

STATEMENT

International Anti-Corruption Day

As per the 2020 data Armenia has made significant progress in terms of effectiveness in fighting corruption. Armenia's Corruption Perceptions Index (CPI) published by Transparency International in January 2021, for the second time since the proclamation of the fight against corruption in the country, registered a positive shift by a 7 point increase, rising from the 77-79th place in 2019 among the 180 countries of the world to the 60-62nd with a lower level of corruption.

Albeit international expert evaluations state that corruption has declined, according to the observations and arguments of local experts, the media outlets, civil society representatives and politicians, as well as the results of the activities of anti-corruption institutions, it remains a major problem. The volume, frequency and proportion of corruption have changed somewhat. Along with that, certain mechanisms are being used in a new manner, such as bonuses, which obviously overshadows the positive achievements.

On the whole, the work and willingness of those in charge of the anti-corruption reforms to succeed in the fight against corruption are noticeable. Nevertheless, the implementation of the Anti-Corruption Strategy of the Republic of Armenia and the 2019-2022 Action Plan does not always proceed smoothly and effectively. Some actions of the Strategy are implemented with deviations from the prescribed approaches; at times they are delayed for objective or non-objective reasons, and there are many shortcomings in the implementation of the Action Plan.

Mainly, the course of implementation of the international anti-corruption commitments made by Armenia is assessed as unsatisfactory. Thus, the CoE Group of States against Corruption (GRECO), considering the Fourth Round Evaluation Second Interim Compliance[2] Report on Armenia[3] at its 88th Plenary Meeting on September 20-22 2021, stated that the level of compliance was "globally unsatisfactory"[4] and asked to implement the outstanding recommendations by 30 September 2022 at the latest [5].

During the voluntary testing of the new monitoring methodology of the Organization for Economic Co-operation and Development (OECD) Anti-Corruption Network Istanbul Anti-Corruption Action Plan a number of shortcomings were identified in the fulfillment of Armenia's commitments in 2018. These are expected to be properly addressed, making progress during the next, the 5th Round of Monitoring.

Along with the implementation of actions related to the anti-corruption policy, processes take place in the Armenian administration system that contain risks, sow suspicion or create fertile ground for corruption, but they are not directly targeted by the state anti-corruption policy, so they remain out of the attention of state institutions. Thus:

- The application of the principle of checks and balances between the branches of government is crucial for fighting corruption effectively. The majority of the politicians who are currently in the RA National Assembly do not fully realise the significance

of this principle and their own role. Although the political tension has eased to some extent as a result of the snap parliamentary elections and the LSG elections following the 44-day war in Artsakh in 2020, the quality of the policy has not changed. The behaviour of government agencies and key political actors, at least in the legislature, has not changed in terms of taking responsibility, establishing solidarity, valuing one's own word, providing with their tireless and decent work systematic solutions to the severe issues facing the state in the aftermath of the inaction of the previous authorities, as well as with respect to exercising proper control over the executive. Instead, hate speech used by the political forces and simplistic verbal fights between them growing from time to time into 'street-level' fights have become common in the RA National Assembly.

- On the whole, the efficiency of the public administration system is very low and obviously insufficient to properly respond to crisis situations. Among other possible factors, the reason for this is the lack of certain sectoral strategies, and, in general, the lack of strategic and systematic thinking and approaches. Adoption of public administration reform strategies is inexplicably slowing down, leading to persisting vicious phenomena such as making unsubstantiated and unreasoned decisions, bonuses without performance appraisal, limited application of the merit-based principle in HR policy, and so on.
- The low level of public institutions' reputation and public trust in them, resulting not only from their being inefficient but also frequently failing public communication and accountability, is a major issue. Freedom of information, inclusive decision-making, engagement of the interested civil society and experts in governance processes experienced a significant decline during the 2020 COVID-19 pandemic, especially during the Artsakh war, however, to date no positive shift has been made toward resolving the identified issues. The government agencies operate mainly in self-isolation, with a deep conviction of their own truthfulness.
- The establishment of an institutional system of integrity is slowing down. The institutions of Public Service Ethics Committees, integrity officers and internal whistleblowing do not actually function. The definitions and regulations do not preclude the possibility of acting and making decisions in situations of conflict of interest. Conflict of interest regulations are incomplete for judges, prosecutors, members of parliament, local government officials and councillors. There are no codes of conduct established in public service. Because of conflicts of interest and official duties, no electronic systems for the registers for gift registration and handover are in place.
- The law enforcement agencies send a message of zero tolerance for corruption to the public and demonstrate their determination to detect the corruption crimes committed before 2018. At the same time, they prefer not to pursue the suspicious corrupt deals by high-ranking officials disclosed by the media or the civil society. Such behaviour raises suspicions that the fight against corruption is selective and conditioned by political and party expediency. Information related to the confiscation of property of illegal origin is also provided selectively. Under such conditions, the

sincerity of the fight against corruption and the fairness of criminal prosecutions are questioned.

- There are serious problems with acts of corruption in the judiciary. To this day, the actions taken within the framework of judicial reforms have not registered tangible results toward a healthier judicial system. Specifically, no real assessment of the professional and integrity requirements for the judges was conducted, and the threat that the judges are politicised in the administration of justice remains.

The above issues play a key role in the fight against corruption, so they should be considered and properly addressed in the context of anti-corruption policy.

[1] <https://transparency.am/hy/cpi/2020>

[2] GRECO's Fourth Round recommendations concern corruption prevention in respect of members of parliament, judges and prosecutors.

[3] <https://rm.coe.int/fourth-evaluation-round-corruption-prevention-in-respect-of-members-of/1680a3fcad>

[4] According to the Report, of the eighteen recommendations included in the Fourth Round Evaluation Report, only seven recommendations remain implemented satisfactorily. See paragraph 75 of the Report.

[5] <https://rm.coe.int/greco-2021-7-eng-decisions-greco-88/1680a3ef4f>