

PRESIDENT OF THE REPUBLIC OF ARMENIA

EXECUTIVE ORDER

ON APPROVING THE 2009-2011 STRATEGIC ACTION PROGRAMME FOR JUDICIAL REFORMS AND THE LIST OF MEASURES DERIVING FROM THE PROGRAMME, AS WELL AS ON ESTABLISHING A WORKING GROUP

Acting in accordance with Article 49 and Article 55(6) of the Constitution of the Republic of Armenia, and for the purpose of ensuring the continuity of judicial reforms implemented in the Republic of Armenia, I hereby decide:

1. To approve the 2009-2011 Strategic Action Programme for Judicial Reforms, in accordance with Annex 1.
2. To approve the list of measures deriving from the 2009-2011 Strategic Action Programme for Judicial Reforms, in accordance with Annex 2.
3. To approve the composition of the working group implementing the 2009-2011 Strategic Action Programme for Judicial Reforms, in accordance with Annex 3.
4. For the Government of the Republic of Armenia – to consider the possibility of financing the measures deriving from the 2009-2011 Strategic Action Programme for Judicial Reforms, in the framework of budgetary processes within the indicated years.
5. For the head of the working group – to present information to the President of the Republic of Armenia on the implementation process of the 2009-2011 Strategic Action Programme for Judicial Reforms, prior to the 15th day of the month following each half-year period.

**President
of the Republic of Armenia**

S. Sargsyan

21 April 2009

Yerevan

NK-59-N

Annex 1
to the executive order of the President
of the Republic of Armenia
NK-59-N of 21 April 2009

2009-2011 STRATEGIC ACTION PROGRAMME FOR JUDICIAL REFORMS

1. INTRODUCTION

The Republic of Armenia has undertaken and continuously undertakes conscious and persistent steps towards the formation of a society which is anchored on free-market and democratic values.

The establishment of a democratic state governed by the rule of law requires the assurance of reliable guarantees for the protection of human rights, enhancing market economic relations, property protectedness, as well as for boosting national and international links. Independent and effectively functioning justice system is the important precondition for such assurance.

Judicial reforms in the Republic of Armenia were launched in the first years of independence and have faced challenges typical for all the countries stepping on the path to democracy. Such reforms had the following peculiarities in Armenia:

- (1) many institutions were still in the process of formation (the Constitutional Court, Council of Justice, Courts of Appeal, etc.);
- (2) the existing structures were to be subject to operational reforms in accordance with the Constitution of the Republic of Armenia;
- (3) the existing infrastructures and facilities were inadequate for the normal functioning of the system, whereas no improvements had been made throughout the years. In addition, due to the changes within the administrative-territorial division of the Republic, radical improvement of the material-technical infrastructures of the judicial system was becoming a priority;
- (4) there was a need for establishing a qualitatively new and comprehensive system of preparing and training the staff for this sector, as well as enrooting mind-set and practice system which would be in line with the contemporary demands of democracy.

With all the existing and expected problems, the judicial reform had been one of the main priorities for Armenia.

Impressive workload has been carried out in the past. A three-tier judicial system has been established, and courts have become more accessible to persons. A number of legal acts (the Criminal Code of the Republic of Armenia, the Criminal Procedure Code of the Republic of Armenia, the Civil Code of the Republic of Armenia, the Penitentiary Code of the Republic of Armenia, the Law of the Republic of Armenia on the Profession of Advocate, etc.) have been adopted. For the purpose of harmonisation with the European standards, reforms have been implemented in the prosecution system, law-enforcement authorities, Service of Compulsory Enforcement of Judicial Acts, Penitentiary Service, etc.

Reforms targeting the development of more efficient and accessible judicial system continued in 2003-2006 and their main objective was to ensure the legal and social guarantees of the justice system, the accessibility of justice and protection of human rights and fundamental freedoms in that area as well as the increase of legal practice efficiency.

Implementation of constitutional reforms was an integral part of Armenia's commitments for accession to the Council of Europe, which were aimed, *inter alia*, at the establishment of an independent and efficiently functioning judicial system. Constitutional amendments adopted by the referendum in 2005 have stipulated the establishment of the General Assembly of Judges as the supreme self-governance body of judicial power as well as the development of new procedures for composition of the Council of Justice, which excluded the representation of the executive power in the Council.

The status of the Court of Cassation of the Republic of Armenia was also clarified and it was declared the highest judicial instance in the Republic of Armenia (with the exception of constitutional justice matters) called to ensure the uniform application of law.

Pursuant to these developments, the Government of the Republic of Armenia launched the second phase of judicial reforms; its concept is based on the principles of increasing the independence of judicial authority, introducing the principles of autonomy and self-governance of judicial authority, on the principles of financial independence of judicial authority and separation of functions of judicial practice and administration (administrative action). Such concept of judicial reforms was also resulting from the requirements of the EU/Armenia ENP Action Plan.

In July 2006 the National Assembly of the Republic of Armenia adopted the first package of legislative initiatives for the second phase of judicial reforms. It particularly included the Law of the Republic of Armenia on Judicial Service, which provided for the transfer of management and administration functions of the entire system to a newly created Judicial Department.

On 22 February 2007, the National Assembly of the Republic of Armenia adopted a comprehensive act - the Judicial Code of the Republic of Armenia – supplementing judicial system reforms, which reflects the aforementioned conceptual provisions and the requirements of many sector-related international agreements, defines self-governance bodies of the judicial power, clarifies the mandate of the Council of Justice, envisages the establishment of a separate specialised court and a court bailiff service, regulates human resource policy issues of judicial bodies, stipulates the basic code of ethics for judges and prescribes the procedures for disciplinary sanctioning of judges. The Judicial School has been established to provide qualified specialists to the judicial system and to carry out continuous training for judges.

The Judicial Code of the Republic of Armenia adopted on 22 February 2007 provided for the establishment of a new system of first instance courts since 1 January 2008, which, alongside of the first instance courts of general jurisdiction, also included specialised first instance courts, i.e., administrative, civil and criminal courts. At present, only the specialised Administrative Court operates, the establishment of which also derives from the EU/Armenia ENP Action Plan (Priority Area 1, item 8).

In accordance with the Law of the Republic of Armenia of 5 February 2009 on Making Amendments and Supplements to the Judicial Code of the Republic of Armenia, criminal and civil specialised first instance courts do not operate any longer.

The Administrative Procedure Code of the Republic of Armenia was adopted in line with the requirements of the revised provisions of the Constitution of the Republic of Armenia, the Judicial Code of the Republic of Armenia, and the Law of the Republic of Armenia on the Office of Public Prosecutor; the new Administrative Offences Code, Criminal Procedure Code and Civil Procedure Code are currently drafted.

Within the framework of constitutional reforms, legal regulations related to the Constitutional Court were revised and the circle of persons entitled to apply to the Constitutional Court, as well as the scope of disputes settled by the Constitutional Court were radically expanded. The Law of the

Republic of Armenia on the Constitutional Court was developed and on 1 July 2006 adopted by the National Assembly of the Republic of Armenia to further detail the constitutional provisions.

The Law of the Republic of Armenia on the Office of Public Prosecutor developed under judicial system reforms and adopted by the National Assembly of the Republic of Armenia on 22 February 2007, was another major legal act. In compliance with the requirements of a number of international instruments and modern approaches of developed countries to organisation and functioning of the Prosecutor's offices, the Law introduced a new concept which eliminated centralisation in the prosecution system, prohibited case investigations by the office of public prosecutor, reserving to the latter the power to solely oversee the lawfulness of inquest and preliminary investigation. A principle was introduced based on which the same prosecutor should be responsible for a criminal case proceeding from the moment of its institution to the end of the trial. At the same time, a number of introduced provisions proscribed conducting planned checks with no filed complaint by the office of public prosecutor in the private sector, etc. Besides, a number of restrictions on prosecutor's activities, a procedure for competitive appointments and a more warranted career development system were introduced to minimise corruption opportunities.

The Law of the Republic of Armenia on the Profession of Advocate was developed and adopted on 14 February 2004 by the National Assembly of the Republic of Armenia to guarantee the exercise of the constitutional right to legal aid; the Law stipulates provision of state guaranteed legal aid for criminal cases as well as specific categories of civil cases. The Law has introduced the office of Public Defender to provide legal aid. To promote the activities of those defenders and to equip the staff with appropriate specialists, the pay for the latter was levelled with the pay of prosecutors.

The Judicial Code of the Republic of Armenia stipulated the requirement to publish judicial acts. The judicial authority has an official website; mandatory publication of key judicial acts of the Cassation Court both in the Official Journal of the Republic of Armenia and on the official website of the judicial authority of the Republic of Armenia was stipulated. Meanwhile, in accordance with Article 68(2) of the Judicial Code of the Republic of Armenia, the procedure for publication of judicial acts of courts of other instances on the official website of the judicial authority of the Republic of Armenia is determined by the Council of Court Chairmen.

The laws of the Republic of Armenia on Making Amendments and Supplements to the Criminal Procedure Code, and on Making Amendments and Supplements to the Civil Procedure Code were developed and adopted by the National Assembly of the Republic of Armenia on 7 July 2006

stipulating the cassation appeal deadlines, grounds to take the appeal into proceedings by the Court, and the decisions made by the Cassation Court of the Republic of Armenia as a result of reviewing the judicial acts; it was established that the decision of the Cassation Court shall be reasoned, shall ensure proper interpretation of statutes and promote the development of law.

To promote more efficient implementation of justice, on 22 February 2007 the National Assembly of the Republic of Armenia has also adopted the Law of the Republic of Armenia on Making Amendments and Supplements to the Criminal Procedure Code of the Republic of Armenia regulating the issues related to protection against double jeopardy, closing of cases for specific types of offences in the event of a settlement between the victim and the suspect (accused) or defendant, and application of a summary trial procedure.

In 2005, the Laws of the Republic of Armenia on Making an Amendment to the Criminal Procedure Code and on Making Amendments to the Civil Procedure Code were developed and adopted by the National Assembly of the Republic of Armenia for the purpose of installing digital recording system of court hearings; the procedure for “SRS Femida” special digital recording system operation, data archiving and system maintenance was adopted.

In the first half of 2005 the US “DPK Consulting” company has implemented a consulting project on improvements of caseloads and judicial administration in the three courts of Yerevan to introduce a modern judicial administration system. The development of software was launched in the second half of 2005 for the purpose of court system management and automation of caseload; this software is fully operational since 1 January 2008.

The Law of the Republic of Armenia on Commercial Arbitration was developed to provide appropriate mechanisms for alternative dispute resolution complying with international standards; it was adopted by the National Assembly on 25 December 2006. The Law also corresponds to the requirements of the Priority Area 5 of the EU/Armenia ENP Action Plan and is based on the provisions and principles of the UNCITRAL Model Law.

Under poverty reduction priorities, special importance is attached to increasing the level of public participation in the decision making process, underlining the necessity for public awareness and information, social partnership, social inclusion and social participation. These issues are milestones for legal expertise of legislative acts as well as in the process of developing draft laws.

Measures to expand cooperation with population through the application of modern information technologies - including electronic governance systems - are being implemented under the Judicial Reforms Credit Project aiming to enhance public control procedures over the executive authorities of the Republic of Armenia and ensure efficient cooperation with large segments of population. Specifically, the Armenian legal information search system “ARLIS” available at www.arlis.am, www.laws.am, www.legislation.am and on CDs, as well as the website of the Ministry of Justice of the Republic of Armenia (www.justice.am) were launched in December 2005.

For the purpose of improving public access to legislative acts and drafts, and ensuring feedback mechanisms in order to receive recommendations, draft laws are presented for public discussion on the website of the Ministry of Justice of the Republic of Armenia (since 2005 the important draft laws and since 2008 all draft laws). All the opinions received are discussed and also placed on the website.

The National Assembly of the Republic of Armenia adopted the Law of the Republic of Armenia on Making Amendments and Supplements to the Law of the Republic of Armenia on Legal Acts, which defines the requirement for organising public discussions on draft regulatory legal acts by the drafting bodies, aiming at informing interested public authorities, natural and legal persons on draft regulatory legal acts, as well as collecting the opinions thereof, and further elaborating the draft regulatory legal acts based on such opinions. Public discussions will be implemented through publishing of draft regulatory legal acts and other materials envisaged by the legislation of the Republic of Armenia on the web site of the drafting body, as well as, at the initiative thereof, and - where necessary - through meetings with the public or with interested persons, public hearings, discussions and public surveys. The drafting body is required to take into consideration observations and recommendations received during discussions.

Production of “My Right” television show was ordered in 2005-2006 to raise public awareness and information on legal issues and it was broadcast on the Public Television of Armenia. The main directions of the strategic reforms of the judicial system were illuminated.

There are still challenges on the way to having a comprehensive judicial system corresponding to current demands. In particular, it is still necessary to take measures for ensuring an independent and accountable justice system, reducing corruption risks, ensuring access to justice, its effectiveness and transparency. In order to ensure the proper functioning of the new system, it is necessary to settle the issues pertaining to preparation of skilful and knowledgeable staff, enhancing the qualification of the

employees in the system, organising methodical works, ensuring the availability of information and analysis, and a number of other issues.

The EU/Armenia ENP Action Plan is a testimony to this, which requires the continuation of judicial reforms, as well as the establishment and development of a continuous training system for the employees of the judicial system.

2. CONFORMITY OF THE PROGRAMME WITH OTHER STRATEGIC PAPERS OF THE REPUBLIC OF ARMENIA

Issues reflected in this Programme derive from other strategic papers of the Republic of Armenia, and are also in line with other strategic programmes pertaining to the sector.

In particular, the issues envisaged by the mentioned Programme are in line with the Sustainable Development Programme - approved upon the decision of the Government of the Republic of Armenia No. 1207-N of 30 October 2008 - which provides for the main directions of judicial reforms:

- (1) Further enhancement of legal aid mechanisms;
- (2) Significant salary increase for judges;
- (3) Clarification of the status of experts in criminal, civil and administrative proceedings;
- (4) Further improvement of witness and victim protection institute in criminal proceedings;
- (5) Enhancement of expedite trial in the criminal proceedings;
- (6) Development of commercial arbitration and mediation institutes;
- (7) Introduction of modern case distribution systems in courts;
- (8) Establishment of an effective system for publication of judicial acts;
- (9) Outlining the primary areas for training of judges;
- (10) Education and training of judicial servants;
- (11) Continuously providing equipment and technical assistance to the First Instance, Appeals and Cassation courts and the Constitutional Court;

(12) Raising public awareness about legal acts.

3. CONFORMITY OF THE PROGRAMME WITH THE EUROPEAN UNION ENP

Upon the approval of the European Neighbourhood Policy, the Republic of Armenia has committed itself to implement measures defined in the Policy. The ENP includes also a number of measures referring to judicial reforms.

The ENP defines such measures for five years, outlining the priority areas, objectives and measures aimed at the implementation of large-scale reforms.

The ENP covers, *inter alia*, the following areas:

- (1) Democracy and the rule of law, human rights and fundamental freedoms;
- (2) Enhancing the stability and effectiveness of institutions ensuring democracy and the rule of law;
- (3) Judicial system reforms;
- (4) Establishment and development of continuous training system for judicial system employees;
- (5) Introduction of a modern judicial administration system;
- (6) Strengthening human rights and fundamental freedoms;
- (7) Fight against corruption, etc.

Clearly, the ENP has cross-cutting issues with other national strategic papers, such as Sustainable Development Programme, PRSP 2, the 2008-2012 Strategic Plan of the Government of the Republic of Armenia, etc.

This Programme is directly and indirectly in line with the ENP Action Plan, since it is based on other national documents, which are immediately interrelated with the ENP issues.

4. PROGRAMME OBJECTIVE

The main objective of the Programme is to improve the judicial system in the Republic of Armenia, and particularly to:

- (1) Ensure an independent and accountable justice system;

- (2) Reduce corruption risks;
- (3) Ensure access to justice, its effectiveness and transparency;
- (4) Improve enforcement of judicial acts;
- (5) Improve the legislation and strategy pertaining to the judicial system.

5. ENSURING AN INDEPENDENT AND ACCOUNTABLE JUSTICE SYSTEM

The measures necessary for ensuring an independent and accountable justice system are as follows:

- (1) Improving the current procedure for nomination of judges through revising the principles of the functioning of the Council of Justice, as well as procedures for ensuring transparency and for preparation of competence and promotion lists.

The main precondition for an independent court is an unbiased, fair and transparent system for nomination of judges, which will increase public confidence in the judicial system.

The review of current procedures for nomination of judges was also proposed by the EU Commission in its Implementation of the European Neighbourhood Policy in 2007 current report on Armenia;

- (2) Enhancing the effective separation and balancing of powers between legislative, executive and judicial branches.

The main leverage for balancing the executive power against the judicial power is the competence of the executive power (on behalf of the Minister of Justice of the Republic of Armenia) to initiate disciplinary proceedings against judges of First Instance and Appeals courts. As for the judges of the Court of Cassation of the Republic of Armenia, the Minister of Justice of the Republic of Armenia does not have the competence to initiate disciplinary proceedings, which is a barrier to the effective application of the principle of balancing.

On the other hand, ascribing this power to the Minister of Justice of the Republic of Armenia, does not interfere at all with the independence of the judicial power, since, eventually, the power to impose disciplinary liability on judges is vested in the Council of Justice of the Republic of Armenia and the power to propose the termination of the authorities of judges is vested in the President of the Republic of Armenia.

(3) Ensuring fully consistent observance of judicial ethics.

This measure assumes approximation of rules of judicial conduct to EU standards, and improvement of procedures for their enforcement;

(4) Ensuring the effectiveness, transparency and publicity of disciplinary liability imposed on judges, including:

a. establishment of feedback mechanisms, including the availability of official complaint books in the courts,

b. establishment of necessary modern mechanisms for ensuring transparency and accessibility of the judicial system.

It is appropriate to install electronic database terminals at each court, allowing the filing of complaints via electronic mail and providing information on the schedule of court hearings and other necessary information.

6. REDUCING CORRUPTION RISKS

It is necessary to implement the following measures in order to reduce corruption risks in the judicial system:

(1) Ensuring the living standard of judges through increasing their salaries.

International instruments unreservedly stipulate the approach that the salary level for the judicial system should be relevant to the mission of a judge. This implies that, by increasing salaries as a means of reducing corruption risks, the society demonstrates its attitude toward the position of a judge. It is well known that value of a position in any society is judged by the salary. High salaries demonstrate that the society attaches high value to the significance of judges, which enables the judge to realise more independence from different possible pressures. The EU/Armenia ENP Action Plan envisages numerous measures for fighting corruption, part of which (e.g. developing rules of ethics for judges and ensuring surveillance mechanisms of the implementation thereof) has already been implemented upon the Judicial Code of the Republic of Armenia. At this stage, the activity envisaged by item 7 under Fight Against Corruption (part 4.1.1 of the Action Plan) is of special importance. It reads that the salary of judges should be increased to a level which ensures service with dignity in order to reduce corruption.

Analysis suggests that the judges in Armenia are paid significantly less than in other comparable countries;

(2) Ensuring application of random selection principle in the distribution of cases in courts.

The application of a case distribution mechanism that will provide an automatic distribution without making specific decisions on a case by case basis is an effective tool for excluding the arbitrariness and interest on the part of the court chairman in assigning the case hearing to a judge and in fight against corruption. Various approaches to distribution of cases are adopted today in different countries; the issue might be solved in a number of ways, which, however, serve the same objective of making this distribution on an impartial basis. This purpose should be also served by the case distribution option that will be selected and applied by the Republic of Armenia in the future;

(3) Increasing the effectiveness of procedures for identifying cases of corruption, disciplinary violations and improper conduct.

It will be necessary to organise training courses for the Ministry of Justice of the Republic of Armenia, Judicial Department of the Republic of Armenia, as well as for prosecutors and judges.

7. ENSURING ACCESSIBILITY, EFFECTIVENESS AND TRANSPARENCY OF JUSTICE SYSTEM

In order to ensure accessibility, effectiveness and transparency of justice system, it is necessary to undertake the following measures:

(1) Clarifying the court system by revising the jurisdictions of general and specialised courts.

This particularly refers to civil and criminal courts. It is necessary to scrutinise the appropriateness of their existence;

(2) Improving courthouse conditions and technical capacities.

Apparently, there is a larger possibility of inadequate accessibility, transparency and effectiveness of justice when courthouses are in poor condition. Hence, improving courthouse conditions will have positive results not only in the mentioned aspects, but will also enhance public confidence in the state and will bring positive changes in the attitude toward courts;

(3) Distributing cases in first instance courts among judges specialised in criminal and civil cases.

This measure will significantly reduce judicial errors, and will improve the quality of judicial acts rendered by specialised judges;

(4) Enhancing the role of first instance courts.

It is necessary, for this purpose, to arrange roundtables, meetings, seminars, which will cover the importance of first instance courts;

(5) Enhancing the effectiveness of juvenile justice through specialisation on juvenile cases of at least one judge in each court.

Examination of juvenile court cases requires certain special approaches (special approaches have been defined by provisions of both procedural and substantive law). For this reason, it is appropriate to have a judge (judges) in each court who has completed a special training course and who will engage exclusively with juvenile cases. It is necessary to organise continuous training courses for these judges;

(6) Introducing a public monitoring system for court operations.

In order to increase public confidence in the state and induce positive changes in the attitude toward courts, it is also necessary to introduce relevant procedures for overseeing court operations, allowing civil society involvement;

(7) Raising public awareness and improving the publicity level of judicial system operations.

In order to raise legal awareness among the public and increase confidence in the judicial system, it is necessary to implement effective measures for improving the level of publicity of court and advocate operations. It is also necessary to further develop the web site of the judicial authority;

(8) Raising public awareness and improving the publicity level of the prosecution system operations.

Create clear mechanisms for informing the public about prosecution operations, such as holding regular cognitive meetings with the population and NGOs with regard to prosecution operations, as well as broadcasting relevant television and radio programs.

Accomplishment of such measures will enable a more realistic and visible implementation of one of the fundamental principles of prosecution operations introduced into the prosecution system - within the framework of judicial reforms - i.e. the principle of publicity, which will further allow, on the one hand, raising legal awareness of the public and informing it about the operations of law

enforcement authorities, and, on the other hand, anticipating public confidence toward the operations of law enforcement authorities, as well as active public support in the fight against criminality;

(9) Enhancing the effectiveness of the Office of Public Defender operations.

It is necessary to implement measures in order to develop the capacities of the Office of Public Defender, so that legal aid provided in regions is as effective as in the capital. For this purpose, it is necessary to carry out needs assessment and to handle issues related to the premises of the Office;

(10) Expanding the scope of legal aid in accordance with European standards.

In order to properly ensure the exercise of the constitutional right of an individual to access to courts, it is necessary to expand the scope of legal aid, not on the basis of the type of court case, but rather the social condition of the aid recipient. Legal aid should be provided in criminal, civil and administrative cases, as well as in case of applications filed with the Constitutional Court by individuals. In addition, legal aid should envisage not only representation in courts, but also quality legal advice services. As for criminal cases, where necessary, legal aid should be provided not only to the suspect and defendant, but also to the victim and the witness.

The issue of improving legal aid mechanisms is also considered as a priority in the EU/Armenia ENP Action Plan (Priority Area 1, item 7), where, in particular, the necessity to improve legal, and particularly free of charge legal assistance system is emphasised, through upgrading and enhancing the profession of advocate;

(11) Establishing a unified system with full capacities for preparing and training judges and prosecutors.

Currently there are two separate structures, one of them carrying out education of judges and candidate judges, and the other one carrying out training of prosecutors and education of candidate prosecutors.

In order to reduce public expenditures, and ensure uniform interpretation and application of the legislation, it is appropriate to create a unified education and training system for judges and prosecutors;

(12) Improving the effectiveness of the practice of the profession of advocate.

The institute of the profession of advocate is one of the most important elements for ensuring access to justice, thus it is necessary to ensure its coherent development evenly in the capital and the regions. It is also necessary to introduce an effective training system for advocates;

(13) Improving the quality of expert examinations.

At the present time, the Criminal, Civil, and Administrative Procedure codes stipulate expert opinion as evidence. Therefore, it is extremely important to develop the material-technical facilities of expertise centres.

In 2009-2012, it is planned to enhance the housing conditions and material-technical facilities of the "Expertise Centre of the Ministry of Justice of the Republic of Armenia" SNCO, providing the latter with modern devices and equipment necessary for its operations.

(14) Ensuring expedite procedures for pre-trial proceedings in small cases.

It is expected that further enhancement of expedite procedures for pre-trial proceedings in small cases will lead to exclusion of undue delays and cases of limiting the rights of people through protraction of deadlines. Besides, it is expected to introduce an institute of plea bargaining, which will reserve significant procedural privileges to suspects who - in the process of crime disclosure - provide support to the authorities conducting pre-trial investigation;

(15) Introducing class action mechanisms.

Class action lawsuits may offer a number of advantages because they aggregate a large number of individualised claims into one representational lawsuit. Such aggregation can increase the efficiency of the legal process, and lower the costs of litigation. In cases with common questions of law and fact, aggregation of claims into a class action may avoid the necessity of repeating "days of the same witnesses, exhibits and issues from trial to trial."

Introduction of class action mechanisms may overcome the problem that small recoveries do not provide the incentive for any individual to bring a solo action prosecuting his or her rights. A class action solves this problem by aggregating the relatively paltry potential recoveries into something worth someone's (usually an advocate's) labour. In other words, a class action ensures that a defendant who engages in widespread harm - but does so minimally against each individual plaintiff - must compensate those individuals for their injuries. Perhaps even more important than compensation is that class treatment of claims may be the only way to impose the costs of wrongdoing on the wrongdoer, thus deterring future wrongdoing.

A class action avoids the situation where different court decisions could create "incompatible standards" of conduct for the defendant to follow. Refusing to litigate the case in one trial could result in different outcomes and inconsistent standards of conduct for the defendant corporation;

(16) Improving judicial appeal procedures by revising the mechanism for ordinary appeal against judicial acts of the Administrative Court, as well as the preconditions for filing appeals with the Court of Cassation of the Republic of Armenia.

In order to effectively implement the constitutional right of the individual to access to court, it is necessary to make relevant legislative amendments, which will allow filing of an appeal with the Court of Appeal against judicial acts issued by the Administrative Court;

(17) Encouraging alternative dispute resolution mechanisms.

The Law of the Republic of Armenia on Commercial Arbitration was adopted on 25 December 2006 and established a legal framework for implementation of arbitration in Armenia that complies with international standards. Nevertheless, the development of arbitration institute remains a top priority issue. The issues mainly relate to the fact that Armenia has not had an arbitration institute in place till now; therefore there is a lack of qualified professional arbitrators as well as established practices for enforcement or revocation of arbitration decisions, appointment of arbitrators and other forms of judicial review. Implementation of some activities aiming to solve those problems is planned in the next phase, e.g., training of arbitrators, inclusion of topical studies for judges, elaboration of guidelines for arbitration operations, as well as implementation of model arbitrations with participation of arbitrators with international standing;

(18) Improving the statistics on judicial acts.

In order to ensure the transparency of justice, it is necessary to improve the web site of the judicial authority, reform the search system for judicial acts, as well as further elaborate the current statistics criteria;

(19) Improving the statistics maintained in the Office of Public Prosecutor of the Republic of Armenia, i.e. developing and establishing a unified software for preparing, submitting and maintaining statistics reports in the prosecution system through a local computer network, ensuring its operation, and organising training courses on software application.

The necessity for this measure, initially derives from the need to fully implement the functions vested in the prosecution system upon the legislation; in particular, it is impossible to assume

prosecutorial oversight of the lawfulness of inquest and preliminary investigations without wide-ranging statistics reports on crimes, materials and the status of criminal cases, their structure and dynamics, submitted by inquest and preliminary investigation authorities to the office of public prosecutor. Only comprehensive analysis and summarising of such reports will allow having a clear picture of the criminal situation in the country, making timely conclusions on the causes and contributing factors of crimes, as well as presuming effective mechanisms for combating crimes;

(20) Modernising court archive maintenance.

It is necessary to upgrade the software for registering, record-keeping and search of archived materials in the judicial system, and ensure its operation.

The importance of this measure is rooted in the need to avoid possible losing of archived materials, as well as to make registration, record-keeping and search more accessible, swift and easy;

(21) Improving archiving operation of the Office of Public Prosecutor of the Republic of Armenia, i.e. developing and establishing software for registering, record-keeping and search of archived materials of the prosecution system of the Republic of Armenia, ensuring its operation, as well as organising training courses on software application.

The importance of this measure is rooted in the need to avoid possible losing of archived materials, as well as to make registration, record-keeping and search more accessible, swift and easy;

(22) Assuring the quality of court decisions.

In order to exclude misinterpretations and misunderstandings arising in the application of court decisions, it is necessary to elaborate a clear-cut and logical structure for court decisions based on a uniform model, in accordance with the provisions of the law. Introduction of the uniform structure for judicial acts will facilitate the work of relevant bodies and persons.

8. IMPROVING THE ENFORCEMENT OF JUDICIAL ACTS

In order to enhance quality enforcement of judicial acts, it is necessary to advance the procedures and conditions for sentence execution.

In this regard, it is necessary to improve the living environment of imprisoned persons through construction of new penitentiary facilities. Moreover, it is necessary to introduce a special civil service institute in the penitentiary service system.

Recommendations on implementing the mentioned measures are included in the EU ENP Action Plan and GRECO recommendations.

9. IMPROVING THE LEGISLATION AND STRATEGY PERTAINING TO THE JUDICIAL AUTHORITY

In order to improve the legislation and strategy pertaining to the judicial authority, it is necessary to:

(1) Approximate the fundamental laws pertaining to the judicial authority to EU standards.

In particular, it is expected to approximate to EU standards the Judicial Code of the Republic of Armenia, the Criminal Procedure Code of the Republic of Armenia, the Criminal Code of the Republic of Armenia, the Law of the Republic of Armenia on the Office of Public Prosecutor, the Law of the Republic of Armenia on the Profession of Advocate, etc.

The approximation of the Armenian legislation to EU legislation also derives from Article 43 of the Partnership and Cooperation Agreement between the Republic of Armenia and the European Communities and their Member States;

(2) Elaborate the 2012-2016 strategy for judicial reforms.

In order to define the main directions of structural developments of the judicial authority and to ensure the continuation of reforms in accordance with current demands, as well as based on consideration of the process of implementing measures in 2009-2011, it will be necessary to elaborate the 2012-2016 strategy for judicial reforms, which will be the logical continuation of the Programme.

Chief of Staff

**to the President of the Republic of
Armenia**

K. Karapetyan

LIST OF MEASURES DERIVING FROM THE 2009-2011 STRATEGIC ACTION PROGRAMME FOR JUDICIAL REFORMS

No.	Objective/Task	Activity				Deadline for activity based upon objectively controllable	Responsible Body	Objectively controllable criteria
		Legislative	Infrastructure	Education	Other			
I Measures for ensuring independent and accountable justice system								
1.1.	Improving the current procedure for appointment of judges through revising the principles of the operation of the Council of Justice, as well as procedures for ensuring transparency and for preparation of competence and promotion lists	1) developing the draft law of the Republic of Armenia on Making Amendments and Supplements to the Judicial Code of the Republic of Armenia		2) organising training courses for judges who are members of the Council of Justice 3) publishing the decisions of the Council of Justice on the web site		1) last 10 days of September 2009 2) first 10 days of July 2010 3) first 10 days of July 2009 4) first 10 days of August 2009 5) first 10 days of July 2010	1) Judicial Department of the Republic of Armenia, Ministry of Justice of the Republic of Armenia 2) Judicial Department of the Republic of Armenia 3) Judicial Department of the Republic of Armenia 4) Ministry of Justice of the Republic of Armenia 5) Ministry of Justice of the Republic of Armenia and Judicial Department of the Republic of Armenia	1) submission of draft laws by the Government of the Republic of Armenia to the National Assembly of the Republic of Armenia 2) completion of training courses for judges who are members of the Council of Justice 3) publishing all the decisions of the Council of Justice on the website 4) submission of the draft law to the discussion of the Government of the Republic of Armenia 5) developing technical assistance terms and filing of the relevant application
1.2.	Enhancing the effective separation and balancing of powers between legislative, executive and judicial branches	1) developing the draft law of the Republic of Armenia on Making Amendments and Supplements to the Judicial Code of the Republic of Armenia		2) regulatory impact assessment of the draft law and discussions with interested parties and the public	1) last 10 days of September 2009 2) first 10 days of August 2009	1) Judicial Department of the Republic of Armenia, Ministry of Justice of the Republic of Armenia 2) Ministry of Justice of the Republic of Armenia	1) submission of draft laws by the Government of the Republic of Armenia to the National Assembly of the Republic of Armenia 2) submission of the draft law to the discussion of the Government of the Republic of Armenia	
1.3.	Approximation of rules of judicial conduct to EURO standards, and improvement of procedures for their enforcement	1) developing the draft decision of the Council of Court Chairmen on Making Amendments and Supplements to the Code of Conduct for Judges		2) study the European best practice 3) organising training courses for judges	1) first 10 days of December 2009 2) second 10 days of July 2009 3) last 10 days of October 2010	Judicial Department of the Republic of Armenia	1) submission of the draft decision for the approval of the Council of Court Chairmen, 2) submission of recommendations based on the results of studies 3) conducting training courses for at least 200 judges	
1.4.	Establishment of feedback mechanisms, including the availability of official complaint books in the courts	1) developing the draft concept paper on traceability of admission and examining of complaints	2) introducing a unified electronic system for managing complaints at the Ministry of Justice and the courts of the Republic of Armenia	3) organising training courses for judicial servants	1) first 10 days of December 2009 2) last 10 days of October 2010 3) last 10 days of October 2010	1) Judicial Department of the Republic of Armenia, Ministry of Justice of the Republic of Armenia 2) Judicial Department of the Republic of Armenia, Ministry of Justice of the Republic of Armenia 3) Judicial Department of the Republic of Armenia	1) provision of the concept paper to the interested parties 2) establishment of the electronic system 3) participation in training courses of at least 40 judicial servants	
1.5.	Establishment of necessary modern mechanisms for ensuring transparency and accessibility of the judicial system		Installing electronic database terminals at each court, allowing the filing of complaints via electronic mail and providing information on the schedule of court hearings		last 10 days of December 2009	Ministry of Justice of the Republic of Armenia and Judicial Department of the Republic of Armenia	Availability of relevant terminals in courts	

No.	Objective/Task	Activity				Deadline for activity based upon objectively controllable	Responsible Body	Objectively controllable criteria
		Legislative	Infrastructure	Education	Other			
2 Measures for reducing corruption risks								
2.1.	Ensuring the living standard of judges through increasing their salaries				1) carrying out needs assessment, defining the methodology based on the assessment and providing recommendations by studying the international best practice 2) elaborating the relevant budget request for stipulation in the Law of the Republic of Armenia on the State Budget of 2011	1) first 10 days of July 2010 2) first 10 days of October 2010	Judicial Department of the Republic of Armenia, Ministry of Justice of the Republic of Armenia	1) developing recommendations based on the results of the needs assessment and presenting to interested parties 2) submission of the relevant request to the Government of the Republic of Armenia
2.2.	Ensuring application of random selection principle in the distribution of cases in courts	1) developing the draft law of the Republic of Armenia on Making Amendments and Supplements to the Judicial Code of the Republic of Armenia	2) developing and introducing a case distribution software	3) organising training courses for judicial servants	4) regulatory impact assessment of the draft law and discussions with interested parties and the public	1) last 10 days of September 2009 2) last 10 days of December 2011 3) last 10 days of December 2011 4) last 10 days of August 2009	1) Judicial Department of the Republic of Armenia, Ministry of Justice of the Republic of Armenia 2) Judicial Department of the Republic of Armenia 3) Judicial Department of the Republic of Armenia 4) Ministry of Justice of the Republic of Armenia	1) submission of draft laws by the Government of the Republic of Armenia to the National Assembly of the Republic of Armenia 2) installation of case distribution system in courts 3) conducting training courses for at least 50 judicial servants 4) submission of the draft law to the discussion of the Government of the Republic of Armenia
2.3.	Increasing the effectiveness of procedures for identifying cases of corruption, disciplinary violations and improper conduct			Organising training courses for the Ministry of Justice, Judicial Department, prosecutors and judges.		first 10 days of December 2009	Ministry of Justice of the Republic of Armenia, Judicial Department of the Republic of Armenia, Office of the Public Prosecutor	Training of at least 10 civil servants, 25 judicial servants, 200 judges and 300 prosecutors
3 Measures ensuring accessibility, effectiveness and transparency of justice system								
3.1.	Clarifying the court system by revising the jurisdictions of general and specialised courts	1) developing the draft law of the Republic of Armenia on Making Amendments and Supplements to the Judicial Code of the Republic of Armenia		2) organising relevant training courses for judges	3) regulatory impact assessment of the draft law and discussions with interested parties and the public	1) last 10 days of September 2009 2) last 10 days of April 2010 3) last 10 days of August 2009	1) Ministry of Justice of the Republic of Armenia, Judicial Department of the Republic of Armenia 2) Judicial Department of the Republic of Armenia 3) Ministry of Justice of the Republic of Armenia	1) submission of draft laws by the Government of the Republic of Armenia to the National Assembly of the Republic of Armenia 2) conducting training courses for at least 170 judges 3) submission of the draft law to the discussion of the Government of the Republic of Armenia
3.2.	Improving courthouse conditions and technical capacities		Construction of at least 10 new courthouses and repairing of the two existing buildings, provision with furniture and technical equipment, in three phases			1st phase - last 10 days of December 2009 2nd phase - last 10 days of October 2010 3rd phase - last 10 days of December 2011	Ministry of Justice of the Republic of Armenia, Judicial Department of the Republic of Armenia	1st phase – commissioning of at least three newly erected buildings 2nd phase – commissioning of at least two newly erected and two repaired buildings 3rd phase – commissioning of the rest of the buildings
3.3.	Distributing cases in first instance courts among judges specialised in hearing criminal and civil cases	1) developing the draft decision of the Council of Court Chairmen on Defining the Specialisation of Judges of First Instance Courts		2) organising training courses for judges		1) last 10 days of September 2009 2) last 10 days of December 2009	Judicial Department of the Republic of Armenia	1) submission of the draft decision to the Council of Court Chairmen 2) completion of training courses by at 150 judges
3.4.	Enhancing the role of first instance courts				Organising roundtables, meetings, seminars	first 10 days of May 2009	Judicial Department of the Republic of Armenia	Organisation of at least five activities
3.5.	Enhancing the effectiveness of juvenile justice through specialisation on juvenile cases of at least one judge in each court			Organising training courses for judges on the specific aspects of juvenile justice		first 10 days of October 2010	Judicial Department of the Republic of Armenia	Completion of training courses by at least 20 judges
3.6.	Introducing a public monitoring system for court operations				Developing criteria for implementation of public monitoring Implementing monitoring in three phases	1st phase - second 10 days of December 2009 2nd phase - last 10 days of October 2010 3rd phase - last 10 days of December 2011	Ministry of Justice of the Republic of Armenia	Publicising the results of carrying out each monitoring phase

No.	Objective/Task	Activity				Deadline for activity based upon objectively controllable	Responsible Body	Objectively controllable criteria
		Legislative	Infrastructure	Education	Other			
3.7.	Raising public awareness and improving the publicity level of judicial system operations	1) developing the draft law of the Republic of Armenia on Making Amendments and Supplements to the Judicial Code of the Republic of Armenia	2) enhancing the web site maintained by the Judicial Department in order to make it accessible to the public		3) regulatory impact assessment of the draft law and discussions 4) broadcasting "Judicial Channel" on public television, ensuring coverage of court and advocate operations through mass media, seminars, and discussions, with the involvement of the public, in two phases 5) updating and medium term technical maintenance of ARLIS legal information search system	1) last 10 days of September 2009 2) 1-phase - last 10 days of December 2009, 2- phase – first 10 days of September 2010 3) last 10 days of August 2009 4) 1st phase - last 10 days of December 2009, 2nd phase - last 10 days of October 2010 5) 1st phase - last 10 days of December 2009, 2nd phase - last 10 days of October 2010	1) Judicial Department of the Republic of Armenia, Ministry of Justice of the Republic of Armenia 2) Ministry of Justice of the Republic of Armenia, Judicial Department of the Republic of Armenia 3) Ministry of Justice of the Republic of Armenia 4) Ministry of Justice of the Republic of Armenia, Judicial Department of the Republic of Armenia Chamber of Advocates (upon consent) 5) Ministry of Justice of the Republic of Armenia	1) submission of the draft law by the Government of the Republic of Armenia to the National Assembly of the Republic of Armenia 2) ensuring public access to court administration and management system 3) submission of the draft law to the Government of the Republic of Armenia for discussion 4) broadcasting at least 20 "Judicial Channel" programs of in each phase and conducting at least two seminars or discussions 5) availability of a reliable search tool for ARLIS system
3.8.	Raising public awareness and improving the publicity level of the prosecution system operations		1) provision of a hall and technical equipment for informing the public and hosting citizens; for the purpose of computer registration and record-keeping		2) covering prosecution system operations through public TV or other means of mass media, seminars, and discussions, with the participation of the public, in three phases 3) organising courses for representatives of mass media, in two phases	1) first 10 days of July 2010 2) last 10 days of December 2009 3) 1st phase - last 10 days of October 2010, 2nd phase - last 10 days of December 2011	Office of the Prosecutor General of the Republic of Armenia	1) provision of the hall, as well as installation of video camera and monitor 2) organisation of at least five activities 3) organisation of at least two activities in each phase
3.9.	Enhancing the effectiveness of the Office of Public Defender operations		1) creating appropriate premises for the Office of Public Defender, in two phases		2) carrying out needs assessment	1) 1st phase - last 10 days of October 2010, 2nd phase - last 10 days of December 2011 2) first 10 days of July 2009	Chamber of Advocates of the Republic of Armenia (upon consent)	1) 1st phase - acquisition of at least two offices, 2nd phase –acquisition of three offices 2) submission of the recommendation based on the results of the studies to the discussion of the Government of the Republic of Armenia
3.10.	Expanding the scope of legal aid in accordance with European standards	1) adopting the draft law of the Republic of Armenia on Making Amendments and Supplements to the Law of the Republic of Armenia on the Profession of Advocate	2) increasing the staff of the Office of Public Defender, from current 32 to at least 75			1) first 10 days of August 2009 2) last 10 days of March 2010	Ministry of Justice of the Republic of Armenia, Chamber of Advocates of the Republic of Armenia (upon consent)	1) submission of draft laws by the Government of the Republic of Armenia to the National Assembly of the Republic of Armenia 2) availability of at least 60 staff units for the position of public defender
3.11.	Establishing a unified system with full capacities for preparing and training judges and prosecutors	1) developing draft laws of the Republic of Armenia on Making Amendments and Supplements to the Judicial Code of the Republic of Armenia and to the Law of the Republic of Armenia on the Office of Public Prosecutor 2) adopting the decision of the Government of the Republic of Armenia on Establishing a Unified Judicial Training School	3) establishing education facility and providing with material-technical base		4) developing new methodology and curricula 5) feasibility study for inclusion of notaries and/or other legal specialists in the given education facility	1) first 10 days of October 2009 2) first 10 days of March 2010 3) last 10 days of October 2010 4) last 10 days of October 2010 5) first 10 days of October 2009	Judicial Department of the Republic of Armenia, Office of the Prosecutor General, Ministry of Justice of the Republic of Armenia	1) submission of the draft law by the Government of the Republic of Armenia to the National Assembly of the Republic of Armenia 2) adoption of the decision of the Government of the Republic of Armenia 3) provision of necessary housing conditions for the education facility 4) development of curricula and methodology 5) submission of the results of the study to the discussion of interested parties

No.	Objective/Task	Activity				Deadline for activity based upon objectively controllable	Responsible Body	Objectively controllable criteria
		Legislative	Infrastructure	Education	Other			
3.12.	Improving the effectiveness of the practice of the profession of advocate	1) developing the draft law of the Republic of Armenia on Making Amendments and Supplements to the Law of the Republic of Armenia on the Profession of Advocate 2) adopting relevant legal acts deriving from the above-mentioned law	3) ensuring necessary housing conditions for the functioning of the School of Advocates			1) last 10 days of August 2009 2) first 10 days of August 2009 3) last 10 days of August 2010	1) Ministry of Justice of the Republic of Armenia, Chamber of Advocates of the Republic of Armenia (upon consent) 2) Chamber of Advocates of the Republic of Armenia (upon consent) 3) Chamber of Advocates of the Republic of Armenia (upon consent)	1) submission of the draft law by the Government of the Republic of Armenia to the National Assembly of the Republic of Armenia 2) approval of relevant acts deriving from the law 3) commencing relevant construction works of the School of Advocates building
3.13.	Improving the quality of expert examinations		1) providing proper office space to the "Expertise Centre of the Ministry of Justice of the Republic of Armenia" SNCO 2) capacity building, in particular acquisition of modern devices and equipment		3) carrying out needs assessment and elaborating the relevant terms of reference	1) last 10 days of October 2010 2) last 10 days of October 2010 3) first 10 days of August 2009	Ministry of Justice of the Republic of Armenia	1) availability of housing conditions 2) acquisition of at least 20% (financial evaluation) of devices and equipment identified as a result of needs assessment 3) availability of the needs assessment report and terms of reference
3.14.	Ensuring expedite procedures for pre-trial proceedings in small cases	1) developing the draft on the new Criminal Procedure Code of the Republic of Armenia		2) organising training courses for judges and prosecutors	3) regulatory impact assessment of the draft law and discussions with interested parties and the public	1) according to a timetable stipulated by the legislation 2) last 10 days of October 2010 3) first 10 days of November 2009	1) working group developing the draft Criminal Procedural Code of the Republic of Armenia 2) Judicial Department of the Republic of Armenia, Office of the Prosecutor General 3) Ministry of Justice of the Republic of Armenia	1) submission of the draft law by the Government of the Republic of Armenia to the National Assembly of the Republic of Armenia 2) completion of training courses by at least 300 prosecutors and 200 judges 3) submission of the draft law to the discussion of the Government of the Republic of Armenia
3.15.	Introducing class action mechanisms	1) developing draft laws of the Republic of Armenia on Making Amendments and Supplements to the Civil Procedure Code of the Republic of Armenia, and on Making Amendments and Supplements to the Law of the Republic of Armenia on Compulsory Enforcement of Judicial Acts		2) organising training courses for judges	3) regulatory impact assessment of the draft law and discussions with interested parties and the public	1) according to a timetable stipulated by the legislation 2) first 10 days of March 2010 3) first 10 days of September 2009	1) Ministry of Justice of the Republic of Armenia 2) Judicial Department of the Republic of Armenia 3) Ministry of Justice of the Republic of Armenia	1) submission of the draft law by the Government of the Republic of Armenia to the National Assembly of the Republic of Armenia 2) completion of training courses by at least 70 judges 3) submission of the draft law to the discussion of the Government of the Republic of Armenia
3.16.	Improving judicial appeal procedures by revising the mechanism for ordinary appeal against judicial acts of the Administrative Court, as well as the preconditions for filing appeal with the Court of Cassation of the Republic of Armenia	1) developing draft laws of the Republic of Armenia on Making Amendments and Supplements to the Judicial Code of the Republic of Armenia, and on Making Amendments and Supplements to the Civil Procedure Code of the Republic of Armenia, and on Making Amendments and Supplements to the Administrative Procedure Code of the Republic of Armenia		2) organising training courses for judges	3) regulatory impact assessment of the draft law and discussions with interested parties and the public	1) according to a timetable stipulated by the legislation 2) first 10 days of May 2010 3) last 10 days of August 2009	1) Ministry of Justice of the Republic of Armenia, Judicial Department of the Republic of Armenia 2) Judicial Department of the Republic of Armenia 3) Ministry of Justice of the Republic of Armenia	1) submission of the draft law by the Government of the Republic of Armenia to the National Assembly of the Republic of Armenia 2) completion of training courses by at least 30 judges 3) submission of the draft law to the discussion of the Government of the Republic of Armenia

No.	Objective/Task	Activity				Deadline for activity based upon objectively controllable	Responsible Body	Objectively controllable criteria
		Legislative	Infrastructure	Education	Other			
3.17.	Encouraging alternative dispute resolution mechanisms				1) organising roundtables and seminars on the Law of the Republic of Armenia on Commercial Arbitration 2) elaborating guidelines for arbitration	last 10 days of October 2009	Ministry of Justice of the Republic of Armenia, Chamber of Advocates of the Republic of Armenia (upon consent)	1) conducting at least two seminars 2) publication of developed guidelines
3.18.	Improving the statistics on judicial acts	1) developing the draft decision of the Council of Court Chairmen on Defining Statistics Criteria	2) developing and introducing a new software for registering statistics	3) organising training courses for judicial servants	4) studying European best practice regarding statistics criteria	1) second 10 days of October 2009 2) first 10 days of March 2010 3) first 10 days of March 2010 4) first 10 days of October 2009	Judicial Department of the Republic of Armenia	1) submission of the draft decision of the Council of Court Chairmen 2) establishment of the new statistics system 3) conducting training courses for at least 30 judicial servants 4) presenting the criteria to the Council of Court Chairmen
3.19.	Improving the statistics maintained in the Office of Public Prosecutor of the Republic of Armenia	1) developing the draft order of the Prosecutor General of the Republic of Armenia on Defining Statistics Criteria	2) developing and introducing a new software for registering statistics (attaching special importance to the flow of data regarding material damage caused to the state) 3) introducing the developed software	4) organising training courses for employees of the prosecutor's office	5) studying European best practice regarding statistics criteria	1) last 10 days of October 2010 2) last 10 days of October 2010 3) last 10 days of December 2011 4) first 10 days of December 2011 5) last 10 days of December 2009	Office of Prosecutor General of the Republic of Armenia	1) development of the order of the Prosecutor General of the Republic of Armenia 2) availability of the developed software 3) introduction of the software at least in Yerevan 4) training of at least 40 public servants of the prosecution system 5) studying the best practice of at least three countries and providing the results of the study
3.20.	Modernising court archive maintenance				Providing the archive with modern technologies and introducing a case management system	last 10 days of December 2009	Ministry of Justice of the Republic of Armenia, Judicial Department of the Republic of Armenia	Establishment of court archive management system equipped with modern technologies
3.21.	Improving archiving operation of the Office of Public Prosecutor of the Republic of Armenia			1) organising training courses for employees of the prosecutor's office	2) establishing a computerised search system for the archives of the Office of Public Prosecutor of the Republic of Armenia	1) first 10 days of December 2011 2) first 10 days of December 2011	Office of Prosecutor General of the Republic of Armenia	1) completion of training by at least 25 public servants of the prosecution service 2) introduction of archiving system
3.22.	Assuring the quality of court decisions		Elaborating a clear-cut and logical structure for court decisions based on a uniform model, in accordance with the provisions of the law			last 10 days of May 2009	Judicial Department of the Republic of Armenia	Submission of draft templates of court decisions to the discussion of the Council of Court Chairmen
4 Measures improving enforcement of judicial acts								
4.1.	Advancing the procedures and conditions for sentence execution	developing the draft law of the Republic of Armenia on Making Amendments and Supplements to the Law of the Republic of Armenia on Penitentiary Service, with the introduction of special civil service institute	Capital rehabilitation of penitentiary buildings, construction of a new penitentiary facility, in two phases			1) last 10 days of June 2009 2) 1st phase - last 10 days of December 2010, 2nd phase - last 10 days of December 2011	Ministry of Justice of the Republic of Armenia	1) submission of the draft law by the Government of the Republic of Armenia to the National Assembly of the Republic of Armenia 2) 1st phase – completion of construction works of a new penitentiary facility 2nd phase- implementation of designing works of another new penitentiary facility

No.	Objective/Task	Activity				Deadline for activity based upon objectively controllable	Responsible Body	Objectively controllable criteria
		Legislative	Infrastructure	Education	Other			
5 Measures improving the legislation and strategy pertaining to the judicial system								
5.1.	Approximation of the fundamental laws pertaining to the judicial authority to EU standards	1) developing the draft law of the Republic of Armenia on Making Amendments and Supplements to the Judicial Code of the Republic of Armenia 2) developing the draft law of the Republic of Armenia on Making Amendments and Supplements to the Law of the Republic of Armenia on the Office of Public Prosecutor 3) developing the draft law of the Republic of Armenia on Making Amendments and Supplements to the Law of the Republic of Armenia on the Profession of Advocate			4) translation of legal acts 5) regulatory impact assessment of the draft law and discussions with interested parties and the public	1) first 10 days of November 2009 2) last 10 days of September 2010 3) last 10 days of October 2010 4) last 10 days of September 2009 5) first 10 days of September 2009	1) Ministry of Justice of the Republic of Armenia, Judicial Department of the Republic of Armenia 2) Office of Prosecutor General of the Republic of Armenia 3) Ministry of Justice of the Republic of Armenia, Chamber of Advocates of the Republic of Armenia (upon consent) 4) Ministry of Justice of the Republic of Armenia 5) Ministry of Justice of the Republic of Armenia	1) submission of the draft law by the Government of the Republic of Armenia to the National Assembly of the Republic of Armenia 2) submission of the draft law by the Government of the Republic of Armenia to the National Assembly of the Republic of Armenia 3) submission of the draft law by the Government of the Republic of Armenia to the National Assembly of the Republic of Armenia 4) translation of EU legal acts 5) submission of the draft law to the discussion of the Government of the Republic of Armenia
5.2.	Defining the 2012-2016 judicial reform strategy	1) developing strategy concept paper			2) discussions with interested parties and the public	1) first 10 days of October 2010 2) last 10 days of April 2010	Ministry of Justice of the Republic of Armenia, Judicial Department of the Republic of Armenia, Office of Prosecutor General of the Republic of Armenia	1) submission of the strategy concept paper to the approval of the relevant authorities 2) holding discussions among competent authorities

Chief of Staff to the President of the Republic of Armenia

K. Karapetyan

Annex 3
to the executive order of the President
of the Republic of Armenia
NK-59-N of 21 April 2009

COMPOSITION

**OF THE WORKING GROUP IMPLEMENTING THE 2009-2011 STRATEGIC
ACTION PROGRAMME FOR JUDICIAL REFORMS**

Gevorg Danielyan	Minister of Justice of the Republic of Armenia (Head of the Working Group)
Arman Mkrtumyan	Chairman of the Court of Cassation of the Republic of Armenia (upon consent)
Aghvan Hovsepyan	Prosecutor General of the Republic of Armenia
Tigran Davtyan	Minister of Finance of the Republic of Armenia
Gevorg Kostanyan	Assistant to the President of the Republic of Armenia
Gegham Gharibjanyan	Chief of Staff of the National Assembly of the Republic of Armenia
Tigran Barseghyan	Deputy Chief of Staff of the Government of the Republic of Armenia
Nikolay Arustamyan	Deputy Minister of Justice of the Republic of Armenia
Ruben Sahakyan	President of the Chamber of Advocates of the Republic of Armenia (upon consent)

Chief of Staff

**to the President of the Republic of
Armenia**

K. Karapetyan