

Justice and Home Affairs

1. Judicial Cooperation

1.1. Judicial cooperation in civil matters

Introduction

The EU legislation on judicial cooperation in civil matters regulates legal relations arising in the fields of jurisdiction, recognition and enforcement of judgments in civil and commercial matters, jurisdiction and the recognition and enforcement of judgments in matrimonial matters and in matters of parental responsibility, alternative dispute resolution in civil and commercial law, insolvency, services relating to judicial and extrajudicial documents in civil or commercial matters, cooperation between the courts of the Member States in the taking of evidence in civil or commercial matters, and legal aid. These relations in Armenia are regulated by the Civil Code of Armenia¹, the Civil Procedural Code², RoA laws on Arbitration courts and arbitration proceedings³, on Insolvency (bankruptcy)⁴, on Enforcement of Judgments⁵ and a number of other legal acts.

However, a number of provisions on applicable law are missing. The Armenian legislation particularly does not regulate the peculiarities of applicable law depending on the type of this or that legal relations.

The Armenian legislation does not cover similar mechanisms for services relating to judicial and extrajudicial documents in civil or commercial matters and legal aid for international disputes stipulated by the EU legislation.

Y2007

The Armenian legislation in the field of judicial cooperation shall be approximated with the Green Paper on alternative dispute resolution in civil and commercial law, the Convention opened for signature in Rome on 19 June 1980, Council Regulation No 1348/2000 of 29 May 2000 and Council Regulation No 1346/2000 of 29 May 2000.⁶

Considering the importance of alternative dispute resolution in civil and commercial law, the RoA Law on Arbitration courts and arbitration proceedings shall be amended. In this regard a number of amendments shall be made to the Civil Procedure Code of Armenia.

Given that the Armenian legislation in the field of law applicable for civil matters does not meet the requirements of the European Union, major amendments shall be made to the Civil and Labour Codes of Armenia. Particularly, it should be taken into account that the European legislation provides for a special regulation depending on the peculiarities of legal relations.

Highlighting the importance of circulation of judicial and extra-judicial documents in commerce and civil matters, a number of amendments shall be made to the Civil Procedure Code of Armenia.

¹ HO-239, 05.05.1998

² HO-247, 17.06.1998

³ HO-219, 05.05.1998

⁴ HO-17, 17.12.2003

⁵ HO-221, 05.05.1998

⁶ Convention on the Law applicable to Contractual Obligations, opened for signature in Rome on 19 June 1980, Council regulation (EC) No 1348/2000 of 29 May 2000 on the service in the Member States of judicial and extrajudicial documents in civil or commercial matters, Council regulation (EC) No 1346/2000 of 29 May 2000 on insolvency proceedings.

Based on the peculiarities of insolvency proceedings covered by the EU legislation, the RoA Law on Insolvency (Bankruptcy) shall be amended. Amendments are especially essential for cases when individuals or legal entities operating in different countries are engaged in the insolvency proceedings.

Y2008

In the field of judicial cooperation, the Council Regulation (EC) No 44/2000 of 22 December 2000 and Council Regulation (EC) No 1206/2001 of 28 May 2001 shall be subject to approximation.⁷

Special attention should be paid to the jurisdiction, recognition and enforcement of judgments in civil and commercial matters, considering that the EU legislation provides for a more regulated and user-friendly mechanism for recognition and enforcement of judgments, which allows a citizen to bring proceedings to the court for recognition and enforcement of judgments made in foreign courts. For this purpose, amendments shall be made to the Civil Code, Civil Procedure Code of Armenia, as well as the Law on Enforcement of Judgments.

Furthermore, with the purpose of simplifying the procedures for taking of evidence in civil or commercial matters, necessary amendments shall be made in the relevant legislation. Particularly, amendments shall be made to the Civil Procedure Code of Armenia.

Y2009

The Armenian legislation in the field of judicial cooperation shall be approximated with the Council Directive No 2002/8 of 27 January 2003 and Council Regulation No 2201/2003 of 27 November 2003.⁸

Highlighting the availability of legal aid for international disputes, necessary amendments shall be made to the Civil Procedure Code of Armenia and the RoA laws on Advocacy and State Duty.

Special attention should be paid also to the jurisdiction and the recognition and enforcement of judgments in matrimonial matters and in matters of parental responsibility. On the basis of common order of recognition and enforcement of judgments, the EU legislation defines a number of rules depending on the peculiarity of legal relations and social significance. In this regard, amendments shall be made to the RoA Law on Enforcement of Judgments and the Civil Procedure Code of Armenia.

⁷ Council Regulation (EC) No 44/2001 of 22 December 2000 on jurisdiction and the recognition and enforcement of judgments in civil and commercial matters, Council Regulation (EC) No 1206/2001 of 28 May 2001 on cooperation between the courts of the Member States in the taking of evidence in civil or commercial matters

⁸ Council Regulation (EC) No 1206/2001 of 28 May 2001 on cooperation between the courts of the Member States in the taking of evidence in civil or commercial matters, Council Directive 2002/8/EC of 27 January 2003 to improve access to justice in cross-border disputes by establishing minimum common rules relating to legal aid for such disputes, Council Regulation (EC) No 2201/2003 of 27 November 2003 concerning jurisdiction and the recognition and enforcement of judgments in matrimonial matters and the matters of parental responsibility, repealing Regulation (EC) No 1347/2000

1.1.1 Legislative approximation

0	1	2	3	4	5	6
N/N	Measure	EU Legal Source	Responsible Institution	Submission Date	Necessary Resources (man/days)	EU Technical Assistance
2007						
1.	<ul style="list-style-type: none"> • Elaboration of a draft law on making amendments to the Civil Procedure Code of Armenia • Elaboration of a draft law on making amendments to the Civil Code of Armenia, and • Elaboration of a draft law on making amendments to the Labour Code of Armenia 	Convention on the Law applicable to Contractual Obligations, opened for signature in Rome on 19 June 1980	Ministry of Justice of Armenia	2 nd quarter	40	Consultancy, provisional expertise
2.	<ul style="list-style-type: none"> • Elaboration of a draft law on making amendments to the Civil Procedure Code of Armenia 	Council regulation (EC) No 1348/2000 of 29 May 2000 on the service in the Member States of judicial and extrajudicial documents in civil or commercial matters	Ministry of Justice of Armenia (Ministry of Foreign Affairs of Armenia)	3 rd quarter	42	Consultancy, provisional expertise
3.	<ul style="list-style-type: none"> • Elaboration of a draft law on making amendments to the RoA Law on Insolvency (Bankruptcy) 	Council regulation (EC) No 1346/2000 of 29 May 2000 on insolvency proceedings	Ministry of Justice of Armenia (Ministry Finance and Economy of Armenia)	4 th quarter	44	Consultancy, provisional expertise
TOTAL					126	

2008						
4.	<ul style="list-style-type: none"> Elaboration of a draft law on making amendments to the Civil Procedure Code of Armenia Elaboration of a draft law on making amendments to the RoA Law on Enforcement of Judgments 	Council Regulation (EC) No 44/2001 of 22 December 2000 on jurisdiction and the recognition and enforcement of judgments in civil and commercial matters	Ministry of Justice of Armenia	2 nd quarter	83	Consultancy, provisional expertise
5.	<ul style="list-style-type: none"> Elaboration of a draft law on making amendments to the Civil Procedure Code 	Council Regulation (EC) No 1206/2001 of 28 May 2001 on cooperation between the courts of the Member States in the taking of evidence in civil or commercial matters	Ministry of Justice of Armenia (Ministry of Foreign Affairs of Armenia)	4 th quarter	30	Consultancy, provisional expertise
TOTAL					113	
2009						
6.	<ul style="list-style-type: none"> Elaboration of a draft law on making amendments to the RoA Law on Advocacy Elaboration of a draft law on making amendments to the RoA Law on State Duty 	Council Directive 2002/8/EC of 27 January 2003 to improve access to justice in cross-border disputes by establishing minimum common rules relating to legal aid for such disputes	Ministry of Justice of Armenia (Ministry of Foreign Affairs of Armenia)	1 st quarter	30	Consultancy

7.	<ul style="list-style-type: none"> • Elaboration of a draft law on making amendments to the RoA Law on Enforcement of Judgments • Elaboration of a draft law on making amendments to the Civil Procedure Code of Armenia 	Council Regulation (EC) No 2201/2003 of 27 November 2003 concerning jurisdiction and the recognition and enforcement of judgments in matrimonial matters and the matters of parental responsibility, repealing Regulation (EC) No 1347/2000	Ministry of Justice of Armenia (Ministry of Labour and Social Affairs of Armenia)	2 nd quarter	100	Consultancy, provisional expertise
TOTAL					130	
TOTAL					369	

1.1.2 Institutional Capacities

0	1	2	3	4
N/N	Institution	Reorganization	Training Needs	Technical Assistance Needs
1.	RoA Ministry of Justice	-	Training courses in International Arbitrage (10 days/2007)	Consultancy
2.	RoA Ministry of Justice (RoA Ministry of Finance and Economy , Council of Chairmen of Courts of Armenia)	-	Training courses in Insolvency Proceedings (10 days/2007)	Consultancy
3.	RoA Ministry of Justice (Council of Chairmen of Courts of Armenia)	-	Training courses in Cooperation between Courts in civil matters (15 days/ 2008)	Consultancy
4.	RoA Ministry of Justice (RoA Ministry of Labour and Social Issues , Council of Chairmen of Courts of Armenia)	-	Training courses in jurisdiction and the recognition and enforcement of judgments in matrimonial matters and the matters of parental responsibility (15 days/2009)	Consultancy

1.1.3. Policy

0	1	2	3	4	5	6
NN	Measure	EU legal source	Responsible Institution	Submission Date	Necessary Resources (man/days)	EU Technical Assistance
2007						
1.	<ul style="list-style-type: none"> Elaboration of a draft law on making amendments to the RoA Law on Arbitration courts and arbitration proceedings, Elaboration of a draft law on making amendments to the Civil Procedure Code of Armenia 	Green Paper on alternative dispute resolution in civil and commercial law	Ministry of Justice of Armenia	1 st quarter	15	Consultancy, provisional expertise
TOTAL					15	

1.2 Area of Security

The Armenian legislation in this field mainly does not comply with that of the EU, except for the legislation relating to combating the legalization of proceeds from crime and financial of terrorism, which includes numerous legal rules. However, this field also should be approximated.

The EU legislation regulating the chapter “Area of Security” mainly relates to the establishment of certain institutions, namely the Anti-fraud Office, Drugs and Drug Addiction Monitoring Centre, Provisional Judicial Cooperation Unit, as well as the Crime Prevention Network. The EU legislation regulating this field covers legal concepts relating to the European arrest warrant and simplified procedure, Comprehensive strategy for combating organized crime, the contribution of civil society in finding missing or sexually exploited children and combat against the financing of terrorist groups. The screening results show that the Armenian legislation only regulates legal relations arising in the field of combating the financing of terrorist groups. The RoA Law on combating the legalization of proceeds from crime and financial of terrorism is currently in force.⁹

Y2006

The Armenian legislation on the Chapter “Area of Security” shall be approximated with the Council Recommendation No 1999/C 373/01 of 9 December 1999.¹⁰

Efficient mechanisms should be legislatively defined and introduced into the field of combating the financing of terrorist groups. Particularly, amendment shall be made to the RoA Law on combating the legalization of proceeds from crime and financial of terrorism.

Y2007

The Armenian legislation shall be approximated with the Council Resolution No 98/C 408/01 of 21 December 1998 of the field of Area of Security.¹¹

For regulation of combating organized crime, amendment shall be made to the RoA Law on Combating organized crime.

Y2008

The Armenian legislation shall be approximated with the Council Resolution No 98/C 408/01 of 21 December 1998, Council Decision No 2001/419/JHA of 28 May 2001, and Resolution No 2001/C283/01 of 2001.¹²

The Armenian legislation in the field of transmission of samples of controlled substances should be supplemented with a number of legal rules. Thus, relevant amendments shall be made to the Civil Procedure Code of Armenia so as to settle the issues connected with the defining of a procedure for transmission of samples of uncontrolled substances.

⁹ HO-13, 14.12.2004

¹⁰ Council Recommendation of 9 December 1999 on cooperation in combating the financing of terrorist groups (1999/C 373/01),

¹¹ Council Decision of 28 May 2001 on the transmission of samples of controlled substances (2001/419/JHA)

¹² Council Decision No 2001/419/JHA of 28 May 2001 on the transmission of samples of controlled substances, Resolution on the contribution of civil society in finding missing or sexually exploited children (2001/C 283/01),

New mechanisms should be introduced for children's rights protection. Given the fact that the relevant Armenian legislation does not stipulate legal rules, the mentioned mechanisms shall be defined according to a Government Decree on the contribution of the civil society in finding missing or sexually exploited children.

Y2009

The Armenian legislation shall be approximated with the following legal acts:

- Council Decision No 2001/427/JHA of 28 May 2001¹³,
- Commission Decision of 28 April 1999¹⁴,
- Council Framework Decision No 2002/584/JHA of 13 June 2002¹⁵,
- Council Regulation No 302/93 of 8 February 1993¹⁶,
- Council Decision of 14 December 2000¹⁷

It should be mentioned that these acts warrant the establishment of certain institutions. Due to some institutional and financial issues, it is expedient to approximate the mentioned acts during the course of 2009.

Special attention should be paid to the crime prevention system. Thus, a draft Government Decree on Establishing a crime prevention network shall be elaborated.

Considering the necessity of efficient procedures for combating fraud, a draft Government Decree on establishing an Anti-fraud Office shall be elaborated.

Based on the arrest warrant and criminal procedural issues thereof, the Criminal Code of Armenia shall be amended, and a draft law on Arrest warrant and surrender procedures shall be elaborated.

Highlighting the necessity to combat illegal circulation of drugs and drugs addiction, the establishment of a new body in this field is quite justified. For this purpose, a draft Government Decree on Establishing a Monitoring Centre for Drugs and Drug Addiction shall be elaborated.

To promote judicial cooperation both on intra- and inter-governmental level, a draft Government Decree on Setting up a Provisional Judicial Cooperation Unit shall be elaborated.

¹³ Council Decision of 28 May 2001 setting up a European crime prevention network (2001/427/JHA)

¹⁴ COMMISSION DECISION of 28 April 1999 establishing the European Anti-fraud Office (OLAF)

¹⁵ Council Framework Decision of 13 June 2002 on the European arrest warrant and the surrender procedures between Member States (2002/584/JHA)

¹⁶ Council Regulation (EEC) No 302/93 of 8 February 1993 on the establishment of a European Monitoring Centre for Drugs and Drug Addiction

¹⁷ Council Decision of 14 December 2000 setting up a Provisional Judicial Cooperation Unit

1.2.1 Legislative approximation

0	1	2	3	4	5	6
NN	Measure	EU legal source	Responsible Institution	Submission Date	Necessary Resources (man/days)	EU Technical Assistance
2006						
1.	Elaboration of a draft law on making amendments to the RoA Law on Combating legalization of proceeds from crime and financial of terrorism	Council Recommendation of 9 December 1999 on cooperation in combating the financing of terrorist groups (1999/C 373/01)	Central Bank of Armenia (with participation of the Ministry of Justice of Armenia, National Security Service of Armenia, Police of Armenia)	4 th quarter	15	Consultancy, provisional expertise
TOTAL					15	
2007						
2.	Elaboration of a draft law on making amendments to the RoA Law on Combating organized crime	Council Resolution of 21 December 1998 on the prevention of organized crime with reference to the establishment of a comprehensive strategy for combating it (98/C 408/01)	Ministry of Justice of Armenia (Police of Armenia, National Security Service of Armenia)	4 th quarter	21	Consultancy, provisional expertise
TOTAL					21	
2008						
3.	<ul style="list-style-type: none"> Elaboration of a draft law on making amendments to the Criminal Procedure Code of Armenia 	Council Decision of 28 May 2001 on the transmission of samples of controlled	Ministry of Justice of Armenia (with participation of the Police of	1 st quarter	17	Consultancy, provisional expertise

		substances (2001/419/JHA)	Armenia, National Security Service of Armenia)			
TOTAL					17	
2009						
4.	Elaboration of a draft law on making amendments to the Criminal Procedure Code of Armenia	Council Framework Decision of 13 June 2002 on the European arrest warrant and the surrender procedures between Member States (2002/584/JHA)	Police of Armenia (with participation of the National Security Service of Armenia)	2 nd quarter	59	Consultancy
TOTAL					59	
TOTAL					112	

1.2.2 Institutional Capacities

0	1	2	3	4
N/N	Institution	Reorganization	Training Needs	Technical Assistance Needs
1.	Central Bank of Armenia (RoA Ministry of Justice)	-	Training courses on combating money laundering (10 days/2006)	Consultancy, provisional expertise
2.	Police of Armenia (National Security Service of Armenia)	-	Training courses on strategy for combating organised crime (10 days/2007)	Consultancy, provisional expertise
3.	RoA Ministry of Justice (Police of Armenia, National Security Service of Armenia)	-	Training courses on transmission of samples of controlled substances (10 days/2008)	Consultancy, provisional expertise
4.	RoA Ministry of Justice (Police of Armenia, RoA Ministry of Labour and Social Issues)	-	Training courses on the contribution of civil society in finding missing or sexually exploited children (10 days/2008)	Consultancy, provisional expertise
5.	RoA Ministry of Justice (National Security Service of Armenia, Police of Armenia)	<ul style="list-style-type: none"> • Establishment of a Crime Prevention Network, • Elaboration of a draft Government Decree on Establishing a Crime Prevention Network 	-	Consultancy, provisional expertise
6.	RoA Ministry of Justice (National Security Service of Armenia, Police of Armenia)	<ul style="list-style-type: none"> • Establishment of Anti-fraud Office • Elaboration of a draft Government Decree on Establishing Anti-fraud Office 	Training courses on combating fraud and the Anti-fraud Office and its operation (15 days/2009)	Consultancy, provisional expertise
7.	RoA Ministry of Justice (National Security Service of Armenia,	-	Training courses on arrest warrant and the surrender procedures (25 days/2009)	Consultancy, provisional expertise

	Police of Armenia)			
8.	RoA Ministry of Justice (National Security Service of Armenia, Police of Armenia, State Customs Committee)	<ul style="list-style-type: none"> • Elaboration of a draft Government Decree on Establishing of Monitoring Centre for Drugs and Drug Addiction 	Training courses on the operation of the Monitoring Centre for Drugs and Drug Addiction (35 days/2009)	Consultancy, provisional expertise
9.	RoA Ministry of Justice (National Security Service of Armenia, Police of Armenia)	<ul style="list-style-type: none"> • Setting up a Provisional Judicial Cooperation Unit • Elaboration of a draft Government Decree on setting up a Provisional Judicial Cooperation Unit 	Training courses on the operation of the Provisional Judicial Cooperation Unit (15 days/2009)	Consultancy, provisional expertise

1.2.3. Policy Approximation

0	1	2	3	4	5	6
NN	Measure	EU Legal Source	Responsible Institution	Submission Date	Necessary Resources (man/days)	EU Technical Assistance
2008						
1.	Elaboration of a draft Government Decree on participation of civil society in finding missing or sexually exploited children	Council Resolution of 2001 on the contribution of civil society in finding missing or sexually exploited children (2001/C 283/01)	Ministry of Justice of Armenia (Police of Armenia, Ministry of Labour and Social Issues)	4 th quarter	15	Consultancy, provisional expertise
TOTAL					15	

2. Fundamental Rights

Introduction

The EU legislation covering the chapter “Fundamental Rights” regulates issues related to granting of visas. Particularly, it defines a common format for visas, regulates consulate cooperation in terms of visas, disclosure of false or falsified documents in foreign representations, visa departments, as well as other bodies responsible for visa extension. The EU legislation also regulates the issuance of visas at borders. The RoA Law on Legal status of foreign citizens of the Republic of Armenia¹⁸ defines types of visas, terms, granting procedure and denial. The Government Decree on Measures for implementation of the Law on Legal status of foreign citizens of the Republic of Armenia¹⁹ defines the granting procedure of visas and its extension. Although the Armenian legislation provides for the granting of visas at border, it does not regulate the necessary procedural issues.

Furthermore, the EU legislation regulates issues related to the granting of permits for long-term residences, the long-term residence of foreign nationals, mutual recognition of decisions on their expulsion, illegal entrance and legal relations relating to residency. The legislation also regulates temporary protection of displaced persons. In comparison with the European legislation, which defines the concept of “asylum”, the Armenian legislation (RoA laws “On Refugees”²⁰ and “On Political Asylum”²¹) differentiate “asylum” granted to a refugee and “political asylum”, therefore it does not meet the requirements of the EU legislation. The Armenian legislation does not cover legal regulation of temporary protection of displaced persons.

The EU legislation in this field also regulates issues relating to combating racism and xenophobia, as well as exclusion of discrimination on racial and ethnic basis. The Armenian legislation does not regulate any of the mentioned issues; therefore it is necessary to elaborate a draft of a relevant legal act.

Issues related to the approximation of Council Regulation (EC) No 1683/95 of 29 May 1995 laying down a uniform format for visas, Council Decision of 22 December 1995 on monitoring the implementation of instruments already adopted concerning admission of third-country nationals (96/C 11/01), Council Decision No 97/340 of 26 May 1997 on the exchange of information concerning assistance for the voluntary repatriation of third-country nationals, Council Regulation (EC) No 2725/2000 of 11 December 2000 concerning the establishment of 'Eurodac' for the comparison of fingerprints for the effective application of the Dublin Convention shall be considered after 2008.

Y2007

To regulate issues concerning the residency of foreign nationals in the Republic of Armenia, the Armenian legislation shall be approximated with the Council Regulation No 415/2003 of 27 February 2003, Council Recommendation of 29 April 1999 (1999/C 140/01), Council Regulation No 1030/2002 of 13 June 2002, as well as Council Directives No 2003/109 of 25 November 2003, No 2001/40 of 28 May 2001, and No 2002/90 of 28 November 2002.²²

¹⁸ No 459, 23.09.1994

¹⁹ No 459, 23.09.1994

²⁰ HO-288, 03.03.1999

²¹ HO-229, 26.09.2001

²² Council Regulation (EC) No 415/2003 of 27 February 2003 on the issue of visas at the border, including the issue of such visas to seamen in transit, Council Recommendation of 29 April 1999 on the provision for the detection of false or falsified documents in the visa departments of representations abroad and in the offices of domestic authorities dealing with the issue or extension of visas (1999/C 140/01), Council Regulation (EC) No 1030/2002 of 13 June 2002 laying down a uniform format for residence permits for third-country nationals, Council Directive 2003/109/EC of 25 November 2003 concerning the status

To stipulate the legal concept of residence permit for foreign nationals and non-nationals in Armenia, the relevant requirements, status of foreign nationals having long-term residence in Armenia, expulsion procedure in the Armenian legislation, as well as to define the procedure for issuing visas to foreign citizens at the Armenian border and to ensure detection of false or falsified documents while issuing visas or extending visas already issued, amendments shall be made to the RoA Law “On legal status of foreign citizens in the Republic of Armenia” and the Government Decree No 459 of 23 September 1994.

For approximation of provisions relating to the illegal entrance, residence and expulsion of foreign citizens with the requirements of EU legislation, amendments shall be made to the Code of Administrative Offences.

For further development of the legislation governing legal relations of issuing visa and granting asylum, the Council Directive No 2003/9 of 27 January 2003, Council Resolution of 20 June 1995 and Council Directive No 2001/55 of 20 July 2001²³ shall be subjected to approximation.

To lay down minimum standards for the reception of asylum seekers and minimum guarantees for asylum procedures, a draft Law on Asylum shall be elaborated.

Y2008

A draft Government Decree “On minimum standards for giving temporary protection in the event of a mass influx of displaced persons” shall be elaborated.

Given the necessity to regulate combating racism and xenophobia, amendments shall be made to the RoA Law “On Police” and a draft Government Decree “On establishing a Monitoring Centre on Racism and Xenophobia and approving its statute” shall be elaborated on the basis of the Council Regulation (EC) No 1035/97 of 2 June 1997 establishing a European Monitoring Centre on Racism and Xenophobia,

Y2009

For detailed definition of the principle of exclusion of discrimination and its implementation in practice, the Armenian legislation shall be approximated with the Council Directive No 2000/43 of 29 June 2000.²⁴

A draft law “On recognition of discrimination exclusion principles on racial and ethnic basis” shall be elaborated for detailed definition of the exclusion principle of the mentioned types and regulation of its protection.

of third-country nationals who are long-term residents, Council Directive 2001/40/EC of 28 May 2001 on the mutual recognition of decisions on the expulsion of third country nationals, Council Directive 2002/90/EC of 28 November 2002 defining the facilitation of unauthorised entry, transit and residence

²³ Council Directive 2003/9/EC of 27 January 2003 laying down minimum standards for the reception of asylum seekers, Council Resolution of 20 June 1995 on minimum guarantees for asylum procedures, Council Directive 2001/55/EC of 20 July 2001 on minimum standards for giving temporary protection in the event of a mass influx of displaced persons and on measures promoting a balance of efforts between Member States in receiving such persons and bearing the consequences thereof,

²⁴ Council Regulation (EC) No 1035/97 of 2 June 1997 establishing a European Monitoring Centre on Racism and Xenophobia

2.1. Legislative approximation

0	1	2	3	4	5	6
NN	Measure	EU Legal Source	Responsible Institution	Submission Date	Necessary Resources (man/days)	EU Technical Assistance
2007						
1.	<ul style="list-style-type: none"> Elaboration of a draft law on Foreign nationals Elaboration of a draft Government Decree on making amendments to the Government Decree No 459 of 23 September 1994 	<p>Council Regulation (EC) No 1030/2002 of 13 June 2002 laying down a uniform format for residence permits for third-country nationals</p> <p>Council Directive 2003/109/EC of 25 November 2003 concerning the status of third-country nationals who are long-term residents</p> <p>Council Directive 2001/40/EC of 28 May 2001 on the mutual recognition of decisions on the expulsion of third country nationals</p> <p>Council Regulation (EC) No 415/2003 of 27 February 2003 on the issue of visas at the</p>	<p>Ministry of Foreign Affairs of Armenia</p> <p>(with participation of the Ministry of Justice, Police under the Government of Armenia)</p>	1 st quarter	104	Consultancy, provisional expertise

		border, including the issue of such visas to seamen in transit Council Recommendation of 29 April 1999 on the provision for the detection of false or falsified documents in the visa departments of representations abroad and in the offices of domestic authorities dealing with the issue or extension of visas (1999/C 140/01)				
2.	Elaboration of a draft law on making amendments to the Code of Administrative Offences of Armenia	Council Directive 2002/90/EC of 28 November 2002 defining the facilitation of unauthorised entry, transit and residence	Ministry of Justice of Armenia (with participation of the Ministry of Foreign Affairs and Police under the Government of Armenia)	1 st quarter	15	Consultancy, provisional expertise
3.	Elaboration of a draft Law on Asylum	Council Directive 2003/9/EC of 27 January 2003 laying down minimum standards for the reception of asylum seekers	Ministry of Territorial Administration (with participation of the Ministry of Justice,	2 nd quarter	57	Consultancy, provisional expertise

		Council Resolution of 20 June 1995 on minimum guarantees for asylum procedures	Ministry of Foreign Affairs)			
TOTAL					176	
2008						
4.	Elaboration of a draft Government Decree on Minimum standards for giving temporary protection in the event of a mass influx of displaced persons	Council Directive 2001/55/EC of 20 July 2001 on minimum standards for giving temporary protection in the event of a mass influx of displaced persons and on measures promoting a balance of efforts between Member States in receiving such persons and bearing the consequences thereof	Ministry of Foreign Affairs (with participation of the Ministry of Justice)	2 nd quarter	41	Consultancy
5.	<ul style="list-style-type: none"> • Elaboration of a draft law on making amendments to the RoA Law on Police • Elaboration of a draft Government Decree on establishing a Monitoring Centre on Racism and Xenophobia and approving its statute 	Council Regulation (EC) No 1035/97 of 2 June 1997 establishing a European Monitoring Centre on Racism and Xenophobia	Ministry of Justice (with participation of the Police under the Government of Armenia, The National Security Service under the Government of Armenia)	2 nd quarter	34	Provisional expertise
TOTAL					75	

2009

6.	Elaboration of a draft law on recognition of principles of exclusion of discrimination on racial and ethnic basis.	Council Directive 2000/43/EC of 29 June 2000 implementing the principle of equal treatment between persons irrespective of racial or ethnic origin	Ministry of Justice of Armenia	1 st quarter	17	Provisional expertise
TOTAL					17	
TOTAL					268	

2.2. Institutional Capacities

0	1	2	3	4
N/N	Institution	Reorganization	Training Needs	Technical Assistance Needs
1.	RoA Ministry of Territorial Administration	-	Training courses on granting asylum and migration (5 days/2007)	Consultancy
2.	RoA Ministry of Foreign Affairs RoA Ministry of Justice Police under the Government of Armenia	-	Training courses on Fundamental rights and exclusion of discrimination (5 days/2007)	Consultancy
3.	RoA Ministry of Justice (with participation of the Police under the Government of Armenia, the National Security Service under the Government of Armenia)	Establishment of "Centre of Racism and Xenophobia" state non-commercial organisation	-	Consultancy