**Republic of Armenia**

**Information submitted for the thematic report on the legal empowerment by the UN Special Rapporteur on independence of judges and lawyers**

Comprehensive reform of judiciary is one of the key priorities for Armenia. Enhancing access to justice through development of alternative dispute resolution methods, regulations on free legal aid, improvement of services such as notary system, as well as electronic management of justice, are important directions reflected, among others, in the 2022-2026 Strategy for Judicial and Legal reforms adopted in July 2022[[1]](#footnote-1).

Armenia also attaches significant importance to multilateral efforts for legal empowerment of people. In the framework of the Summit for Democracy Armenia joined the Call to Action on the Rule of Law and people centered justice putting forward the following commitments:

* Armenia is committed to continue reforms to reduce the workload of judges, thereby ensuring equal access to justice and creating a people-centered judicial system.
* Armenia will continue to promote access to justice by improving alternative mechanisms for dispute resolution-including mediation and arbitration.
* Armenia will continue its efforts to improve integrity check mechanisms for all judges.
* Armenia maintains its commitment to strengthen the cooperation with partners at national and international level for further promotion of people-centered justice.

At domestic level the implementation of the actions envisaged by the 2022-2026 Strategy was negatively affected by the emergency due to coronavirus disease and the subsequent announcement of quarantine and application of restrictions, as well as the 44-day war of 2020 launched by Azerbaijan against people of Nagorno-Karabakh, as well as subsequent aggression against the territory of Armenia which resulted in disruption of normal functioning of state institutions and the impossibility of cooperation between different stakeholders. Despite those impediments, the Strategy guides main policy areas for comprehensive reform of justice and sets the main objectives and principles that will inter alia contribute to overall legal empowerment at institutional and operational level.

Establishment of unified “E-Justice” management system and ensuring the actability of electronic databases includes creation of the unified “e-court” and “e-justice” systems which also foresees the introduction of an electronic platform by ensuring the official correspondence online, electronic documents circulation between all participants of the case, as well as creation of an opportunity for natural and legal persons for contacting state bodies online, submitting applications, complaints, and other documents thereto, and, in addition, creation of an opportunity of tracking the status of the case online.

Another important direction is application of transitional justice toolkits to detect systematic human rights violations through fact-finding activities. The guiding principle for introduction and implementation of transitional justice toolkit should be the compliance of these processes with the Constitution of the Republic of Armenia, the laws and the international obligations assumed by the Republic of Armenia, and as a result of which it will be possible to ensure their adequacy, legality and efficiency.

The Strategy also prioritises such areas as development of democratic institutions, Ensuring the continuity of judicial system reforms, reforms of criminal law, civil code and civil procedure legislation, administrative code and administrative procedure legislation, bankruptcy sector reforms, reforms of compulsory enforcement system etc.

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

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

Foreigners, for appealing against the deportation decision,

● Proceedings initiated against persons on recognizing them as having no or limited active legal capacity, recognizing the citizen previously declared as incapable as a person having active legal capacity or removing the citizen’s limitations on active legal capacity,

● Victims if the latter is a juvenile or serving the compulsory military service.

The constitutional right to receive free legal assistance in the Republic of Armenia is ensured only through the Public Defender's Office of the Chamber of Advocates. In this regard there is a need to increase the number of officers of the public defender's office. Another important strategic directions of work are development of regulations for providing pro bono legal aid and revising professional training procedures for advocates. At the same time, methods of encouragement are forseen for the lawyers, who provide voluntary free legal aid to individuals.

1. www.moj.am/storage/uploads/Strategy\_Final\_ENG.pd [↑](#footnote-ref-1)