5%D6%81_%D4%BB%D5%80%D4%B1.pdf

24 "Democracy through Law" European Commission (Venice Commission) Report on the Independence of the Judiciary, Part 1: "Independence of Judges", Point 43, Page 9

[25] In another sense, the Venice Commission also referred to the fact that the regulation on subjecting the judge to disciplinary responsibility by the SJC with the consent of 2/3 of its members may be a very high threshold.

Thus, the Venice Commission, taking into account the indicated facts in the light of Article 6 of the European Convention for the Protection of Human Rights and Fundamental Freedoms (ECHR), emphasized the importance of ensuring the legal possibility of appealing against the decisions of the Supreme Judicial Council. In turn, the Consultative Council of European Judges also emphasized the importance of considering the decisions referring to disciplinary actions and suspension of judge's authorities as a subject to judicial review[26]. The issue of providing for the possibility of appealing against the decisions on subjecting the judge to disciplinary responsibility in the Judicial Code was also raised in the reports of the Group of States against Corruption (GRECO) of the Council of Europe. In particular, within the framework of the report drawn up still in 2015, GRECO evaluation team emphasized the importance of the right of judges to appeal against the disciplinary decisions in the court, in contrary to the situation existing at that time, when only the Council of Justice (acting as a court) was put into action, and the judges were not given the opportunity to appeal against the decisions of the Council of Justice, in fact, as it is currently the case[27] with the Supreme Judicial Council. Further, the 2021 Interim Compliance Report noted that although proper mechanisms for appealing against the decisions on hiring and promoting the judges have been established, however, this does not apply to issue of dismissals[28].

In the context of the above, there is a need to reform the relevant legislation as well, ensuring the legal possibility of appealing against the decisions of the Supreme Judicial Council in regards of disciplinary cases. At the same time, as a clearer solution to the proposed structure, it is possible to discuss the reservation of the right to mediate the measure of liability to the person acting as a mediator for the disciplinary action. In its turn, taking into account the existing constitutional and legal norms, the examination of such complaints within the framework of the Supreme Judicial Council can be considered as a proposed solution.

[26] Recommendation CM/Rec (2010)12 of the Committee of Ministers of the Council of Europe on independence, effectiveness and responsibilities of the judges, see at the following link https://www.icj.org/wp-content/uploads/2014/06/CMRec201012E.pdf

[27] See Greco Eval IV Rep (2015) 1E:

[28] See GrecoRC4(2021)15

The revision of the ratio of number of members of Ethics and Disciplinary Committee of the General Assembly of Judges

Currently, the Ethics and Disciplinary Committee of the General Assembly of Judges consists of 8 members, out of which the number of non-judge members is limited to two. As a result, however, members of the judiciary still have a dominant participation in the committee and in its decision-making.

Within this context, it should be noted that in the initial version of the amendments to the Judicial Code, submitted for the conclusion of the Venice Commission, it was planned to include three non-judge members in the committee, which was welcomed by the Venice Commission from the point of view[29] of making the activities of the committee more open for external control/observation. In its turn, in the Opinion[30] on the Draft of the Judicial Code of October 2017, the Venice Commission highlighted the risks of adopting a corporate approach to the Ethics and Disciplinary Committee, proposing to balance the composition of the committee by including non-judge members.

In the context of the above, it is necessary to review the weight of non-judge members' votes in the decision-making process in Ethics and Disciplinary Committee of the General Assembly of Judges.

[29] See the Venice Commission and Council of Europe Directorate of Human Rights of the Directorate General of Human Rights and Rule of Law Joint Opinion No. CDL-AD (2019)024 at the following link - https://www.venice.coe.int/webforms/documents/?pdf=CDL-AD(2019) 024-e link.

[30] See Venice Commission Opinion No. CDL-AD (2017)019 at https://www.venice.coe.int/webforms/documents/?pdf=CDL-AD(2017)019-e.

STRATEGIC GOAL

CRIMINAL JUSTICE REFORMS

Reforms in the field of criminal procedure are due to the adoption of new sectoral codes. In particular, it is necessary to ensure the implementation of the new codes, as well as to create the necessary legal and practical preconditions for their practical application.

At the same time, the logic of reforms follows the introduction of systemic improvements in the penitentiary and probation areas. Where it is necessary to improve both directions - the procedural part and the personnel and material resources development, including the introduction of electronic tools. The compliance and preparation of the legal framework along with the introduction of electronic justice systems derive also from the standards of the Council of Europe defined in this field. For example, according to the guidelines developed by the European Commission for the Efficiency of Justice (CEPEJ), the existence of legislation on e-justice is a necessary prerequisite for the successful digitization[31] of judicial procedures. In its turn, the Consultative Council of European Judges, emphasizing the need for legislative changes to be caried out in advance, also noted that they should enter into force only[32] after the introduction of electronic systems.

In this context, it is essential to refer also to the investigative bodies. With the adoption of new codes, it is necessary to set prerequisites to ensure that their professional qualities and capabilities are aimed at the effectiveness of the proceedings.

STRATEGIC DIRECTIONS

Ensure the practical application of the new Criminal Code and Criminal Procedure Code

On May 5, 2021, and on June 30, 2021, the National Assembly of the Republic of Armenia fully adopted respectively the new Criminal and Criminal procedure Codes in the second reading. In order to ensure the implementation of the Codes, the necessary work

[31] See CEPEJ, Guidelines on electronic court filing (e-filing) and digitalisation of courts, 2021

[32] OPINION ON THE DRAFT JUDICIAL AND LEGAL REFORMS STRATEGY FOR 2022-2026 OF THE REPUBLIC OF ARMENIA AND THE ACTION PLAN DERIVING THEREFROM (PRELIMINARY ASSESSMENT), European Union and Council of Europe Partnership for Good Governance 2019-2022, Project "Support to the judicial reform – enhancing the independence and professionalism of the judiciary in Armenia", 21 May 2022

is carried out in several directions: providing the bodies enforcing the codes with logistic and with the necessary staff, harmonizing the related laws, which is provided for in the lists of application of these codes, as well as informing the law enforcement bodies. Given the essence and the objectives of this strategy, it is necessary to define the roadmap at the strategic level, which will aim to ensure the smooth implementation of the two new codes.

Capacity building in the field of penitentiary and probation services

The reforms in the field of justice have focused primarily on the judiciary for many years, while other actors in the criminal justice chain should not be left out either from the reform package. Penitentiary and probation services occupy a special place in this chain, the development of which directly affects the improvement of the entire justice system.

In particular, the penitentiary service (especially in the context of the conceptual construction of a new penitentiary institution) and the probation service of the Ministry of Justice of the Republic of Armenia should have professional staff possessing high sense of integrity in order to strengthen the ideologies of re-socialization and restorative justice in practice. The training of qualified personnel can be carried out on the example of the Patrol service, using the similar methods of combining theoretical and practical knowledge. In addition, in order to ensure the accountability and the transparent working style of penitentiary employees, as well as to reduce corruption risks, it is necessary to equip penitentiary institutions with modern means of video surveillance and operational management, which will allow them to use the data obtained through these tools as the evidence in future court proceedings.

The measures that are needed to ensure the continuity of the judicial reform have been identified within the framework of this strategy, whereas other reforms are envisaged by sector-specific strategies.

Reforming the system of investigation bodies

For the purpose of recovering the justice system, it is important to ensure that the investigative bodies comply with the vision of new concept of justice by their structure, by principles of activities, as well as by their professional potential. Within this context, it should be noted that, as a result of a number of legislative reforms, the Republic of Armenia has already introduced structures for integrity study in the judicial and prosecutorial systems. A competent body has been envisaged for organizing this process, which has been endowed with appropriate tools. These structures have also been put into operation for employees of the Anti-Corruption Committee. However, it is necessary to ensure the continuity of these reforms by extending them to other law enforcement bodies, thus ensuring the involvement of staff with high sense of integrity to these systems. In addition, in order to ensure high professionalism in the law enforcement system, it is necessary to be consistent in building capacity through regular staff training.

In connection with the above, in order to reform the system of investigative bodies, it is necessary to:

a) envisage structures for integrity check of the persons included in the list of candidates for investigators;

b) develop the capacities of investigators, including those holding autonomous positions in Anti-Corruption Committee, in the fields of investigation of corruption, economic, official, and other crimes.

c) to provide structures for continuous integrity checks of the investigators (property status, compliance with incompatibility requirements, situations of conflict of interest and other restrictions).

Same as in the case of the judiciary, in the case of investigative bodies it is also important to have a staff with high integrity. It should be noted that, at present, the structures for integrity check are defined only for Anti-Corruption Committee. However, with the perspective of the development of the State, the measures aimed at preventing the corruption in the investigative bodies should have a periodic nature to ensure the existence of a well-established, possessing with high integrity and corruption-free law enforcement system. Within this context it is also important to carry out both – the preliminary and the ongoing integrity checks of the investigators, which will create the possibility to conduct the integrity check (as in the case of judges) of investigators at the stage of assuming the position and at the stage of the promotion (preliminary check), and later to carry out the ongoing check. During the ongoing integrity check the

verifications on property status, compliance with incompatibility requirements, situations of conflict of interest, other restrictions, as well as requirements and information stipulated by law will be carried out, ensuring the continuous integrity checks of the investigators.

Strengthening the integrity of prosecutors

In order to reform the prosecution system, it is necessary to carry out periodic integrity checks of prosecutors.

One of the main issues that faces the Government at present, is shaping the prosecutor's system which has a high integrity and is corruption-free. The existing regulations provide limited opportunities for conducting integrity checks of prosecutors and it is carried out only at the stage of assuming the position or at the stage of the promotion.

Meanwhile, it is essential to ensure the implementation of the integrity check of prosecutors throughout all their work activity, which can be guaranteed only through periodic verifications of their property status, compliance with incompatibility requirements, situations of conflict of interest, other restrictions, as well as requirements and information stipulated by the law.

The specified structure of the continuous integrity check of prosecutors will contribute to shaping of prosecutor's system which has a high integrity and is corruption-free. Under such conditions, the implemented reforms will be summarized, thus ensuring the availability of a staff with high integrity at the prosecutor's office, who will carry out their activities in an unconstrained manner and will be free from the influence of private interests.

As a result, same as in case of the investigators and judges, a "two-level" system of integrity check will be formed for the prosecutors as well, which will be carried out at the stage of assuming the position or at the stage of the promotion, there will also be an ongoing check, which will be carried out periodically with the content identified above.

STRATEGIC GOAL

REFORMS OF THE CIVIL CODE AND CIVIL PROCEDURE LEGISLATION

The current Civil Code of the Republic of Armenia was adopted on May 5, 1998, based on the model code of the Commonwealth of Independent States (CIS). However, being targeted at the civil law relations, the provisions of the Civil Code require regular continuous revision and improvement with the purpose of adapting them to the conditions of the modern economic relations, market requirements, technology developments and, certainly, international legal developments. In this context, several regulatory issues have emerged in the code since its adoption, including the need for revision of various legal institutions and other inaccuracies.

Legal reforms in the field of civil justice have been largely implemented within the framework of the Civil Procedure Code of the Republic of Armenia adopted on February 9, 2018. Nevertheless, regulatory issues, especially in the context of newly introduced regulations and institutions, largely emerge because of their enforcement. These factors point to the need for the revision and inventory of issues arising from the enforcement of the Civil Procedure Code, which can serve the basis for subsequent amendments in the Civil Procedure Code based on the needs of the current law enforcement practice. At the same time, the provisions of the Civil Procedure Code need to be amended due to the introduction of the e-justice toolkit, in parallel with the work being done in this direction.

STRATEGIC DIRECTIONS

Reform of the civil legislation

In the context of the abovementioned considerations, it is necessary to bring separate regulations of the Civil Code of the Republic of Armenia or related legislation, or institutions, into compliance with the modern approaches for regulation of the economic and private legal relations as well as modern market requirements. More specifically, the analysis of the Civil Code of the Republic of Armenia indicates the following:

Specific provisions pertaining to the contract law require further analysis and revision. Particularly, in the context of developing

economic relations and economic environment, and the spread of information technologies, it is necessary to include provisions should be envisaged to allow signing of electronic contracts, which will guarantee a proper regulation of private legal relations, create enabling business environment and ensure protection of the rights and interests of parties involved in the developments thereof.

1. In this respect, it is also necessary to revise legal regulations pertaining to model terms and conditions of contracts, otherwise referred to as general conditions, bringing them in line with the international law developments and trends. They should envisage provisions for incorporating and signing these regulations in the electronic environment, which is a widely accepted practice in different countries, including Armenia. In addition to improving contractual relations in the abovementioned directions, it is also necessary to pay attention to the introduction of customer protection instruments, which will ensure adequate protection of the customer rights in line with the European Union-Armenia Comprehensive and Enhanced Partnership Agreement. In this context, it is necessary to revise provisions on connection and envisage regulations for including unfair terms into the contracts signed with customers and legal consequences arising thereof.

2. The legal provisions and their corresponding amendments ensuring fulfilment of contractual obligations also need to be studied and, if necessary, revised. In this respect, it is particularly important to re-examine the institution of secure right introduced in 2014, particularly from the perspective of its correlation with the collateral institution, which in its turn affects the effectiveness of secured right enforcement, especially in the context of recent developments in the international law.

3. Continuous development of the corporate law is a modern market requirement. Significant improvements have been made to the Law on Joint Stock Companies in May 2021. However, taking into account the above, there is a need to revise the legal framework regulating the activities of other forms of businesses (commercial activities) and to provide a comprehensive legislation regulating the legal relations of commercial organizations, which will contain modern solutions of corporate management, will contribute to the development of the capital market and, in general, will make the entire corporate environment more attractive for the investors.

4. It is necessary to address the issues of the correlation between the procurement legislation with the civil rights. The biggest problem in this respect is that the legislation on procurement hasn't been developed based on the relevant norms of the contract on procurement for the state needs of the RA Civil Code.

Reviewing the civil procedure legislation

As a result of the practical application of the Civil Procedure Code of the Republic of Armenia, which was adopted on February 9, 2018, various issues were recorded, which need to be identified and inventoried. Within the framework of the support for judicial reforms "Improving the independence and professionalism of the judiciary in Armenia" program, the need[33] to make changes and additions to the Civil Procedure Code was also mentioned in the opinion on "The compliance of certain provisions of the Civil Procedure Code with the European standards". Identification and inventory of such problems will enable further drafting of legal acts aimed at their solution. It is especially necessary to pay attention to the identified problems raised in the judicial practice in regards of the new legal regulations and institutions in the sense of the Civil Procedure Code.

Furthermore, the package of legal amendments and additions to the Civil Procedure Code will need to be drafted based on the research and inventory results to provide comprehensive solutions thereon.

At the same time, it is necessary to address the legal regulation issues through the amendments of the Civil Procedure Code, conditioned by the introduction of the e-justice system. The compliance and preparation of the legal framework along with the introduction of electronic justice systems derive also from the standards of the Council of Europe defined in this field. For example, according to the guidelines developed by the European Commission for the Efficiency of Justice (CEPEJ), the existence of legislation on e-justice is a necessary prerequisite for the successful digitization[34] of judicial procedures. In its turn, the Consultative Council of

[33] See the opinion on "The compliance of certain provisions of the Civil Procedure Code with the European standards" within the framework of Support for judicial reforms "Improving the independence and professionalism of the judiciary in Armenia" program

[34] See CEPEJ, Guidelines on electronic court filing (e-filing) and digitalisation of courts, 2021

European Judges, emphasizing the need for legislative changes to be caried out in advance, also noted that they should enter into force only[35] after the introduction of electronic systems.

This will allow ensuring a higher level of justice accessibility and effectiveness for persons involved in the civil justice processes. Proposed solutions, in addition to existing ones, should include the following:

1. More effective provisions prescribed for electronic notifications, taking into consideration that making judicial notifications electronic is among the key prerequisites for ensuring the effectiveness of proceedings and examination of cases within short period.

2. Regulations on electronic documentation and data administration, including the electronic submission of procedural documents. Particularly, the Civil Procedure Code provides an opportunity for the electronic submission of the procedural documentation (statement of claim, application, appeal, response to statement of claim, motion, etc.), although the procedure of their submission, application, use and maintenance should be specified in more detail simultaneously with the introduction of the e-justice instruments.

3. Regulations on electronic proofs, taking into consideration that the opportunities and the scope of technical means for the acquisition thereof is increasingly high, including the growing number of cases for their application in the judicial practice.

4. Regulations for the implementation of simplified proceedings with the use of electronic tools, which will contribute to enhancing the effectiveness thereof.

It is necessary to review the practice of returning cassation appeals on civil and administrative cases by the Court of Cassation. Particularly, it important to separate the cases when we deal with the obviously technical breaches of requirements set out for claims. The function of returning claims based on these breaches should be reserved with the office of the Court of Cassation, thus exempting the Court members from the task of compiling the act on return of an appeal. Meanwhile, it will be necessary to provide for such a procedure that does not exclude the possibility of resubmitting it to the Court of Cassation in case of disagreement with the return of the

[35] OPINION ON THE DRAFT JUDICIAL AND LEGAL REFORMS STRATEGY FOR 2022-2026 OF THE REPUBLIC OF ARMENIA AND THE ACTION PLAN DERIVING THEREFROM (PRELIMINARY ASSESSMENT), European Union and Council of Europe Partnership for Good Governance 2019-2022, Project "Support to the judicial reform – enhancing the independence and professionalism of the judiciary in Armenia", 21 May 2022

complaint. In addition, return of the cassation appeal by the Court of Cassation underlines the impossibility to secure reasonable timing for the examination thereof.

STRATEGIC GOAL

REFORMS OF ADMINISTRATIVE CODE AND ADMINISTRATIVE PROCEDURE LEGISLATION

Introduction of the institution of specialized justice, including administrative justice, was aimed, among other things, at ensuring effective and complete exercise of the right to judicial protection in this field, taking into consideration the peculiarities of this type of justice. The administrative procedure is, perhaps, the youngest of the legal institutions in the Republic of Armenia. Two Administrative Procedure Codes have been adopted during 14 years after this branch of law had been separated and regulated by special provisions. During this period, the legal provisions pertaining to the administrative procedure have been regularly amended and developed to response to the issues emerged during the law enforcement practice and developing social relations needs. The recent major changes on enhancing the efficiency of the administrative procedure have been the laws on the amendment of the Administrative Procedure Code adopted during 2020-2021 which were targeted towards reduction of the Administrative Court's workload and establishment of new procedures in consistency with the new legal realities, envisaging protocols for the examination of cases by written procedures, new grounds for the non-suspension of administrative acts in case of disputes and regulating other procedural issues.

Nevertheless, development of the substantive law, availability of problematic situations and gaps, as well as other needs identified through the law enforcement practice indicate that some fundamental institutions of the administrative procedure still require continuous revision and improvement. For example, there is a need to revise the notification methods and norms within the administrative procedure, including other issues related to the submission of claims, peculiarities of appeal in the administrative procedure and other issues. At the same time, introduction of simplified proceedings for specific administrative cases and the corresponding electronic tools are important for reducing the load of Administrative Courts. Full-scale introduction of e-justice tools will reveal the need for a comprehensive revision of the existing legislation and the adaptation thereof to the newly introduced systems. The compliance and preparation of the legal framework along with the introduction of electronic justice systems derive also from the standards of the Council of Europe defined in this field. For example, according to the guidelines developed by the European

Commission for the Efficiency of Justice (CEPEJ), the existence of legislation on e-justice is a necessary prerequisite for the successful digitization[36] of judicial procedures. In its turn, it is necessary to study and discuss the issue of the legal possibility and objective necessity of providing for the methods of alternative resolution of disputes subject to consideration in the administrative court.

Thus, based on issues arising from and identified during the law enforcement practice and the requirements related to the introduction of e-justice system, amendments should be made to the legal acts regulating administrative proceedings in line with the strategic directions described below.

At the same time, the Code on Administrative Offences of 1986 continues being in force in Armenia with specific amendments. All amendments to the Code have always been fragmentary, lacking any comprehensive approach. Consequently, the Code on Administrative Offences contains numerous discrepancies, issues, and regulatory gaps, while many provisions are found to be irrelevant. Therefore, complete revision and amendment of the Code on Administrative Offences is an objective requirement, which assumes drafting of a new Code to provide solutions to the issues described above and ensure proper codification of the legislation on administrative offences.

STRATEGIC DIRECTIONS

Improving the legislation in the administrative procedure

The Administrative Procedure Code has been in force since 2014, the implementation whereof indicated to a few legislative gaps. Some of these issues have been resolved only on the precedential level of decisions made by the Court of Cassation. Some regulations have been recognized as anti-constitutional, others are either ineffective or inconsistent with the current social development trends.

Thus, in accordance with existing system of notifications in administrative procedure, the Court must inform in each case the participant of the proceedings about each procedural action mostly by post. Moreover, no distinction is made as to whether the

[36] See CEPEJ, Guidelines on electronic court filing (e-filing) and digitalisation of courts, 2021

participant of the procedure is a physical person or a legal entity, an advocate, or a state or local self-governance body. In all cases, the Court in fact uses significant financial and human resources to meet the existing legislative requirement (for example, these expenses exceed AMD 400 mln only in Yerevan).

The system of judicial notifications stipulated by the Civil Procedure Code of 2018 significantly reduced the workload of Courts and the amount of funds spent. Thus, upon the receipt of a first Court subpoena by the state and local self-governance authority, legal entity, private entrepreneur, and a representative participating in the proceedings in the status of an attorney, the latter can thereafter obtain information about the time and place of a subsequent Court session from the official web site of the judiciary by inputting the relevant data.

Consequently, similar regulations can be envisaged in the administrative procedure as well.

At the same time, the administrative procedure envisages numerous special proceedings, the rationale for which needs to be further discussed and, if necessary, reconsidered. More specifically, the special proceedings of the administrative procedure include proceedings of cases on subjecting to administrative liability through judicial procedure. Since this is an administrative body's function, the rationale for its inclusion into the Code needs to be further discussed.

Furthermore, the Administrative Procedure Code includes proceedings, the rationale for the examination whereof through special procedure is not justified. More specifically, the claims submitted by the non-governmental organizations or in cases challenging the legality of decisions of an authorized body on licensing are essentially the claims envisaged in the Administrative Justice Code. Therefore, these cases do not require any peculiar examination. Since there are parties with conflicting interests and substantive claims, the rationale for considering these cases through special proceedings is questionable.

Consequently, it is necessary to consider the legal arrangements of special proceedings prescribed under the Administrative Procedure and the rationale for their revision.

In addition, Part 2 of Article 10 of the Administrative Procedure Code states that the Administrative Court shall not have a jurisdiction over criminal cases falling under the authority of the Court of General Jurisdiction, including cases related to the penalty execution. However, in relation to the issue of jurisdiction of challenged decisions, actions and inaction of the administration of a penitentiary institution, the Constitutional Court's decision # ՍԴՈ-1439 as of January 22, 2019, stated that until existing systemic legal uncertainty reflected by that decision is overcome by the National Assembly, appeals filed against decisions, actions (inaction) of officials of a penitentiary institution are subject to examination by the Administrative Court, in accordance with Part 2 of Article 21 of the Judicial Code Constitutional Law, unless the authority to examine a particular case, materials or issue in relation to the penalty execution is clearly vested with the Court of the General Jurisdiction which examines criminal cases.

In addition, it is necessary to clearly define procedural peculiarities related to the examination of these cases.

Consequently, jurisdiction of appeals against decisions, actions, and inaction of the administration of penitentiary institutions and procedure for the examination of these cases must be legally clarified.

It is also necessary to revise the procedure of returning cassation appeals on administrative cases by the Court of Cassation. More specifically, it is necessary to separate the cases when we deal with the obviously technical breaches of requirements set out for claims. The function of returning claims based on these breaches should be reserved to the office of the Court of Cassation, thus exempting the Court members from the task of compiling the act on return of an appeal. Meanwhile, it will be necessary to provide for such a procedure that does not exclude the possibility of resubmitting it to the Court of Cassation in case of disagreement with the return of the complaint. In addition, return of the cassation appeal by the Court of Cassation underlines the impossibility to secure reasonable timing for the examination thereof.

It should be mentioned that the administrative body ensures confidentiality of state and business secrets, as well as other secrets protected by the law, including commercial ones while providing this information to the participants within the framework of the administrative proceedings. This information becomes accessible for all participants of the legal case during the judicial examination,

thus contradicting with the confidentiality logic of this type of information. Consequently, it is necessary to elaborate legal regulations aimed at ensuring the confidentiality of this information within the framework of the administrative procedure.

It is also important to emphasize the increasing importance of the online participation at the Court trials with the use of audio and video equipment, conditioned by corona pandemic. Although the Administrative Procedure Code contains provisions on the possible use of audio and video equipment during Court trials, however, unlike the Civil Procedure Code, this aspect is not regulated in detail. Therefore, the legislation should address the possibility to conduct online Court hearings under the administrative proceedings.

Furthermore, it should be noted that the Constitutional Court resolution #ՍԴՈ-1565 as of December 1, 2020, stated that Article 124, Part 2, of the Civil Procedure Code, limiting the administrative body's ability to present new evidence during the Court hearings of the administrative case, shall not limit the opportunity for the individuals to present new meaningful evidence for the fair resolution of the case.

Under such an interpretation, physical persons and legal entities participating in the Court trials may abuse their right to present new evidence during the Court examination. Therefore, there should be legislation available to prevent such an abuse.

The Administrative Court of Appeal revises the judicial act within the frames of the claim presented in the appeal. However, in practice in some cases there may be reasons for the unconditional overturning of a judicial act which the plaintiff has failed to address in his appeal. Moreover, the revision of the judicial act becomes impossible in case certain grounds exist for the unconditional overturning of a judicial act. The institution for the unconditional overturning of judicial acts is on place under the civil procedure and provides for the proper exercise of justice. Consequently, there should be similar grounds stipulated for the administrative justice as well.

Reform of the legislation on administrative offences

The Code on Administrative Offences currently in force in the Republic of Armenia was adopted on December 6, 1985 by the Supreme Council of the ASSR and enacted on June 6, 1986.

With its underlying conceptual logic and philosophy, systemic structure, and unresolvable contradictions with a dozen of other laws, numerous successful and unsuccessful amendments made over decades, numerous outdated or irrelevant provisions, inadequate or incomplete administrative liability measures, the Code is unable to address existing issues and fails to meet the requirements of the legal state.

Moreover, the new draft Code on Administrative Offences has been elaborated during recent years, although actions towards its adoption haven't been undertaken.

Taking into consideration that issues in administrative offences are quite extensive and systemic, it is necessary to adopt a new Code on Administrative Offences to become an up-to-date legal document for regulating the sector of administrative offices, capable of addressing existing legal gaps and ensuring improvement and development of this direction of the administrative law.

At the same time, existing regulations fail to respond to the objectives of the administrative action. The administrative penalty shall be incurred to encourage lawful conduct of a person and prevent new incidences of administrative offences, while, most frequently, the enforcement of prescribed penalties fails to ensure the achievement of objectives thereof.

In addition, the constitutional principle of proportionality underlying the administrative liability requires that imposed liability size should be differentiated depending on the severity of the offense, the degree of public danger, the damage caused, the degree of guilt and other essential circumstances. Accordingly, the legislature is required to define the legal regulations so that the authorized body has the power to determine the specific size of the liability based on the nature and the seriousness of an offense. Moreover, the administrative penalties should also be revised from the perspective of proportionality principle.

STRATEGIC GOAL

THE BANKRUPTCY SECTOR REFORMS

Continuous reforms of the bankruptcy institution are important to ensure ongoing development of the justice system and business environment in line with the current trends and expanding business relations. The reforms in the field of bankruptcy should be aimed at meeting the current requirements and addressing the newly identified issues which arose from the law enforcement practice and the field reform.

As part of the Government Program of Measures for 2019-2023[37] and the Judicial and Legal Reform Strategy for 2019-2023, the National Assembly, by the initiative of the Ministry of Justice, adopted the Law on amendments and additions to the RA Law on Bankruptcy and other related laws and corresponding by-laws stemming thereof during the reporting period. Therefore, the improvement of the bankruptcy-related legislation will be aimed at solving issues which haven't been addressed by the existing amendments or the necessity whereof have been identified through the implementation of these changes, including the importance of regulating all procedural and materials aspects pertaining to the bankruptcy proceedings by a single legislative act.

The establishment of the e-justice, including e-bankruptcy system, being currently developed, and introduced stage by stage, will require the relevant legislation in place, whereon the bankruptcy proceedings, from their initiation to termination, will be carried out as much electronically as possible to avoid additional paperwork and human involvement, and to implement the processes without direct participation of the parties involved. The compliance and preparation of the legal framework along with the introduction of electronic justice systems derive also from the standards of the Council of Europe defined in this field. For example, according to the guidelines developed by the European Commission for the Efficiency of Justice (CEPEJ), the existence of legislation on e-justice is a necessary prerequisite for the successful digitization[38] of judicial procedures. In its turn, the Consultative Council of European Judges, emphasizing

[37] https://www.arlis.am/DocumentView.aspx?DocID=131287
[38] See CEPEJ, Guidelines on electronic court filing (e-filing) and digitalisation of courts, 2021

the need for legislative changes to be caried out in advance, also noted that they should enter into force only[39] after the introduction of electronic systems.

In the light of the abovementioned, the current strategy outlined several directions of the bankruptcy sector reform which will ensure the continuity of initiated reforms and contribute to the further development of the sector.

STRATEGIC DIRECTION

Elaboration of the universal legislation on bankruptcy

Since it's important that all issues on the bankruptcy proceedings are directed by common criteria and principles, measures should be undertaken towards development of a strategy on elaboration of systemic and comprehensive legislation regulating all substantive and procedural aspects of the bankruptcy proceedings by a single code. Moreover, the uniform legislative act regulating the bankruptcy issues should provide sufficient guarantees for the protection of and restoration of violated creditors' rights, opportunities for the recovery of debtors, predictable and comprehensive settlement of bankruptcy proceedings and facilitate an enabling environment, and conditions for barrier-free business operations, and development of business relations with involvement of both local and foreign businesses. Among other things, the planned strategy shall address the following:

1. Change of the bankruptcy model in Armenia, by separating liquidation and recovery processes and envisaging introduction of recovery and liquidation programs from the beginning of proceedings,
2. Clarification of the status of all parties and participants of the bankruptcy proceedings,
3. Providing a legal opportunity for specialized organizations, in addition to physical persons, to act as bankruptcy trustee.
4. The improvement of legal regulations of bankruptcy of physical persons,

[39] OPINION ON THE DRAFT JUDICIAL AND LEGAL REFORMS STRATEGY FOR 2022-2026 OF THE REPUBLIC OF ARMENIA AND THE ACTION PLAN DERIVING THEREFROM (PRELIMINARY ASSESSMENT), European Union and Council of Europe Partnership for Good Governance 2019-2022, Project "Support to the judicial reform – enhancing the independence and professionalism of the judiciary in Armenia", 21 May 2022

5. Reduction of the time required for administering the bankruptcy proceedings,

6. Revision of existing regulations containing corruption risks,

7. Revision of the debtor's property and business management issues by the bankruptcy manager under the bankruptcy proceedings,

8. Envisaging a system of allowable costs under the bankruptcy proceedings,

9. Development of transnational bankruptcy-related legal regulations,

10. Development of special bankruptcy procedures for specific entities.

Development and thorough discussion of a concept of systemized and comprehensive legislation on bankruptcy proceedings should be followed by the elaboration of the Bankruptcy Code which will define and regulate all procedural and substantive aspects related to the bankruptcy proceedings, and address other issues highlighted within the framework of the strategy.

STRATEGIC GOAL

THE DEVELOPMENT OF ALTERNATIVE DISPUTE RESOLUTION METHODS

Development of alternative dispute resolution methods continues being one of the important issues in terms of ensuring availability and effectiveness of justice. Taking into consideration the prevalence and development level of alternative dispute resolution methods among entrepreneurs and countries with developed economy and legal culture, their development in Armenia will contribute to the promotion of internal and external investments. More specifically, Armenia is attractive from the investment perspective also because it has a predictive commercial dispute resolution approach wherein alternative dispute resolution mechanisms play an essential role.

In its turn, development of alternative dispute resolution methods is conditioned by a heavy workload of Courts, the reduction of the case investigation timing and the need to ensure more flexible, accessible, and efficient dispute resolution mechanisms. Given than the Courts are extremely overloaded now, promotion and expansion of application of alternative dispute resolution mechanisms is a priority. Most pending cases in Courts are characterized by specific types. For example, the General Jurisdiction Court of the First Instance accepted 164,187 during 2021, of which 150,923 (91.92%) were about the confiscation of money. In its turn, 115,555 payment order applications have been submitted during the same period. Applications with participation of financial organizations or public service providers comprised a significant part of the cases and applications, since effective mechanisms of alternative dispute methods are not in place.

Currently, there are several arbitration centres in Armenia, which primarily operate on the local level. These centres deal mainly with foreclosure disputes which are mostly filed by financial institutions. Consequently, development of the alternative dispute resolution mechanism in Armenia is not fully ensured only with the existing arbitration centres of Armenia, nor are favourable conditions created to bring domestic cases with specialized disputes, or disputes with participation of foreign persons to the consideration of Armenian arbitration centres.

Referring to the mediation as a separate type of alternative dispute settlement mechanism, it should be noted that its development in line with the modern trends will also contribute to the development and increasing application of alternative methods of dispute resolution in Armenia. Development of the mediation institution requires implementation of relevant legislative reforms whereof solution will be given to existing practical issues. First of all, a mandatory mediation requirement should be set forth for some family cases prior to filing an application to the Court, by which a positive impact will be exerted on minimizing the workload of the judicial system. The reform of the mediation institution also entails new legal regulations as it comes to the online mediation, appointment of mediators, disclosure of affiliations and maintenance of confidentiality. Provision of new regulations is also important for ensuring effective operation of a self-regulatory organization of mediators. Particularly, the law should clearly specify the governing bodies of the mediators' self-regulatory organization, the scope of their authorities and tasks. The legislation should also stipulate the grounds for subjecting mediators to the disciplinary action, the basis and reasons for initiating proceedings, the procedure for the initiation, and examination of proceedings, and other issues. Along with the introduction of the legislative framework, additional measures should be implemented to support its proper enforcement.

As part of the implemented legal reform, it is necessary to carry out a comprehensive overview of the alternative dispute resolution methods, to develop and introduce sustainable mechanisms of their implementation in consistency with the international best practice, international development trends as well as legal and socio-economic context of Armenia.

STRATEGIC DIRECTIONS

Creation of a new arbitration centre in Armenia

As already mentioned, there are several arbitration institutions operating in Armenia, which operate mainly at the local level. In this regards, taking into account a number of favourable factors, in particular, the membership in EAEU, the conclusion of an agreement between the Republic of Armenia and European Union Comprehensive and Enhanced Partnership (CEPA), the activation of the

entrepreneurial role of Armenian diaspora in Armenia and also some other circumstances, all this can create favourable and promising conditions for the establishment of a new regional and international modern arbitration centre in Armenia. Therefore, the new arbitration centre should be designed in such a way that it can handle all cases - international, regional and local. It is noteworthy that the results[40] of field studies conducted in Armenia also indicate the need to create a new arbitration institution.

During the establishment of the institution, it is necessary to take into consideration the experience with the foundation and operation of relatively new arbitration centres (Arbitration Centres in Russia, Astana and Dubai), likewise the experience of traditional centres with international credibility (London, Stockholm, Zurich centres). The new arbitration centre shall deal with the general commercial disputes as well as small claims (e.g., disputes with participation of financial institutions and public service organizations) through special proceedings to help discharge the excessive load of Courts and become an effective platform for the examination of some cases on confiscation of funds initiated by financial institutions. As it regards the commercial cases, the new centre should become an effective platform for the examination of cases requiring specific specialization, like for example intellectual property, information technologies, investment, corporate or other disputes, referring to both international and local trends and perspectives in this sector. In this context, the newly established centre may strive to become an important institution throughout the region.

To build the credibility and increase the number of cases to be submitted to the new arbitration centre, it would be necessary to involve renowned field experts and organizations (including arbitration centres) who will contribute to their knowledge and experience into the establishment and further operation of the new arbitration centre and contribute to its sustainability.

Consequently, this initiative would not only provide a strong impetus for the development of alternative dispute resolution mechanisms in Armenia, but also facilitate a more enabling investment environment and promote the country's reputation at least on a regional level.

[40] See Eurasia Cooperation Foundation's research on Alternative Dispute Resolution in Armenia, p. 60.

Improvement of the arbitration legislation

Notwithstanding the fact that the Law on Commercial Arbitration, especially with the amendments dating back to 2015, is consistent with the provisions of the UNCITRAL Model Law on International Commercial Arbitration, there are still some legal issues to be addressed for ensuring the arbitration effectiveness. In this respect, the legislative regulations, in addition to other aspects, should be aimed at improving the proceedings on the revocation and enforcement of the arbitration tribunal's resolutions, enlarging the scope of examined cases, and other issues.

Improvement of the mediation legislation

Along with the development of the arbitration institution, expansion of alternative mechanisms of dispute resolution in Armenia should also include the reform of the mediation institution in Armenia. In this respect, the Law on Mediation, and, if necessary, other related laws, should be revised based on the international best practice and analysis of issues arising from the law enforcement practice. The legislation should stipulate the possibility of conducting online mediation with the use of audio and video communication tools, including the combination of various available information and communication technologies. Using the international best practice, it is intended to legally define the requirement of a mandatory mediation of certain domestic cases prior to their submission to the Court to minimize the pressure on the judicial system. Moreover, the European Handbook for Mediation Law-making, published by the European Commission for the Efficiency of Justice (CEPEJ), proposes to establish the preliminary mediation as a condition[41] for applying to the court in certain cases. The legislation shall stipulate that a person may apply to the Court after mediation. At the same time, it is important to specify the necessary guarantees for the effective judicial protection of the individual's rights. The reform should also provide for some exceptions to this rule and define the regulations for conclusion of the mediation process. The sector reform also entails establishment of regulations aimed at improving protection of the information confidentiality, management of the mediators' registry,

[41] European Commission for the Efficiency of Justice (CEPEJ), European Handbook for Mediation Law-making, As adopted at the 32th plenary meeting of the CEPEJ Strasbourg, 13 and 14 June 2019, 14 June 2019, see the following link https://rm.coe.int/cepej-2019-9-en-handbook/1680951928

designation or selection of mediators. It is necessary to define new norms referring to the bodies of a self-regulatory organization of mediators, their establishment procedure and scope of authorities, thereby ensuring effective operation and regulation of the mediation institution. To build trust towards mediation institution, it is important to stipulate in the legislation the basis and causes for subjecting mediators to disciplinary actions, the procedure, and consequences for the initiation of proceedings.

Ensuring the implementation of reforms in the field of mediation

To support implementation of reforms envisaged by the Law on Mediation, it would be necessary to increase the number of certified mediators in Armenia. This would also entail revision of legal and practical mechanisms for the involvement, selection, training, and register management of new mediators. Furthermore, the qualification and training procedures for mediators also require sufficient level of regulation.

STRATEGIC GOAL

REFORMS OF THE LEGAL AID SECTOR

Advocacy hinging on independence, self-governance and equality of lawyers is an important and primary mechanism for guaranteeing the rights of people to legal assistance. Therefore, the previous stages of judicial reform have always focused on the need for improvement of the advocates' system and measures to be undertaken in this direction, underlining the importance of this issue from the perspective of human rights provision and the need for its continuous improvement and development.

It is necessary to elaborate legal mechanisms which will guarantee the advocacy principles enshrined in the Constitution. In this context, more importance is attached to developing internal regulation of the Chamber of Advocates in accordance with the self-governance constitutional principle of advocacy.

In the context of legal assistance, emphasis is placed on elaborating mechanisms for making it available to the people in need, wherein the most common types are the state-guaranteed free legal support and the voluntary free aid provided by the advocates themselves.

For the development of the advocacy institution and the legal aid law as its end-result, an important direction is the establishment of the procedures for the qualification of advocates, which, if properly implemented, will ensure the entry of qualified specialists to the advocates' community to undertake protection of their clients' rights. Therefore, it is necessary to address both qualification procedures and the education procedure in the advocacy school in the context of enhancing the effectiveness of the advocacy system.

STRATEGIC DIRECTIONS

Development of internal procedures of the Chamber of Advocates

In the context of the constitutional principle of self-regulation of the advocacy, it is necessary to review the existing structure of the Chamber of Advocates to improve the internal procedures of the Chamber. More specifically, it is intended to establish a disciplinary

committee which would be competent to examine the disciplinary proceedings initiated against lawyers adhering to the principle of independence. It is also necessary to prescribe the mechanisms of enhancing the accountability of the Chamber bodies and the public defender's office. The definition of rules on the incompatibility of activities pursued by the members of the Chamber bodies and officials will also contribute to the development of the internal structure of the Chamber, e.g., restrictions on a person's simultaneous membership in several bodies, or of the Chamber officials being simultaneously members in the Chamber bodies. In its turn, the stipulation of the legal basis for suspension and termination of the authorities of the Chamber members will contribute to the improvement of internal processes and regulation of the institution. At the same time, it is necessary to revise the election process of the members of the Chamber bodies. At present, each voter can elect the candidates corresponding to the number of members of the relevant body, therefore there is likelihood that the opportunity to elect the members of the Chamber bodies would not be ensured without certain guidance.

The opportunity for the legal regulation of the relations arising from the proper and the timely enforcement of decisions made by the Chamber bodies, especially those made under the disciplinary proceedings, is especially important for the enhancement of the efficiency and execution of the internal regulations of the Chamber of Advocates. Therefore, it is also necessary to consider the rationale for the opportunity to appeal against such decisions in Court under the special proceedings, taking into consideration the specifics of these processes.

Extension of the scope of the beneficiaries of free legal aid

The role and importance of the public defender's institution is crucial in terms of the constitutional right of people to legal support. Several amendments have been made to the Law on Advocacy aimed at increasing the scope of people eligible for free legal aid. Nevertheless, the scope of beneficiaries still needs to be revised periodically, since there are people in other groups who could be also included into the list of the free legal aid beneficiaries. In this respect, it is worthwhile including the following people into this list:

- Foreigners, for appealing against the deportation decision,
- Proceedings initiated against persons on recognizing them as having no or limited active legal capacity, recognizing the citizen previously declared as incapable as a person having active legal capacity or removing the citizen's limitations on active legal capacity,
- Victims if the latter is a juvenile or serving the compulsory military service.

Increasing the number of public defenders

The constitutional right to receive free legal assistance in the Republic of Armenia is ensured only through the Public Defender's Office of the Chamber of Advocates. Within this context, it should be taken into account that in recent years the workload on the public defender's office has been increasing every year, and as a result of this the office is currently overloaded.

In the light of the above and in case of the current positions of the public defender's office, as well as taking into account the regulations of the newly adopted Criminal Procedure Code, there may be a significant threat to the timely execution of the decisions made by the bodies conducting the criminal case proceedings (in terms of the provision of free legal aid), as well as to the provision of free and qualified legal aid to the citizens applying to the public defender's office.

Thus, the office of the public defender processed 6,688 criminal cases in 2018; 7,183 cases in 2019 (increase of 7.5 percent); 7,361 cases in 2020 (increase of 2.5 percent) and 10,492 cases in 2021 (increase of 42.5 percent). In its turn, in 2018 the office processed 7,021 civil cases, in 2019 - 8,608 cases (increase of 23 percent), in 2020 - 7,926 cases (decrease of 7.9 percent), and 8,800 cases in 2021 (increase of 11 percent).

In the context of the above, it became necessary to increase the number of the officers of the public defender's office, which will contribute to the proper provision of the constitutional right to receive free legal aid.

Development of regulations for providing pro bono legal aid

To ensure the accessibility of justice, it is important to develop alternative mechanisms of providing free legal aid, particularly by introducing effective regulations on pro bono legal services, which would contribute to the reduction of the workload of public defenders. It is worth mentioning that the need for reforms in this direction was also emphasized in the document[42] "The Assessment of the advocate's qualification system in the Republic of Armenia" implemented by the United Nations Development Program.

Particularly, it is necessary to create mechanisms which will involve non-public defender advocates, the students of Advocacy School, University students as well as advocates and lawyers from other organizations who will provide free legal aid in different formats, receiving specific privileges in advance, for example getting exemption from professional training. Once these mechanisms are in place, the above-listed individuals could get registered in the lists of the public defender's office whereby the head of the public defender's office will be able to hand over part of the cases managed by their office. The availability of these mechanisms will also allow to coordinate the provision of pro-bono services and contribute to the implementation of activities by the public defender's office and minimizing their workload.

Following the introduction of pro bono legal support regulations, it will be necessary to study their effectiveness and undertake measures towards their continuous development, including regulations on incentives as well as other mechanisms for expansion and improvement of provided services.

Revising professional training procedures for advocates

According to the acting legislation, the main mission of the School of Advocates is to provide professional education, conduct qualification examinations for the students and professional training for the advocates. At present, only individuals who have completed the relevant training at the School of Advocates are eligible to work as advocates. Nevertheless, it should be noted that the mandatory

[42] See "The Assessment of the free legal aid system in the Republic of Armenia" implemented by the United Nations Development Program, paragraph 6.9, page 41

training requirement neglects background-wise the specifics of people who want to obtain the advocacy license, namely education, professional experience, past career and so on). Therefore, it is necessary to provide flexible and differentiated mechanisms for participation in the qualification examinations and training in the School of Advocates. It is worth mentioning that the need for reforms in this direction was also emphasized in the document[43] "The Assessment of the advocate's qualification system in the Republic of Armenia" implemented by the United Nations Development Program.

The norms related to the qualification and professional training of advocates are regulated by the internal legal acts of the Chamber of Advocates. On the other hand, the regulation of these relations at the legislative level is more rational, given that advocacy is an important institution for the society and the latter would benefit from the availability and development of the community of competent advocates.

[43] See "The Assessment of the advocate's qualifications in the Republic of Armenia" implemented by the United Nations Development Program, pages 29-30

STRATEGIC GOAL

REFORMS OF THE COMPULSORY ENFORCEMENT SYSTEM

One of the key components of the effectiveness of justice and an integral part of guaranteeing the right to judicial protection is the existence of a stable system of Compulsory Enforcement. It is noteworthy that since the adoption of the Law "On Compulsory Enforcement of Judicial Acts", the legal system of the Republic of Armenia has undergone many institutional changes. Despite the fact that multiple essential changes were made by the Law No HO-126-N of 23 July 2019 "On making amendments and supplements to the Law 'On Compulsory Enforcement of Judicial Acts'", still, the legislation of the field of compulsory enforcement needs a systemic revision.

STRATEGIC DIRECTIONS

Introducing new model of the Compulsory Enforcement Service

According to the current legal regulations, the compulsory enforcement of judicial acts subject to compulsory enforcement in the Republic of Armenia is ensured by the Compulsory Enforcement Service. The Compulsory Enforcement Service operates within the Ministry of Justice of the Republic of Armenia as a body subordinate to the Ministry.

Currently, the remuneration of enforcement officers is not correlated in any way with the volume, efficiency or other quality indicators of their work; there is lack of adequate tools to increase work efficiency and motivation.

Therefore, it is necessary to carry out sectoral studies aimed at the effectiveness of the new model of the Service, its structure and the possibility of changing its status and then, based on the mentioned study, to develop a concept of relevant legislative changes. As a result, a number of issues will be resolved, such as receiving a remuneration proportionate with the workload of the Service and the scope of the performance through the review of the Service model, resulting in the recruitment of more professional staff and increased performance efficiency.

Revising the legislation on the Compulsory Enforcement System

The current legal regulations provide for a number of acts subject to enforcement. However, all the features related to the enforcement of these acts are not specified, the relationships related to the enforcement of each of these acts have not been subjected to institutional regulation and it is not always the case that provisions on the enforcement of judicial acts a comprehensively regulate the relationships linked to the enforcements of other acts subject to enforcement. Besides, in practice there are cases when the Compulsory Enforcement Service receives writs of execution issued in claims of recognition, based on judicial acts not assuming enforcement or other acts the implementation of which is problematic, for instance, to prescribe compulsory servitude, recognize a person's ownership over property, conclude a conciliation agreement, the enforcement whereof is conditioned by the fulfilment of liability of the claimant party, etc., and their enforcement becomes impossible in practice.

The development of a new Law on "Enforcement Proceedings" will allow having more comprehensive, systematic, clearer regulations that use common unified legal concepts, defining the specifics of seizure of certain types of property and peculiarities of a separate group of enforcement proceedings (including enforcement of other interim judicial acts, enforcement of certain types of enforcement proceeding of non-monetary nature), expanding the scope of property subject to confiscation, regulating the issues related to the protection of property within the framework of enforcement proceedings. This, in turn, will contribute to a uniform interpretation of the Law, to the improvement of the legal enforcement practice based on it and fair settlement of the disputes related to the enforcement proceedings.

It is also necessary to improve the legal basis for the implementation of electronic notifications in enforcement proceedings, the methods of electronic notification, to expand the use of electronic notification tools, to increase the efficiency of the process of compulsory enforcement of non-monetary claims by investing in additional measures to fulfil non-monetary claims.

The provision of the comprehensive legal regulations on the on the enforcement proceedings will allow to promote the voluntary execution of acts subject to enforcement and to increase the efficiency of the enforcement proceedings through the use of "soft" means of coercion, such as, for instance, the restriction of the possibility of technical inspection of vehicle wanted by the decisions of the compulsory enforcement officer, the restriction of the exit from the territory of the Republic of Armenia of the wanted individuals and movable property etc.

Therefore, depending on the type and nature of the acts to be enforced, it is necessary to establish comprehensive legal regulations for enforcement proceedings and the implementation thereof, taking into account all the features of the acts to be enforced.

Currently, the costs for performing enforcement actions are levied based on the size of the amount or of the value of the property being confiscated. Whereas, in conditions of such mechanisms, situations arise when the enforcement cost subject to levy in execution obviously exceeds the volume and complexity of actions performed by the compulsory enforcement officer and vice-versa, an obviously small enforcement cost is paid for the large volume of the work performed, based on the amount being levied in execution.

Therefore, it is necessary define such mechanisms of calculation of enforcements costs that would allow stating the amount of enforcement costs subject to confiscation based not only on the amount to be levied in execution but also based on the volume and specifics of performance of enforcement actions.

It is necessary to also review the scope of grounds for suspension, end and termination of the enforcement proceedings, to clearly define the clearly legal consequences thereof, thus ensuring the uniformity thereof and excluding the possibility of terminating the proceedings at the discretion of the enforcement officer, defining those as general powers exercised by the enforcement officer.

In addition to the above, along with the comprehensive legal regulations on enforcement proceedings and the expansion of the use of electronic tools in enforcement proceedings, it is necessary to ensure the compliance of the legal regulations on the Compulsory Enforcement Service with the regulations of the new Law on Enforcement Proceedings, to correct the shortcomings and omissions of the

current Law on Compulsory Enforcement Service, to extend the social guarantees of compulsory executors, to introduce flexible salary calculation mechanisms and improve the reputation of the profession of compulsory executor.

From the point of view of protection of the rights of the participants of the enforcement proceedings, in order to increase the efficiency of the compulsory enforcement, it is also possible to ensure the implementation of the enforcement proceedings in a short period of time. In this regard, it is necessary to introduce tools that will increase the efficiency of enforcement actions, ensure the implementation of enforcement actions in the shortest possible time and the protection of the rights and legal interests of the parties to the enforcement proceedings.

Ensuring the technical equipment saturation of the Compulsory Enforcement Service

The expansion of the methods of using electronic tools in enforcement proceedings and creation of electronic enforcement proceedings is impossible without providing the Compulsory Enforcement Service with technical equipment, taking into account the fact that the existing server hubs and equipment significantly complicate, in some cases make it impossible to develop and introduce programs with application of modern information technologies. Therefore, it is necessary to upgrade the server hub of the Compulsory Enforcement Service, to create the necessary infrastructures, to develop the required data centres, to replace and upgrade the switchboards, to purchase uninterruptible power sources (UPS), backup servers, and the necessary archiving equipment.

Optimization of the process of freezing and confiscation of funds and deposits in the debtor's bank accounts

It is necessary to ensure the implementation of the relevant process of sending and receiving messages by commercial banks in the process of freezing and confiscation of funds in the debtor's bank accounts and deposits within the framework of enforcement proceedings in the most automatic way; to reduce time spent by the commercial banks on responding to messages, freezing or unfreezing

funds; to ensure the fastest possible distribution of money withdrawn from bank accounts and deposits of the debtor, and termination of enforcement proceedings.

Ensuring the training and awareness of the staff of the Compulsory Enforcement Service

In order to safeguard the effectiveness and viability of the measures taken to establish comprehensive legal regulations on enforcement proceedings, to expand the electronic toolkit of the enforcement proceedings, to develop new technical solutions, and ensure technical equipment, the staff/employees of the Enforcement Service must be trained in accordance with the directions of the reforms and their related functions.

OTHER STRATEGIC DIRECTIONS

Improving and expanding the application of the institute of inscription

Given the role of notaries as public service providers in promoting justice, their role in terms of providing the efficiency and accessibility of justice it is important and the development of the notary system and the strengthening of the institution continue to remain pertinent.

The improvement of the notary system has a significant impact on easing the workload of the courts, given that the workload of the courts of First Instance is largely due to the large number of applications for confiscation of monetary funds and payment orders. In particular, in 2021 alone, 115,555 payment order applications were submitted, and more than 90% of the cases under consideration were confiscation cases, for the vast majority of which applications for the provision of execution writ inscription were subsequently submitted later.

Although currently the notaries can provide an Execution inscription sheet for the transactions they have certified, still, the parties of the civil procedure relations prefer go to the court, as the existing mechanisms are not effective enough. Therefore, in order to improve and expand the institute of issuing a writ (inscription) of execution by a notary, it is planned to introduce the institute of issuing a (inscription) of execution electronically by a notary, which will allow to reduce the length of the process as much as possible, will increase the demand for notarized writs (inscriptions) by civil procedure relations parties, which in turn will reduce the burden on the courts, reducing the volume of applications for legal orders to be submitted to the court by citizens to ensure the implementation of legally valid payment orders and confiscation decisions.

Review of procedures for subjecting a notary to disciplinary liability

The improvement of the institute of notary is conditioned by the efficiency of disciplinary proceedings against the notary, which at the same time must guarantee the proper protection of the rights of notaries, and the decisions made must be reasoned and justified.

Although there are currently mechanisms in place to initiate disciplinary proceedings against a notary, those are not reasonably effective and do not fully ensure the protection of notary rights.

Thus, in the framework of the reforms to be implemented in the field of notary, it is necessary to introduce mechanisms for expanding the institute of issuing a writ (inscription) of execution by a notary, to define the substantiation of proceedings for notary liability and additional levers guaranteeing efficiency.

In order to ensure the continuous development of the notary system, it is necessary to increase the effectiveness of procedures for subjecting the notary to disciplinary liability, simultaneously ensuring the protection of the reputation of the notary as an institute providing public services to promote administrative justice. For this purpose, it is necessary, in addition to the existing mechanisms for appealing against disciplinary proceedings, to introduce an effective structure for appealing against those in the order of administrative superiority (within the Ministry of Justice), to define a demand for the rationale and justifications for the decisions made as a result of the disciplinary proceedings by defining content thereof, as well as develop samples (exemplary forms) of elaborating decisions, excluding possible misunderstandings by third parties.

Improving the System of Notary Liability Insurance

The institute of liability insurance of notaries is one of the important prerequisites and ways to protect the rights of citizens in legal relations with notaries. It is noteworthy that the Constitutional Court, in the decision dated May 10, 2016, as to the case No. SDO-1271, referring to the issue of liability insurance of the notary, recorded that such procedure guarantees legal compensation for the damage caused by the fault of the notary while acting on behalf of the Republic of Armenia, when performing delegated state functions. In this regard, from the point of view of improving the activities of the notary, as well as greater protection of the rights of individuals who get in relations with them, it is necessary to review and reform the provisions on notary liability insurance, as well as to establish standards for the liability of notaries.

Development of a unified legal act regulating the activities of the Academy of Justice

The current Law of the Republic of Armenia on the Academy of Justice was adopted on May 2, 2013. Due to the ongoing reforms in the state and public life it needs significant amendments. In this context, it is necessary to align the Law with the current developments and legislation.

After the RA Law on the Academy of Justice was adopted all in all more than 15 amendments and/or additions were made to it.

As a result, however, the RA Law on the Academy of Justice adopted in 2013, with its logic, structure, potential, various sectoral changes, is not able to ensure the proper implementation of the goals of the Academy of Justice and the functions arising from them.

Moreover, making conceptual changes and eliminating the existing gap between the RA Law on the Academy of Justice and related legal regulations is possible only with the adoption of a new Law, as the change of one conceptual provision will lead to a change in the logic of many norms and the entire Law.

In view of the above, the adoption of a new Law on the Academy of Justice is considered highly important within the framework of this Strategy.

Elaboration of the Draft Law on Forensic Examination Activities

In order to increase the efficiency of forensics, it is necessary to develop a Draft law "On Forensics" or "Forensic Examination Activities" (hereinafter referred to as the Law). Republic of Armenia still does not have a Law on Forensics, in the conditions of which the legal relations related to the conduct of expert examinations have not yet received a full and comprehensive settlement. It should be noted, that in cases appointed within the scope of court proceedings the issues are, to some extent, regulated by the relevant articles of the Criminal, Civil or Administrative Procedure Codes and the examinations outside of court proceedings are, in fact, not subject to any legislation. In the absence of a respective Law, a number of relationships in the field of expertise are not regulated, including the

definitions (standards) of the expert institution or agency, the criteria set forth for the expert or expertise methodology, grounds for an expert's responsibility, issue of attestation of the experts, etc.

It is worth mentioning, that currently the forensic expertise in the Republic of Armenia is caried out by main types through expert institutions: relevant State non-commercial organizations, Forensic Department of the RA Police; forensic and forensic-psychiatric types, as well as by experts of State Non-commercial Organizations and Statutory Forensic-psychiatric Outpatient and Inpatient Commissions under the RA Ministry of Health. In some cases, it is done by private legal persons or, in each individual case - by professionals recognized as experts in compliance with the court proceedings of the institution that is carrying out the proceedings.

All of the above reveals a wide range of beneficiaries of the envisaged legal regulation, which is a signal for the adoption of a Law on Forensic Examination Activities within the framework of this Strategy.

SECTION II. COORDINATION, MONITORING AND EVALUATION OF IMPLEMENTATION OF THE STRATEGY AND THE ACTION PLAN

In order to ensure the full and effective implementation of the Strategy and its Action Plan, two mechanisms are planned: the Monitoring Council, which will act as a general monitoring mechanism, and the Working Group of Public Organizations, which will act as a mechanism for ensuring the public control.

1. A Monitoring Council (Council) consisting of 15 members shall be formed for the purpose of general sector monitoring and control

The Council shall be a multi-stakeholder advisory body, operating on a permanent basis, performing the functions of coordination, monitoring and evaluation of the progress of implementation of the Strategy and the Action Plan.

The Council shall be comprised of:

- the Prime Minister of the Republic of Armenia or, upon the assignment by the Prime Minister, the representative of the RA Prime Minister's staff,
- the Minister of Justice of the Republic of Armenia,
- the Deputy Minister of Justice, who coordinates the respective sector,
- The Prosecutor General of the Republic of Armenia or the Deputy Prosecutor General of the Republic of Armenia, upon the assignment by the Prosecutor General (upon consent),
- The Chairperson of the Supreme Judicial Council of the Republic of Armenia or, upon the assignment by the Chairperson, a member of the Supreme Judicial Council (upon consent),
- the Head of the Judicial Department (upon consent),
- the Chairperson of the Anti-Corruption Committee (upon consent),
- the Chairperson of the Investigation Committee of the Republic of Armenia or, upon the assignment by the Chairperson, the Deputy Chairperson of the Investigation Committee of the Republic of Armenia (upon consent),

- the Representative on the International Legal Issues
- the Chairperson of the Standing Committee on State and Legal Affairs of the RA National Assembly or, upon the assignment by the Chairperson, a member of the Standing Committee on State and Legal Affairs of the RA National Assembly (upon consent),
- the Rector of the Academy of Justice (upon consent),
- the Chairperson of the Chamber of Advocates or, upon the assignment by the Chairperson, a representative of the Chamber of Advocates (upon consent),
- two representatives – faculty members from the Law Departments of the major two Higher Education Institutions of Armenia (one from each) with the greater number of students (upon consent),
- the Human Rights Defender of the Republic of Armenia or, upon the assignment thereof, a representative of the Staff of the Human Rights Defender (upon consent),
- two representatives from civil society organizations (upon consent),

The formation of the individual membership composition of the Council shall be ensured through the Ministry of Justice, and the membership composition shall be approved by the Prime Minister. Candidates for the Council shall be nominated by Non-Governmental Organizations whose statutory goals include activities aimed at protecting human rights and increasing public accountability of the Judiciary, and which have been implementing such activities for the past five years. Biographies of the candidates and brief information about the non-governmental organizations having nominated them shall be published on the website of the Ministry of Justice. The procedure for filing an application for membership in the Council shall be published on the website of the Ministry of Justice at least 30 days before the deadline for filing the applications.

The Council shall be considered as formed when more than half of its members are appointed. The Council shall carry out its activities through sessions. The session of the Council shall be considered valid if it has a quorum of more than half of members of the

Council present and the decisions shall be adopted by the majority of votes of the members attending the session unless otherwise provided by the Rules of Procedure of the Council.

The Council shall adopt the Rules of Procedure within one month following its formation.

To provide administrative, expert and technical assistance to the members of the Council a Secretariat of the Council shall be established as a structural subdivision of the Ministry of Justice.

The Council may establish working groups that will be responsible for the coordination and implementation of actions deriving from separate strategic goals set out in the Strategy.

For the purpose of ensuring the coordination and monitoring of implementation of the Strategy and the Action Plans the responsible bodies shall, within five working days following the end of each semi-annual period, submit to the Secretariat of the Council a Progress Report on the implementation of actions assigned to them under the Action Plan. The Secretariat of the Council shall, within two working days, submit the package of reports to the Council and publish it in a special section of the official website of the Ministry of Justice.

The functions of monitoring and evaluation of the progress of the Strategy and the Action Plans shall be performed by the Ministry of Justice through the structural subdivision appointed as a responsible body, which, at the end of each year, shall submit the Monitoring and Evaluation Report to the Council. The methodological guidelines for Monitoring and Evaluation shall be approved by the Council.

The Council may, as a result of the discussion of the of reports on the effectiveness of implementation of the Strategy and the Action Plan,

- submit recommendations to the Government on making amendments to the Strategy and the Action Plan.
- submit to the authorities responsible for the implementation of individual actions the advisory opinions on the course, its extent, and the possible necessary steps for the implementation of the individual actions

Once approved, the activities on the proposed modifications and/or amendments shall be coordinated by the Ministry of Justice acting as the body responsible for developing the Government Policy in the Judicial sector.

For the purpose of impact assessment of the Strategy and the Action Plan, the Council may, in the medium- and long-term stages, initiate public opinion surveys among different target groups to measure the impact of the reforms on the society. Based on the results of evaluation and analysis of the mid-term survey outcomes the Council may initiate a new round of review and amendments of the Strategy and the Action Plan, as well as of the implementation methods and mechanisms.

For the purpose of ensuring greater transparency of the process, the Strategy and the Action Plan shall be published in a special section of the official website of the Ministry of Justice of the Republic of Armenia. The Semi-annual and Annual reports shall also be published on the website where the actions taken in relation to each component shall be indicated, in case if the activities consist of several components.

The Council shall submit to the Government a Semi-Annual Report on its activities within 15 working days after the end of each half-year, and an Annual Report at the end of the year.

The Council may, in the cases and under the procedure envisaged by the Law, initiate additional processes of accountability for the bodies responsible for the implementation of certain goals of the Strategy.

2. to ensure public oversight of the Judicial-Legal Reform Strategy of the Republic of Armenia for 2022-2026, the effectiveness of its actions, and public control a Working group shall be established by the order of the Minister of Justice of the Republic of Armenia with the participation of sectoral non-governmental organizations.

The Working group shall:

- discuss and analyse all current plans, actions and steps related to the Strategy, the process of implementation of individual projects or activities arising from the Strategy,
- if necessary, submit written recommendations aimed at ensuring the effective implementation of the Strategy and measures thereof,

- summarize the results and the effect+
- iveness of the implementation of the Strategy and the Action plan deriving thereof.
- organize its activities through sessions convened as needed but not later than once every three months,
- summarize the results of its activities through a written Quarterly Report submitted to the Minster of Justice.

The Working group shall organize its works by through meetings, which should be held in case of necessity, but not less than once in three months.

The outcomes og the Working group's operation shall be summed up in a written report, which shall be represented to the Minister of Justice once in three months.

SECTION III: STRATEGY COST ESTIMATE[44]

Total for Strategy				20,717,400,000	
Per years	2022	2023	2024	2025	2026
	1,631,900,000	13,056,500,000	2,164,000,000	2,246,000,000	1,619,000,000
Per funding source					
State Budget only				2,054,500,000	
Loans or grant funds only				4,805,400,000	
State budget or loan and grant funds				13,857,500,000	

Total: Objective 1. SETTING UP A UNIFIED "E-JUSTICE" MANAGEMENT SYSTEM AND ENSURING ACCESSIBILITY OF ELECTRONIC DATABASES AND UPDATING THEREOF						5,225,800,000
Per years	2022	2023	2024	2025	2026	Total
	375,800,000	2,930,000,000	670,000,000	750,000,000	500,000,000	
Action 1		500,000,000				500,000,000
Action 2		500,000,000				500,000,000
Action 3		500,000,000				500,000,000
Action 4			500,000,000			500,000,000
Action 5			20,000,000			20,000,000
Action 6						-
Action 7		50,000,000				50,000,000
Action 8			100,000,000			100,000,000
Action 9				500,000,000		500,000,000
Action 10		20,000,000				20,000,000
Action 11	300,000,000					300,000,000
Action 12	45,800,000					45,800,000

[44] The figures are presented in AMD.

Action 13	30,000,000					30,000,000
Action 14		150,000,000				150,000,000
Action 15		10,000,000				10,000,000
Action 16		1,000,000,000				1,000,000,000
Action 17		200,000,000				200,000,000
Action 18				250,000,000		250,000,000
Action 19					500,000,000	500,000,000
Action 20			30,000,000			30,000,000
Action 21			20,000,000			20,000,000

Total: Objective 2. APPLICATION OF TOOLKITS FOR TRANSITIONAL JUSTICE TO DETECT SYSTEMIC HUMAN RIGHTS VIOLATIONS THROUGH FACT-FINDING ACTIVITIES						255,000,000
Per years	2022	2023	2024	2025	2026	Total
	-	85,000,000	85,000,000	85,000,000	-	
Action 1						-
Action 2		85,000,000	85,000,000	85,000,000		255,000,000

Total: Objective 3. THE DEVELOPMENT OF DEMOCRATIC INSTITUTIONS						100,500,000
Per years	2022	2023	2024	2025	2026	Total
	67,000,000	33,500,000	-	-	-	
Action 1	67,000,000	33,500,000				100,500,000
Action 2						-
Action 3						-
Action 4						-

Total: Objective 4. ENSURING THE CONTINUITY OF JUDICIAL REFORMS						9,513,000,000
Per years	2022	2023	2024	2025	2026	Total
	141,500,000	8,226,500,000	311,000,000	323,000,000	511,000,000	
Action 1				12,000,000		12,000,000
Action 2		28,000,000	28,000,000	28,000,000	28,000,000	112,000,000
Action 3					200,000,000	200,000,000
Action 4	141,500,000	283,000,000	283,000,000	283,000,000	283,000,000	1,273,500,000
Action 5		7,900,000,000				7,900,000,000
Action 6						-
Action 7		15,500,000				15,500,000
Action 8						-
Action 9						-
Action 10						-

Total: Objective 5. CRIMINAL JUSTICE REFORMS						864,100,000
Per years	2022	2023	2024	2025	2026	Total
	438,600,000	380,500,000	15,000,000	-	30,000,000	
Action 1		360,500,000				360,500,000
Action 2	220,000,000					220,000,000
Action 3	197,000,000					197,000,000
Action 4	21,600,000					21,600,000
Action 5					30,000,000	30,000,000
Action 6		20,000,000				20,000,000
Action 7			15,000,000			15,000,000
Action 8						-
Action 9						-
Action 10						-

Total: Objective 6. REFORMS OF THE CIVIL CODE AND CIVIL PROCEDURE LEGISLATION						-
Per years	2022	2023	2024	2025	2026	Total
	-	-	-	-	-	
Action 1						-
Action 2						-
Action 3						-
Action 4						-
Action 5						-
Action 6						-
Action 7						-

Total: Objective 7. REFORMS OF ADMINISTRATIVE AND ADMINISTRATIVE PROCEDURE LEGISLATION						12,000,000
Per years	2022	2023	2024	2025	2026	Total
	-	12,000,000	-	-	-	
Action 1						-
Action 2						-
Action 3						-
Action 4		12,000,000				12,000,000

Total: Objective 8. THE BANKRUPTCY SECTOR REFORMS						227,000,000
Per years	2022	2023	2024	2025	2026	Total
	-	227,000,000	-	-	-	
Action 1		227,000,000				227,000,000
Action 2						-
Action 3						-

Total: Objective 9. THE DEVELOPMENT OF ALTERNATIVE DISPUTE RESOLUTION METHODS						1,519,000,000
Per years	2022	2023	2024	2025	2026	Total
	9,000,000	512,000,000	496,000,000	496,000,000	6,000,000	
Action 1						-
Action 2						-
Action 3						-
Action 4	6,000,000	6,000,000				12,000,000
Action 5						-
Action 6		490,000,000	490,000,000	490,000,000		1,470,000,000
Action 7						-
Action 8	3,000,000	6,000,000	6,000,000	6,000,000	6,000,000	27,000,000
Action 9		10,000,000				10,000,000

Total: Objective 10. REFORMS OF THE LEGAL AID SECTOR						292,000,000
Per years	2022	2023	2024	2025	2026	Total
	-	68,000,000	68,000,000	88,000,000	68,000,000	
Action 1						-
Action 2						-
Action 3		68,000,000	68,000,000	68,000,000	68,000,000	272,000,000
Action 4						-
Action 5						-
Action 6						-
Action 7				20,000,000		20,000,000

Total: Objective 11. REFORMS OF THE COMPULSORY ENFORCEMENT SYSTEM						2,709,000,000
Per years	2022	2023	2024	2025	2026	Total
	600,000,000	582,000,000	519,000,000	504,000,000	504,000,000	
Action 1						-
Action 2		504,000,000	504,000,000	504,000,000	504,000,000	2,016,000,000
Action 3		24,000,000				24,000,000
Action 4	600,000,000					600,000,000
Action 5		24,000,000				24,000,000
Action 6		30,000,000				30,000,000
Action 7			15,000,000			15,000,000

Total: Objective 12. OTHER STRATEGIC DIRECTIONS						-
Per years	2022	2023	2024	2025	2026	Total
	-	-	-	-	-	
Action 1						-
Action 2						-
Action 3						-
Action 4						-
Action 5						-