

ARMENIA PROGRESS TOWARDS

**SUSTAINABLE
DEVELOPMENT
GOAL 16
2019-2023**



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ARMENIA PROGRESS TOWARDS SUSTAINABLE DEVELOPMENT GOAL 16 2019-2023

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ABBREVIATIONS

AC	Audit Chamber
ACC	Anti-Corruption Committee
AML/CTF	Anti-Money Laundering and Counter Terrorism Financing
ATT	Arms Trade Treaty
BO	Beneficial owner
CARIN.NETWORK	Camden Asset Recovery Interagency Network
CC	Criminal Code
CEC	Central Electoral Commission
CoE	Council of Europe
CPC	Corruption Prevention Commission
CRRC	Caucasus Research Resource Center
CRS	Common Reporting Standard
CSO	Civil society organization
DNFBPs	Designated non-financial businesses and professions
ECRI	European Commission against Racism and Intolerance
EITI	Extractive Industries Transparency Initiative
EU	European Union
FATF	Financial Action Task Force
GCB	Global Corruption Barometer
GRECO	Group of States Against Corruption
HRIBC	Ministry of Defence Human Rights and Integrity Building Centre
IBP	International Budget Partnership
IRI	International Republican Institute
LLC	Limited liability company
MCAA	Multilateral Competent Authority Agreement on the Automatic Exchange of Financial Account Information
ML/FT	Money Laundering and Terrorism Financing
MoD	Ministry of Defence
MoJ	Ministry of Justice
MONEYVAL	Committee of Experts on the Evaluation of Anti-Money Laundering Measures and the Financing of Terrorism
MP	Member of Parliament
NA	National Assembly
NATO	North Atlantic Treaty Organization
NGO	Non-governmental organisation
NRA	National Risks Assessment
NSS	National Security Service
OBS	Open Budget Survey
OGP	Open Government Partnership
ODIHR	Office for Democratic Institutions and Human Rights
OECD	Organisation for Economic Co-operation and Development
OSCE	Organization for Security and Co-operation in Europe

PACE	Parliamentary Assembly of the Council of Europe
PEP	Politically exposed person
PMSC	Private military and security companies
RA	Republic of Armenia
SDG	Sustainable development goal
SJC	Supreme Judicial Council
SLAPP	Strategic lawsuit against public participation
SRC	State Revenue Committee
TI	Transparency International
TIAC	Transparency International Anticorruption Center
UN	United Nations
UNCAC	United Nations Convention against Corruption
VNR	Voluntary National Review
WCIT	World Conference of Information Technologies

EXECUTIVE SUMMARY

This report is prepared by Transparency International Anticorruption Center (TIAC) on the basis of Transparency International's (TI) methodology, which offers an alternative assessment of Armenia's progress towards achievement of Sustainable Development Goal (SDG) 16: Peace, Justice and Strong Institutions.

The report can be used to feed into Armenia's third Voluntary National Report (VNR) process supplementing the official data and helping the government to ensure a holistic approach towards the national SDG agenda. Additionally, it can be used as an alternative report to complement Armenia's VNR at the High Level Political Forum in July 2024.

The research specifically focuses on corruption-related targets of SDG 16: 16.4 on illicit financial flows, 16.5 on bribery and corruption, 16.6 on transparent and accountable institutions, and 16.10 on access to information, assessing the performance of the country based on 19 indicators and 160 questions.

Armenia, in spite of multiple challenges faced by the country throughout 2019-2023, has made significant progress in terms of the development of anti-corruption policies and institutions. Many more measures are currently pending as part of commitments under the new Anti-Corruption Strategy and its Action Plan 2023-2026, Legal and Judicial Reforms Strategy 2023-2025, Public Administration Reform Strategy 2023-2025, etc. as well as international commitments based on recommendations of OECD, GRECO, etc.

Despite all efforts, the persistence of informal networks, the lack of transparency and accountability, inadequate checks and balances, the underdeveloped system of ethics both in public and private sectors continue to hinder the progress. These practices, combined with the institutional resistance and slow pace of reforms, emergence of new corruption schemes and selective pursuit of justice, continuous abuse of the administrative resource during elections and unethical behaviors of high-ranking officials, strongly affect the public trust in the government and the effectiveness of its anti-corruption agenda.

Overcoming the mentioned challenges requires a comprehensive approach that goes beyond legislative reforms and institutional strengthening, implementation of present national strategies and international commitments. Along with discussing the progress, this report highlights the challenges across a range of policy areas that need to be additionally addressed by the country's government in order to ensure the success of the SDG implementation by 2030.

Recommendations provided below complement the measures and commitments included in Armenia's ongoing national strategies and/or recommended by international organizations. Implementation of all the proposed measures needs to be matched with intensive efforts aimed at the capacity building of relevant institutions and personnel, including, but not limited to the development of methods/guidelines, training, experience sharing, etc. Additionally, it is also important to improve the statistical data, management and analysis to further enhance the data-driven policy making in Armenia.

Recommendations

1. National SDG process

- establish inclusive, regular, effective and transparent mechanisms for the engagement of and consultation with civil society actors in process of development and revision of indicators, implementation and monitoring of SDG related actions, as well as evaluation of progress and elaboration of VNRs;
- ensure effective strategic communication aimed at awareness raising of the general public on the SDG agenda, the progress and challenges, impacts on people's lives, possible engagement of citizens.

2. General developments

- put all efforts to timely and properly implement the measures planned by the national strategies supporting the anti-corruption agenda, effectively monitor and evaluate the undertaken reforms and introduce remedies to overcome challenges whenever and wherever necessary, accompanied with due communication to the public;
- reveal and address the major causes of public distrust in the government and anti-corruption institutions, considering the evidence of the administrative resource abuse during the elections, unethical behavior of high-ranking officials, unfair application of laws and policies and the selective justice, strategic communication failures, etc.;
- amend the Constitution, possibly through a parliamentary vote, at least to remove the stable majority rule, enhance the system of checks and balances, and improve the legal framework for parliamentary ethics;
- ensure adequate space for the civil society and media to investigate and reveal corruption, particularly through taking measures to improve the enabling environment for their work, including due access to information.

3. Anti-money laundering

- ensure thorough investigation of money laundering cases revealed on the basis of the investigative journalists' findings on suspicious money flows both at a national or transnational scale;
- establish a robust system of financial monitoring and analysis along with other methods of oversight to prevent the abuse of the Armenian financial system for the evasion of sanctions and dirty money laundering;
- strengthen the regulatory framework for the use and control of cryptocurrencies and improve the systems of relevant institutions to reveal money laundering.

4. *Beneficial ownership transparency*

- ensure an effective mechanism for guaranteeing the transparency of beneficial owners of joint stock companies and companies listed in stock exchanges;
- develop mechanisms for due diligence measures and consideration of the beneficial ownership data in the decision-making on public contracting, including prevention of conflict of interest in cases of companies associated with politically exposed persons (PEPs);
- provide for free access to data of the State Register of Legal Entities, including to the diagrams of the beneficial ownership of all companies with complicated structures, so that to ensure due public oversight, participatory and effective data verification process.

5. *Recovery of stolen assets*

- improve the transparency and accountability of the stolen assets' confiscation and recovery processes, ensuring publicly available data on assets confiscated and placed in public (or trust) management that include at least information on their location, type, value, owners, new managers, income allocation, etc.;
- create a participatory model for the management of confiscated assets and allocation of income with consideration of revealed needs and proposals by relevant civil society actors.

6. *Fight against organized crime*

- guarantee the robust integrity framework and measures within law enforcement agencies to effectively combat organized crime;
- ensure that criminal prosecution against representatives of "criminal subculture" or other persons is initiated without discrimination, adhering to the principles of impartiality and fair treatment.

7. *Arms trafficking*

- elaborate measures to improve the legal framework and practices of assets disposal decisions, processes and control as well as the public disclosure of non-secret disposals and of the financial outcomes;
- apply sophisticated risk profiling systems that compile comprehensive data from various sources, analyze patterns, discrepancies and anomalies in order to identify high-risk shipments and traders, reveal smuggling and other violations, predict long-term trends and future potential violations with consideration of increased trade and new international routes.

8. *Experience and perceptions of corruption*

- improve strategic communication of the anti-corruption reforms through increasing the volume of user-friendly information and providing platforms for feedback, wherever possible;
- ensure adequate reaction of corruption prevention and law enforcement bodies to the exposures of wrongdoings by the members and associates of the ruling political party at all branches and

levels of the government, accompanying those with adequate public communication and feedback to relevant reporters, including mass media and CSOs;

- introduce targeted regulations to effectively prevent the abuse of administrative resource during the elections.

9. Anti-corruption framework and institutions

- implement measures to guarantee the independence and merit-based selection of key leadership positions of anti-corruption institutions as well as judges;
- ensure the transparency and accountability of the process of selection/appointments/promotion/dismissal of lead officials (including judges) and the key staff of anti-corruption institutions as well as of relevant ethics and disciplinary proceedings, including through the provision for more effective public scrutiny;
- enhance the mechanisms for the Audit Chamber to properly oversee the public resources and services and ensure a requirement for the follow-up of audit recommendations by all relevant institutions;
- provide for the effective and independent work of anti-corruption institutions through securing all the necessary resources, including human, material and budgetary.

10. Private sector corruption

- insert efforts to strengthen jurisdiction and mechanisms of the Competition Protection Commission to properly enforce the anti-collusion and other relevant regulations to safeguard the economic competition in the public procurement;
- establish mechanisms for the promotion of integrity and transparency in the private sector, with an additional focus on companies that operate on the basis of public assets, such as natural resources.

11. Lobbying transparency

- ensure that the transparency requirements and procedures for meetings and other interactions of public officials with different state and non-state actors do not affect the work and independence of civil society organizations and mass media representatives.

12. Party and campaign finance transparency

- strengthen the rules for the adequate and detailed annual reporting of incomes, assets and expenditures by political parties and members of their governing bodies as well as the campaign-related reporting of political parties and individual candidates running for elections;
- ensure adequate oversight of political parties' finance, including the campaign funding, through improving the mechanisms for analysis and verification, pursuit of administrative or criminal liability for the misrepresentation or falsification of data provided in declarations and financial statements and other violations of law;

- establish robust mechanisms for the prevention of administrative resource use during elections by ensuring adequate and timely response by CEC, CPC and relevant law enforcement bodies;
- enhance the scope of the Law on Freedom of Information at least to political parties running for national or local elections.

13. Transparency and integrity in public administration

- develop mechanisms to ensure reasonable “cooling-off period” to ensure prevention of “revolving door” practices;
- ensure declaration of interests for the officials of all branches of government, including the persons holding discretionary state positions, such as heads of communities, members of the Council of Elders of communities with a population of 15,000 or more, heads of administrative districts of Yerevan, etc.;
- radically revisit the ethics and integrity infrastructures in different types of the public sector, including the National Assembly, aiming to ensure an operational and effective system to actually improve the conduct of public officials;
- ensure public and interactive accessibility of the electronic system of declarations to allow the users to search and retrieve the needed information from the content of declarations.
- apply integrity checks for civil servants and a requirement for them to declare their property, income, expenses and interests.

14. Fiscal transparency

- develop and ensure due public engagement mechanisms in the monitoring of the government’s strategies, budgetary programs and delivery of services;
- improve the budget transparency and participatory measures as well as budget monitoring mechanisms at the local level, ensuring conditions for due engagement of the citizens in the local governance matters.

15. Public procurement and government contracting

- implement targeted measures to remove corruption risks throughout all stages of the procurement process (procurement planning, organization of procurement procedures, including development of technical specifications, signing of contract, contract execution and management), with particular consideration of risks associated with single source procurement, ownership of award-winning companies by the politically exposed persons and the conflict of interest in decision-making processes;
- ensure an effective and timely complaint procedure in place to guarantee the possibility of appeal throughout different stages of procurement, including the publication of technical specifications, selection of the method of procurement, contracting, implementation and completion/acceptance;

- enhance the system of disciplinary, administrative, civil and criminal liabilities for the possible breaches throughout the public procurement processes.

16. Whistle-blowing and reporting mechanisms

- improve the whistle-blowing system in the country with consideration of best practices, including enlargement of the scope of protected persons, improvement of channels and mechanisms of reporting, provision of adequate remedies and protection from retaliation of reporters and their related persons, clarification of jurisdiction of law enforcement bodies, provision of free legal aid to the whistleblowers, etc.;
- ensure centralized management of statistics for all forms of whistleblowing (internal, external, public, and via electronic platforms) by a designated state entity, incorporating data on protective measures and the outcome of actions, conducting due evaluation of trends and further improving the system.

17. Protection of fundamental freedoms

- take measures to guarantee that any changes to the legislation that might affect the fundamental freedoms of citizens or civil society groups are duly consulted with the relevant stakeholders to eliminate any possibility of subsequent tension;
- ensure that all attacks against CSOs, journalists, and individuals advocating or reporting on corruption are duly addressed by the law enforcement bodies in a non-discriminatory manner and the perpetrators, including the law enforcement representatives, are held responsible;
- ensure protection against the strategic lawsuits against public participation (SLAPPs) initiated by business entities against civic activists that criticize unlawful acts, including manifestations of corruption, and immediate withdrawal of cases by companies where the state is a shareholder.

18. Access to information

- enhance the freedom of information legislation to expand the scope of entities to involve at least the state-owned enterprises, companies doing business on the basis of exploitation of public assets, such as natural resources, as well as political parties participating in elections;
- introduce a legal requirement to apply special “harm” and “public interest” tests to freedom of information exceptions so that the disclosure of information is only refused when it poses a risk of actual harm to a protected interest;
- develop mechanisms and institutions, as relevant, to ensure monitoring and oversight of citizens’ access to information, management and publication of relevant data by various entities, including local government bodies, and continue the enhancement of the system;
- introduce deadlines for the judiciary for access to information litigations. .

19. Open Government Data

- Ensure that all official data is provided in state-run websites in "open data" and machine-readable formats to facilitate the public oversight and independent analysis of policy-related data, contributing to more substantial civic engagement in decision-making processes.

FOREWORD

The sustainable development goals (SDGs), also known as *Transforming our World: the 2030 Agenda for Sustainable Development*, is a set of 17 aspirational “global goals” and 169 targets, which have been adopted in 2015 by the 193 UN member states to steer policy-making and development funding for the next 15 years. Global targets and indicators have been set for each goal with the expectation that they will be incorporated into national planning processes and policies. Countries are also encouraged to define national targets tailored to their specific circumstances and identify locally relevant indicators and data sources that will be used to measure progress towards achieving each of the SDG targets.

The sustainable development aspirations of nations may largely be sacrificed because of corruption, which restricts economic growth and increases inequality and injustice within the society. Hence, specific targets related to anti-corruption are included under Goal 16: “Promote peaceful and inclusive societies for sustainable development, provide access to justice for all and build effective, accountable and inclusive institutions at all levels” (Peace, Justice and Strong Institutions).

As part of its follow-up and review mechanisms, the 2030 Agenda for Sustainable Development encourages member states to conduct regular national reviews of progress made towards the achievement of SDGs through an inclusive, voluntary and country-led process. In addition, each year, certain state parties volunteer to report on national progress presenting Voluntary National Reviews (VNR) to the High-Level Political Forum on Sustainable Development under the auspices of the UN’s Social and Economic Council.

Armenia is among the countries that undertakes volunteer reviews on its progress towards achievement of SDGs and plans to present its third VNR in July 2024.

This report is prepared by Transparency International Anticorruption Center (TIAC) on the basis of Transparency International’s (TI) methodology, which offers an alternative assessment of Armenia’s progress towards achievement of SDG 16, specifically its corruption-related targets: 16.4 on illicit financial flows, 16.5 on bribery and corruption, 16.6 on transparent and accountable institutions, and 16.10 on access to information. Along with discussing the progress it highlights the challenges across a range of policy areas to be addressed by the country’s government in order to ensure the success of the SDG implementation by 2030.

The report can be used to feed into Armenia’s third VNR process supplementing the government’s data and helping the government to ensure a holistic approach towards the national SDG agenda. Additionally, it can be used as an alternative report to complement Armenia’s VNR at the High Level Political Forum in July 2024.

INTRODUCTION

The Republic of Armenia (RA) initiated the process of nationalization of the Sustainable Development Goals (SDGs) in 2016, following the country's signing on to the Agenda 2030 and its 17 Goals in September 2015. The country's efforts towards implementation of SDGs have been assisted by the United Nations (UN) "to further unlock Armenia's development potential and accelerate the implementation of the Agenda 2030."

Since the Velvet Revolution of Spring 2018, the new leadership of Armenia continuously demonstrated its political will and commitment to fight against corruption. Throughout 2019-2023, in spite of multiple challenges faced by the country, such as COVID pandemic, the 44-day war launched by neighboring Azerbaijan with support of Turkey in September 2020, the following military aggressions, including various pieces of Armenia's sovereign territory in 2021-2023, the influx of more than 130,000 refugees as a result of ethnic cleansing of Nagorno Karabakh. These developments resulted in thousands of human losses, many hundreds of handicapped, hundreds of thousands people without housing, work and basic social support, growing grievances of citizens and loss of trust. Additionally, these developments were accompanied with regular internal political turmoils and coup d'état attempts.

With this background, Armenia has made significant progress in terms of the development of policies and institutions that address prevention and counteracting of corruption. Many more measures are currently pending as part of commitments under the new Anti-Corruption Strategy and its Action Plan 2023-2026, Legal and Judicial Reforms Strategy 2023-2025, Public Administration Reform Strategy 2022-2024 (in August 2023 modified and changed to a Strategy for 2023-2025), etc.

Armenia's commitment to the Agenda for Sustainable Development has been proved by its voluntary initiatives to present the review of the country's progress.

The country developed its first VNR report in July 2018. The review did not assess the progress as such, but rather set forth the priorities of the new, revolutionary government, which committed to "enhancement of democracy, efficient and effective governance, increased level of transparency and accountability in public governance, fight against corruption, free economic competition, protection of investors' rights, rule of law and human rights."¹

The second VNR was presented in July 2020 and included the period of 2018-2020. Its one-page "Combating corruption" subsection highlighted the Government's Anti-Corruption Strategy and its Action Plan for 2019-2023, particularly pointing to the work of the law enforcement bodies in detecting and investigating corruption.²

The third VNR by the Armenian government will be presented in July 2024 and intends to cover a larger scope of Armenia's performance including SDG16, covering the period of 4 years, 2020-2023.

This report aims to provide an alternative and impartial assessment of the national progress towards SDG16: Peace, Justice and Strong Institutions, with a focus on four corruption-related targets:

¹ https://hlpf.un.org/sites/default/files/vnrs/2021/20315Armenia_SDG_VNR_report.pdf

² https://hlpf.un.org/sites/default/files/vnrs/2021/26318Armenia_VNRFINAL.pdf

- Target 16.4: By 2030, significantly reduce illicit financial and arms flows, strengthen the recovery and return of stolen assets and combat all forms of organized crime
- Target 16.5: Substantially reduce corruption and bribery in all their forms
- Target 16.6: Develop effective, accountable and transparent institutions at all levels
- Target 16.10: Ensure public access to information and protect fundamental freedoms, in accordance with national legislation and international agreements

This research covers 5 years, from the period of 2019-2023, following the previous publications by TIAC published in 2018³ and 2019.⁴

METHODOLOGY







The report is developed based on the methodology of Transparency International's (TI) parallel reporting tool "Corruption and the Sustainable Development Goals: Shadow Reporting Questionnaire for SDG 16.4, 16.5, 16.6 and 16.10."⁵

The research was conducted during January-April 2024, covering the period of January 1, 2019, till December 31, 2023. The data, mostly collected from the open and reliable sources, are believed to be correct by the time of finalization of the report, as of May 2024.

Performance of the country is assessed with respect to the Background (2 indicators, 12 questions, of which 1 - scored) and four selected targets: 16.4 (5 indicators, 43 questions, of which 22 - scored), 16.5 (5 indicators, 41 questions, of which 11 - scored), 16.6 (4 indicators, 39 questions, of which 25 - scored) and 16.10 (3 indicators, 25 questions, of which 9 - scored). Responses to questions, including all the relevant references, are provided in Appendix 1.

Each of the four corruption-related targets covers a number of policy areas, which provide an overview of the subject in a way that goes beyond the narrow understanding of corruption captured by the official global indicators. Each policy area is assessed against three elements. First, there is a scored evaluation of the country's *de jure* legal and institutional framework. Second, the report takes into account the country data from assessments and indices produced by international organisations and civil society groups. Finally, the research includes a qualitative appraisal of the country's *de facto* efforts to tackle corruption.

The country's legal framework is analyzed and scored on the scale of 0 to 1, also featured in colors:

-  Dark Green / 1
-  Light Green / 0.75
-  Yellow / 0.5
-  Light Red / 0.25
-  Dark Red / 0
-  - :Grey / Not applicable or no data available

³ <https://transparency.am/en/publication/pdf/193/1291>,

⁴ <https://transparency.am/en/publication/pdf/195/1292>

⁵ <https://knowledgehub.transparency.org/product/corruption-and-the-sustainable-development-goals-parisalle-reporting-tool-for-16-4-16-5-16-6-and-16-10>

Armenia's score graphics depicting the country's legal system's compliance with international best practices as well as the dynamics of its development since 2018 are provided in Appendix 2.

The report includes recommendations, which intend to build on and complement the measures and commitments included in Armenia's ongoing national strategies and/or recommended by international organizations that periodically conduct the monitoring of Armenia's performance in various policy areas related to the selected targets.

THE PROGRESS, CHALLENGES AND RECOMMENDATIONS

Armenia, in spite of multiple challenges faced by the country throughout 2019-2023, has made significant progress in terms of the development of anti-corruption policies and institutions. Many more measures are currently pending as part of commitments under the new Anti-Corruption Strategy and its Action Plan 2023-2026, Legal and Judicial Reforms Strategy 2023-2025, Public Administration Reform Strategy 2022-2024 (in August 2023 changed to a Strategy for 2023-2025), etc.

Throughout the last 5 years, RA Government's work has been reviewed by UNCAC, OECD, GRECO, OGP, EITI as well international organizations, such as Transparency International, Freedom House, Basel Institute, Reporters without Borders, etc. Most of the assessments of the government's performance have been positive, recording the general progress and commitment of the government to the anti-corruption agenda reforms and making recommendations for further improvements.

Despite all efforts, the persistence of informal networks, the lack of transparency and accountability, inadequate checks and balances, the underdeveloped system of ethics both in public and private sectors continue to hinder the progress. These practices, combined with the institutional resistance and slow pace of reforms, emergence of new corruption schemes and selective pursuit of justice, continuous abuse of the administrative resource during elections and unethical behaviors of high-ranking officials, strongly affect the public trust in the government and the effectiveness of its anti-corruption agenda.

Overcoming the mentioned challenges requires a comprehensive approach that goes beyond legislative reforms and institutional strengthening, implementation of present national strategies and international commitments. Along with discussing the progress, this report highlights the challenges across a range of policy areas that need to be additionally addressed by the country's government in order to ensure the success of the SDG implementation by 2030.

The below description of the progress towards SDG 16 targets 16.4, 16.5, 16.6, 16.10 and their respective indicators is accompanied with recommendations, which intend to complement the measures and commitments included in Armenia's ongoing national strategies and/or recommended by international organizations.

Implementation of all the proposed measures needs to be matched with intensive efforts aimed at the capacity building of relevant institutions and personnel, including, but not limited to the development of methods/guidelines, training, experience sharing, etc. Additionally, it is also important to improve the statistical data, management and analysis to further enhance the data-driven policy making in Armenia.

Background

1. *National SDG process*

Armenia undertook multiple initiatives in the period of 2019-2023, which support the accomplishment of SDGs, including SDG16.

On April 22, 2020, the Government of Armenia adopted a decision N479-A on establishing the SDG Council giving it a mandate to outline SDG nationalization directions and priorities, to include those within the strategic programs, to coordinate and monitor the comprehensive implementation of SDGs by 2030. The SDG Council involves officials from the concerned state bodies and representatives from civil society organizations (CSOs). Involved CSOs intend to represent 7 SDG-related areas, including social affairs / labor, education, health, environment, human rights / justice, industry / innovation and engineering infrastructures, and engage in the Council on the basis of rotation. There is no information about the work of the SDG Council.

On September 21, 2020, the Prime Minister of Armenia Nikol Pashinyan presented Armenia's Transformation Strategy 2020-2050, which incorporated the ambitious agenda of SDGs based on three interrelated elements of sustainable development: economic growth, social cohesion and protection of the environment. The implementation of SDGs was included in RA Government's 2021-2026 Action Program, adopted on August 18, 2021, reaffirming the commitment to the SDG agenda. In October 2021, RA Government and UN Office in Yerevan officially endorsed the 2021-2025 UN Sustainable Development Cooperation Framework for Armenia, the key strategic document that intended to frame the further work of all UN agencies working in Armenia.

It should be noted that there is no adequate data about the SDG-related activities of the Government or UN-Government joint initiatives. Neither is there information about sufficient and effective engagement of civil society or other concerned actors in the development and implementation of reforms.

The Government of Armenia shall

- establish inclusive, regular, effective and transparent mechanisms for the engagement of and consultation with civil society actors in process of development and revision of indicators, implementation and monitoring of SDG related actions, as well as evaluation of progress and elaboration of VNRs;
- ensure effective strategic communication aimed at awareness raising of the general public on the SDG agenda, the progress and challenges, impacts on people's lives, possible engagement of citizens.

2. *General developments*

In spite of multiple security threats and challenges in the reporting period, the government at the highest level persistently declared about its commitments to fight against corruption, also translating those into a series of policies and initiatives.

The government particularly invested in the development of the legal and institutional framework necessary for the effective fight against corruption and along with strengthening the already existing Corruption Prevention Commission established the law enforcement framework, including the Anti-Corruption Committee, specialized departments within the General Prosecutor's office as well as specialized Anti-Corruption Courts.

Implementation of the national Anti-Corruption Strategy and its Action Plan for 2019-2023 was followed and complemented with an even more ambitious national Anti-Corruption Strategy and its Action Plan for 2023-2026, adopted in October 2023. The latter envisaged 83 measures aiming at four directions: prevention of corruption, counteracting corruption, anti-corruption education and awareness raising, and integrity of businesses and its interactions with the state.

Additionally, the government adopted a number of strategies that are directly or indirectly linked to its anti-corruption agenda. Those include Legal and Judicial Reform Strategy for 2022-2026, Human Rights Strategy for 2023-2025 and Public Administration Reform Strategy for 2022-2024 (in August 2023 modified and changed to 2023-2025, focusing on a few issues).

In spite of the reform-oriented stance of the government and the undertaken measures, the problems and challenges of the last few years (Covid, wars, security threats, influx of more than 130,000 Armenians from Nagorno Karabakh) significantly slowed down the reform process. At the same time the ruling party was consolidated, which came along with incidents of misuse of power, improper follow up of those by relevant institutions and manifested superiority by the high-ranking officials, which seriously affected the trust of the people towards key institutions, thereby deteriorating the environment for the accomplishment of the government's ambitious political agendas. Of particular concern have been the National Assembly's continuous failures to ensure political dialogue, proper oversight of the government and appropriate follow up with unethical behaviors of some MPs.

Though the civil society organizations and media are generally able to study and investigate corruption risks and cases, and demand accountability from the country's political and economic elites, they oftentimes are faced with restricted access to information. Additionally, there have been attempts to limit the space for these key actors through introducing restrictive regulations without due consultations with relevant stakeholders.

The Government of Armenia shall

- put all efforts to timely and properly implement the measures planned by the national strategies supporting the anti-corruption agenda, effectively monitor and evaluate the undertaken reforms and introduce remedies to overcome challenges whenever and wherever necessary, accompanied with due communication to the public;
- reveal and address the major causes of public distrust in the government and anti-corruption institutions, considering the evidence of the administrative resource abuse, unethical behavior of high-ranking officials, unfair application of laws and policies and the selective justice, strategic communication failures, etc.;
- amend the Constitution, possibly through a parliamentary vote, at least to remove the stable majority rule, enhance the system of checks and balances, and improve the legal framework for parliamentary ethics;

- ensure adequate space for the civil society and media to investigate and reveal corruption, particularly through taking measures to improve the enabling environment for their work, including due access to information.

Target 16.4: By 2030, significantly reduce illicit financial and arms flows, strengthen the recovery and return of stolen assets and combat all forms of organized crime

3. Anti-money laundering

Armenia has been evaluated by multiple international bodies regarding its anti-money laundering and counter-terrorism financing efforts. Notably, the Financial Action Task Force (FATF) has recognized Armenia as largely complying with its recommendations still in 2018. The Basel Anti-Money Laundering Index of 2023 scored Armenia 4.72 on a scale of 1.00 (low risk) to 10.00 (high risk), which indicated a moderate risk level of money laundering and placed the country 98th among 152 countries. Armenia was not evaluated under the Financial Secrecy Index or Global Financial Integrity during the reporting period.

Armenia has taken steps to strengthen its anti-money laundering legislation through enhancing the identification and verification processes for politically exposed persons (PEPs) and beneficial owners. In particular, the circle of PEPs was expanded, provisions for exchange of information regarding suspicious transactions or business relations between members of the financial group were established, provision of information to the criminal prosecution bodies were subjected to additional regulations, other changes were made to eliminate the shortcomings appeared as a result of the application of the law. One of Armenia's notable achievements is the adoption of the Multilateral Competent Authority Agreement on the Automatic Exchange of Financial Account Information in 2023 and its plans to begin exchanges under the OECD's Common Reporting Standard by 2025.

The prosecution of anti-money laundering in recent years shows a fluctuating trend. The number of opened cases on money laundering against the reported suspicious transactions and business relationships by the Central Bank Financial Monitoring Center was 49 (out of 262 reported) in 2021, 65 (out of 254 reported) in 2022 and 38 (the total not published) - in 2023. For comparison, during the previous reporting period, there was not a single file opened for money laundering-related offences, though there were 280 reported suspicious transactions and business relationships according to the statistics for 2017.

Armenia's Anti-Corruption Strategy and its Action Plan for 2023-2026 focused on enhancing the integrity of business-state interactions and combating corruption includes ongoing adjustments to the legal framework in order to address any emerging or existing gaps in anti-money laundering and counter-terrorism financing efforts, improvement of mechanisms for identification of the beneficial owners of legal entities, which is critical for preventing money laundering, terrorism financing, tax evasion, and other illicit activities.

At the same time there emerged newer global challenges that need to be addressed. Those include the sanctions regimes imposed on Armenia's economic partners, such as Russia, and the risks of evasion of those through the Armenian banking system. Another challenge is the system of

cryptocurrencies as those may be used for hiding the bribery and embezzlement as well as used for money laundering and evasion of financial sanctions.

Along with implementing recommendations of FATF and OECD Global Forum on Transparency and Exchange of Information for Tax Purposes Peer Review Report 2024, the Government of Armenia shall

- ensure thorough investigation of money laundering cases revealed on the basis of the investigative journalists' findings on suspicious money flows both at a national or transnational scale;
- establish a robust system of financial monitoring and analysis along with other methods of oversight to prevent the abuse of the Armenian financial system for the evasion of sanctions and dirty money laundering;
- strengthen the regulatory framework for the use and control of cryptocurrencies and improve the systems of relevant institutions to reveal money laundering.

4. *Beneficial ownership transparency*

The latest data available for Armenia's Open Company Data Index is from 2014, where Armenia received 25 points out of possible 100, scoring 20 out of 20 for freely searchable basic data on companies and 5 out of 30 - for licensing. Despite significant changes in this area, these scores have not been updated.

Financial institutions are required to conduct enhanced due diligence in cases where their client is a foreign or a domestic politically exposed person (PEP), or a family member or close associate of a PEP. The law specifies that the bodies carrying out operative-investigative activities, as well as the public participants of the proceedings (e.g. prosecutor, investigator, head of the investigation body) should have access to beneficial ownership information. The RA legislation has established a complex of administrative and criminal sanctions for submitting false or incomplete data on beneficial owners.

In 2020, the electronic system of declaration of beneficial owners was launched and regulations for the exposure of beneficial owners became better aligned with international standards. First operated for the mining companies, the beneficial ownership register gradually was expanded to all other sectors and types of legal persons.

Armenia adhered to the Beneficial Ownership Data Standard (BODS) developed by the Open Ownership, which provides guidance for collecting, sharing, and using high-quality data on beneficial ownership. The country also makes use of the open source BODS visualisation library to create automatic diagrams of beneficial ownership networks.

Beneficial ownership data of companies is freely accessible on the website of the Ministry of Justice Agency for State Register of Legal Entities at <https://www.e-register.am>. Meanwhile, the general register of companies itself is outdated, not user-friendly and not searchable. Additionally, it is freely accessible only for journalists and media organizations, while for others it costs 3,000AMD (about 7.7 USD) per company. Visualized diagrams of beneficial ownership networks are available only for the big mining companies.

Despite significant reforms, there are still problems that prevent effective disclosure of beneficial ownership. The information on joint stock enterprises collected and maintained by the central depository of the Central Bank of Armenia has to be transferred to the State Register of Legal Entities, yet there are actual gaps in the published data. There are no reliable methods for verifying beneficial owner data and assessing the risk of entities required to declare such information. Neither is there a mechanism for the transparency of data listed in stock exchanges.

Armenia's Anti-Corruption Strategy and its Action Plan 2023-2026 plans to modernize the electronic system of the Ministry of Justice State Register of Legal Entities, ensuring its integration with the electronic system of beneficial owners, improvement of technical capacities and interoperability with other relevant electronic databases of state bodies as well as with international registers of companies, development and application of risk-based and analytical tools, etc. The strategy intends to establish a system of verification of the beneficial ownership data, and the creation of a unit within the State Register of Legal Entities to coordinate the process of beneficial ownership declaration and carry out the related administrative proceedings.

Though the anti-money laundering efforts of the Armenian government are largely in line with the international requirements, there are still a number of recommendations provided by the OECD Global Forum on Transparency and Exchange of Information for Tax Purposes Peer Review Report (2024), particularly targeting the definition of beneficial ownership, due diligence and verification of the identity of beneficial owners, monitoring of the enactive companies, etc.

Along with implementing its commitments under the Anti-Corruption Strategy and its Action Plan 2023-2026 and recommendations of the OECD Global Forum on Transparency and Exchange of Information for Tax Purposes Peer Review Report, the Government of Armenia shall

- ensure an effective mechanism for guaranteeing the transparency of beneficial owners of joint stock companies and companies listed in stock exchanges;
- develop mechanisms for due diligence measures and consideration of the beneficial ownership data in the decision-making on public contracting, including prevention of conflict of interest in cases of companies associated with politically exposed persons (PEPs);
- provide for free access to data of the State Register of Legal Entities, including to the diagrams of the beneficial ownership of all companies with complicated structures, so that to ensure due public oversight, participatory and effective data verification process.

5. Recovery of stolen assets

The issue of recovery of stolen assets became a priority following the Velvet Revolution of 2018 and Armenia adopted a Law on Confiscation of Property of Illegal Origin in April 2020. In line with international practices of civil forfeiture, this law sets the foundation for the investigation and confiscation of illicitly obtained assets, establishes clear procedural roles and international cooperation guidelines.

Since 2020, the Armenian government has taken concrete steps to strengthen its asset recovery institutions and capabilities. This includes the appointment of a dedicated Deputy General Prosecutor in September 2020 to oversee the confiscation of illegal assets, and the establishment of a specialized department within the Prosecutor General's Office.

Armenia has been active in international cooperation through membership in CARIN.NETWORK since November 2020, facilitating asset recovery operations internationally. The country was engaged in international groups, such as MONEYVAL and UNCAC's Asset Recovery Working Group, which highlights its commitment to global standards. This international involvement was complemented by the active submission of inquiries and requests internationally, helping track and manage assets across borders.

During 2023, the Department of Confiscation of Illegal Assets submitted 73 lawsuits to the RA Anti-corruption Court, all of which were accepted for proceedings, marking a significant rise from the total of 21 lawsuits submitted in 2022. The amount subject to confiscation in the lawsuits of 2023 reached approximately 384 billion AMD, compared to about 52 billion AMD in 2022. However, despite these efforts, no judicial decisions on the confiscation of property of illegal origin had been finalized by the end of 2023, highlighting a gap between legal actions initiated and their resolution.

Armenia's Anti-Corruption Strategy and its Action Plan for 2023-2026 emphasizes the further development of asset recovery methodologies, capacities and institutions. This includes enhancing the administrative processes related to confiscation and management of the seized assets, development of an integrated platform to ensure the active and secure exchange of information between the asset recovery specialists, intelligence units, investigative and prosecutorial authorities, enhancement of the country's engagement in international and transnational processes, etc.

Despite the structured legal framework and inserted efforts, Armenia faces challenges, particularly in the operational independence of its asset recovery department. The competence of the Department of Confiscation of Illegal Assets is restricted to the recovery of assets in civil proceedings. There are no specialised practitioners or entities responsible for the identification, tracing, or management of recovered assets in criminal corruption cases, as highlighted in the OECD report. Additionally, the country's confiscated and recovered assets management framework does not correspond to the principles of transparency and accountability.

Along with implementation of the Anti-Corruption Strategy and its Action Plan for 2023-2026 and OECD's Fifth Round of Monitoring Recommendations, the Government of Armenia shall

- improve the transparency and accountability of the stolen assets' confiscation and recovery processes, ensuring publicly available data on assets confiscated and placed in public (or trust) management that include at least information on their location, type, value, owners, new managers, income allocation, etc.;
- create a participatory model for the management of confiscated assets and allocation of income with consideration of revealed needs and proposals by relevant civil society actors.

6. *Fight against organised crime*

Armenia implements a major police reform, which in parallel with significant flaws has improved the public perception of this sector. The Caucasus Barometer survey of 2021/2022 showed that 20.6% of respondents fully trust or rather trust in Police, while 61.6% said they fully distrust or rather distrust. The International Republican Institute survey in December 2023 shows that 62% of respondents were very satisfied or somewhat satisfied with the work of the Police against 35% of very dissatisfied or somewhat dissatisfied.

The importance of changing the image of the police, increasing public trust in police officers, as well as reviewing their professional education was emphasized in public sector reforms launched by the Government in 2019. On December 16, 2022, the establishment of the RA Ministry of Internal Affairs marked the major step towards the reforms. The Police, along with the Migration and Citizenship Service, and Rescue Service fell under the jurisdiction of the new Ministry.

The so-called “criminal subculture” developed during soviet times still exists in Armenia, hence there were ongoing legislative efforts to criminalize this phenomenon and ensure a proactive stance of law enforcement bodies against organized crime in Armenia.

Despite the extensive reforms in the police force and the improved public perceptions, serious issues remain concerning the integrity of police officers and the prevalence of selective application of laws. Issues such as the persistence of the "criminal subculture," the ill-treatment of attorneys in police custody, and cases of excessive use of force against unarmed citizens indicate significant gaps in current practices. Furthermore, there is a lack of a dedicated anti-corruption policy specifically for the police, and no comprehensive ethics and integrity infrastructure in place. These issues have been highlighted by international organisations, such as the Committee of Ministers of the Council of Europe, Amnesty International, GRECO, etc.

In addition to effectively implementing the police reforms and recommendations of relevant international organizations, the Government of Armenia shall

- guarantee the robust integrity framework and measures within law enforcement agencies to effectively combat organized crime;
- ensure that criminal prosecution against representatives of "criminal subculture" or other persons is initiated without discrimination, adhering to the principles of impartiality and fair treatment.

7. *Arms trafficking*

Armenia ratified the Protocol against Illicit Firearms Trafficking in 2012, but has not signed or ratified the Arms Trade Treaty. TI's Government Defence Integrity Index 2020 highlights that while Armenia is not a major arms exporter, any arms export decisions are scrutinized through joint committee meetings as part of the national budgetary discussions.

Armenia has taken significant steps in enhancing the transparency and integrity within its defense sector. This includes the establishment of the RA Ministry of Defence Human Rights and Integrity

Building Centre (HRIBC), which engages in operational evaluations and methodological interventions concerning human rights abuses. HRIBC also coordinates with international organizations like NATO and the OSCE the training in integrity and anti-corruption. A noteworthy advancement is the statutory independence granted to the HRIBC by a 2019 Prime Minister's decree, ensuring that its activities cannot be arbitrarily suspended by the Minister of Defence. This structural autonomy is crucial for maintaining the integrity of its operations.

There are ongoing issues with asset disposal processes, particularly the lack of a clause for asset disposal control or audit regulations. While the transparency policies for non-secret disposals are in place, there is insufficient public disclosure regarding the financial outcomes of these disposals.

The customs service of Armenia has undergone significant modernization and technical enhancement in recent years, which contributed to a more effective customs operation, as evidenced by a sustained high level of smuggling detection over recent years. To bolster integrity and transparency, the State Revenue Committee of Armenia (SRC) has implemented a certification system for employees, ensuring compliance, capacity building and aligning compensation with their respective positions, which plays a critical role in promoting ethical practices and accountability within the customs and tax services.

According to the Strategy of SRC on the Development and Improvement of Administration 2020-2024, by 2025 the SRC will have modernized and technically upgraded customs subsystems. This will involve establishing expert laboratories, creating service centers with electronic and digital systems, reconstructing and modernizing customs points, and providing SRC customs bodies with essential X-ray, customs control, and operational intelligence equipment. Furthermore, there are plans to implement a contemporary human resource management system.

Yet, still in the customs service there is a significant dependency on physical inspections and manual checks, which create corruption risks and impede security and compliance in a situation of increasing international trade volumes and innovative smuggling trends. It also implies ineffective allocation of resources and decreased quality of customs administration.

Along with due implementation of 2020-2024 Strategy of the State Revenue Committee on the Development and Improvement of Administration, the Government of Armenia shall

- elaborate measures to improve the legal framework and practices of assets disposal decisions, processes and control as well as the public disclosure of non-secret disposals and of the financial outcomes;
- apply sophisticated risk profiling systems that compile comprehensive data from various sources, analyze patterns, discrepancies and anomalies in order to identify high-risk shipments and traders, reveal smuggling and other violations, predict long-term trends and future potential violations with consideration of increased trade and new international routes.

Target 16.5: Substantially reduce corruption and bribery in all their forms

8. *Experience and perceptions of corruption*

In 2023, Armenia scored 47 points on a scale of 0 (highly corrupt) to 100 (very clean), ranking 62nd out of 180 countries according to TI's Corruption Perceptions Index. During 2019-2020, the score had jumped by 14 points, from 35 reaching to 49. The growth stopped in 2021, and in 2022 it retreated for 3 points.

Public perception surveys have shown varying degrees of concern about corruption over the years. According to the survey conducted in December 2023, corruption was not listed in five most important issues faced in Armenia, as only 4% of respondents mentioned corruption as the main problem (in 2019 the percentage was 7%). Nevertheless, the data indicates deterioration of public trust in anti-corruption efforts of the government. In 2023, only 44 % of respondents mentioned that the government's fight against corruption has improved, while in 2019, 67% of respondents have answered positively to the same question. In 2023, 21% of respondents stated that the fight against corruption has decreased, while in 2019, only 4% have given such an answer.

Public skepticism about the sincerity and effectiveness of the government's anti-corruption efforts persists, with many feeling that actions taken are insufficient or insincere. This sentiment is reflected in the 2021 survey results, where evaluating the effectiveness of the government's fight against corruption, 50.9% considered it effective, and 45.8% - ineffective. Of the latter group 41.1% thought that the government is not sincere in its fight against corruption.

Although the anti-corruption agenda of the government is rather persistent, the lack of trust might undermine and affect the quality of anti-corruption reform. According to the experts' analysis of available data and expert observations, one major reason for the mistrust is the unequal reaction of state institutions towards the wrongdoings of members or associates of the ruling party and inadequate pursuit of law enforcement bodies in response to such exposures. Another one could be the abuse of administrative resources by the ruling political party during the local government elections. An additional reason for the distrust might be the lack of user-friendly information about the reforms, the work of the anti-corruption bodies and their results.

The Government of Armenia shall

- improve strategic communication of the anti-corruption reforms through increasing the volume of user-friendly information and providing platforms for feedback, wherever possible;
- ensure adequate reaction of corruption prevention and law enforcement bodies to the exposures of wrongdoings by the members and associates of the ruling political party at all branches and levels of the government, accompanying those with adequate public communication and feedback to relevant reporters, including mass media and CSOs;
- introduce targeted regulations to effectively prevent the abuse of administrative resource during the elections.

9. *Anti-corruption framework and institutions*

Throughout 2019-2023, the RA government completed the formation of the adopted anti-corruption institutions' architecture, consisting of specialized prevention and law enforcement bodies and the anti-corruption court system.

Corruption Prevention Commission (CPC), formed in late 2019 according to the Law on the Corruption Prevention Commission as an autonomous body, has a broad mandate to manage the system of declarations, to monitor and implement the rules of conduct of public officials, to check the integrity of candidates for certain positions of public service, to assess corruption risks in policies and institutions, etc. Additionally, CPC is authorized to develop corruption prevention programs and submit them for adoption by the RA Government, develop and implement educational and public awareness raising programs on issues related to the fight against corruption. In 2023, CPC was additionally given a mandate to oversee the political party finance.

Despite the wide functions described in the Law, there are shortcomings in the implementation, which is mostly attributed to resource limitations, turnover rate, professionalism of the staff, which obviously affects the performance. Particularly, the CPC has failed in the tasks of the supervision of the financial activities of parties, conduct of corruption risk assessments, anti-corruption education and awareness raising.

The formation mechanism of the Commission has been revised in 2021, switching from political appointments to a competition format in order to increase its professionalism and autonomy and to prevent political influence. Given the boycotts organized by the parliamentary opposition of sessions of the National Assembly, two of the members of CPC have been elected in accordance with the new procedure exclusively based on the votes of the ruling party, which had an impact on the perception of independence of CPC members. At the same time, there is a problem of filling in the positions of the Commission members because of lack of applications to take part in the competition. One major problem is the ban on CSOs to observe the competition of CPC members, organized by the commission appointed by the National Assembly. Neither is there a possibility to monitor the hiring of civil servants to various positions at CPC given the limitations of the Law on Civil Service.

The Audit Chamber is the main institution for the conduct of external oversight, which has a high level of operational independence, and the annual reports of the Chamber in the last years show quite a determined stance in implementation of its role. Meanwhile, the legislation on the Audit Chamber has significant shortcomings in both its design and execution. It lacks specific requirements and mechanisms for the monitoring of progress as a follow-up of the audit of relevant institutions. There are some controversies in the scope of audit, which diverge from the approved budget formats. Recommendations of the Audit Chamber are not clearly categorized, making it difficult to address priority issues systematically. There is a lack of communication and discussions with relevant stakeholders.

The specialised law enforcement entity responsible for combating corruption is the Anti-Corruption Committee (ACC), established according to the Law on the Anti-Corruption Committee adopted in March 2020, with a mandate to carry out pretrial criminal proceedings on alleged corruption crimes as well as conduct investigative activities. The ACC is meant to systematize the fight against corruption,

however there have been attempts to limit the scope of corruption crimes falling under the jurisdiction of the Committee and handing them over to other investigative bodies.

In 2023, the Anti-Corruption Committee demonstrated advancements in its operational efficiency compared to 2022, with a 53.1% increase in examined criminal proceedings, a 115.5% rise in completed proceedings, and nearly doubled the number of indictments issued and individuals charged. Despite the marked increase in its operational efficiency, with a significant rise in examined and completed proceedings, the focus remains predominantly on small-scale corruption involving low or mid-level officials, highlighting a need for a more expansive and inclusive approach to tackle corruption comprehensively.

There are concerns related to the appointment of heads and accountability of the law enforcement bodies on the executive, which is perceived as a risk for the independence of the Anti-Corruption Committee. This concern is reinforced by the observed selectiveness in initiating criminal cases against high-level officials, where the current ruling party members stay immune, while non-party members or representatives of the pre-revolution regime are pursued.

In November 2021, the Department for Supervision over the Legality of Pre-trial Proceedings in the RA Anti-Corruption Committee was established under the RA Prosecutor General's Office. All prosecutors of the Department are specialized in prosecuting corruption crimes. The mandate of the Department is the overseeing of the legality of the preliminary investigation carried out by the Anti-Corruption Committee and supporting the prosecution in court in these cases.

Armenia has created a specialized Anti-Corruption Court operated in three tiers: the first instance, appellate and the cassation court. In 2023, the Anti-Corruption Court received significantly more lawsuits, with the amount subject to confiscation being substantially higher compared to 2022. Nevertheless, by the end of 2023, no judicial decisions on property confiscation had been finalized.

As reported by international organisations, despite the legal guarantee of judicial independence, the courts in Armenia generally face systemic political influence, and judicial institutions are still undermined by corruption. Judges reportedly feel pressure to work with prosecutors to convict defendants, and acquittal rates are extremely low. There are concerns that the integrity checks of judicial candidates are not taken into consideration when making the appointments.

A new Criminal Code entered into effect in July 2022. Its provisions are largely in compliance with the UN Convention against Corruption (UNCAC) and identify offenses such as active and passive bribery, embezzlement and other diversion of property, trading in influence, abuse of functions, illicit enrichment, active and passive bribery in the private sector, laundering the proceeds of crime, concealment and obstruction of justice.

The Anti-Corruption Strategy and its Action Plan 2023-2026 intends to expand the scope of the functions of the CPC in coordinating the activities of legislative, judicial, prosecutorial, investigative, local government officials' codes of conduct, conflicts of interest, and other restrictions, public service ethics commissions, integrity officers in state and local government bodies, enhance the transparency and the significance of conclusions provided by the CPC to relevant authorities, strengthen the guarantees of the independence of the Anti-corruption Committee by revising the procedure of appointment of the head of the Committee and increasing the competitiveness, including

consideration of open contest, ensure merit-based and transparent selection and promotion procedures of judges, free from political interference on members of SJC and stricter criteria for the candidates, etc.

The Strategy on Judicial and Legal reforms intends to ensure the continuous development of court specialization and sub-specialization of judges, capacity, as well as integrity structures, improve the selection process for judicial candidates, provide the legal possibility to appeal the disciplinary decisions of the Supreme Judicial Council, ensure the building and logistical equipment of the Anti-Corruption Court, strengthen the integrity of investigators and prosecutors, etc.

In addition to the measures included in the Anti-Corruption Strategy and its Action Plan 2023-2026 and in the Legal and Judicial Reform Strategy 2022-2026, the Government of Armenia shall

- implement measures to guarantee the independence and merit-based selection of key leadership positions of anti-corruption institutions as well as judges;
- ensure the transparency and accountability of the process of selection/appointments/promotion/dismissal of lead officials (including judges) and the key staff of anti-corruption institutions as well as of relevant ethics and disciplinary proceedings, including through the provision for more effective public scrutiny;
- enhance the mechanisms for the Audit Chamber to properly oversee the public resources and services and ensure a requirement for the post-audit follow-up of recommendations by all relevant institutions;
- provide for the effective and independent work of anti-corruption institutions through securing all the necessary resources, including human, material and budgetary.

10. Private sector corruption

Armenian legal framework prohibits collusion and hard-core cartels under the Law on the Protection of Economic Competition and RA Criminal Code. The designated body enforcing the anti-collusion provisions is the Competition Protection Commission - an autonomous body that ensures the freedom of economic activity, an environment necessary for fair competition and the development of entrepreneurship, etc.

The bribery of foreign public officials is criminalized under Armenian legislation within the broader scope of any other bribery. The dedicated body responsible for investigation of allegations of bribery is the Anti-Corruption Committee. However, the official statistics on investigation of corruption offenses, published annually by the Prosecutor General's Office, does not include any separate information on foreign bribery cases. Thus, it is not possible to distinguish whether there are any foreign bribery cases and whether they are enforced.

The Competition Protection Commission does not have much practice in revealing anti-competitive measures in public procurement, though it is supposed to cooperate with the procuring entities in respect with violations of the Law on Protection of Economic Competition, including anti-competitive agreements, unfair competition, monopolistic or dominant position.

The Anti-Corruption Strategy and its Action Plan 2023-2026 emphasizes the need to establish a unified system of statistics of corruption crimes and to enhance the existing structures. The Strategy also highlights the urgent need to develop and improve the frameworks and mechanisms for the promotion of business integrity and tackling corruption related to the private sector, including the development of software and guidelines as well as capacity building for revealing offences that infringe competition. It also aims at improvement of integrity of businesses, transparency and accountability of state-owned enterprises, etc.

In addition to measures included in the Anti-Corruption Strategy and its Action Plan 2023-2026, the Government of Armenia shall

- insert efforts to strengthen jurisdiction and mechanisms of the Competition Protection Commission to properly enforce the anti-collusion and other relevant regulations to safeguard the economic competition in the public procurement;
- establish mechanisms for the promotion of integrity and transparency in the private sector, with an additional focus on companies that operate on the basis of public assets, such as natural resources.

11. Lobbying transparency

Currently, Armenia lacks specific regulations on lobbying. However, the Government's Anti-Corruption Strategy and its Action Plan for 2023-2026 highlighted the need to regulate transparency in dealings with lobbying organizations and individuals. By the end of 2025, a package of relevant legal acts will be developed, intended to clarify the conduct and communication of the interaction with the lobbying persons.

This activity contains some risks and needs to be dealt with caution not to follow the negative practice of other countries to end up with shrinking the space of civil society actors under the label 'agents of foreign influence'.

In process of implementation of measures planned by the Anti-Corruption Strategy and its Action Plan for 2023-2026, the Government of Armenia shall

- ensure that the transparency requirements and procedures for meetings and other interactions of public officials with different state and non-state actors do not affect the work and independence of civil society organizations and mass media representatives.

12. Party and election campaign finance transparency

Armenia's reforms in political and election finance transparency have not been included in the development of major international indices like the Global Integrity's Money Politics and Transparency.

Since 2020, Armenia has introduced several regulations to enhance the transparency and accountability of party and election finance. Notably, these include banning contributions from legal entities, banning cash transactions for political parties, and lowering the vote threshold for state funding of political parties to promote broader public support, financial audit of state-funded and

relatively well-off political parties, income and asset declarations for the members of governing bodies of political parties, etc.

The Corruption Prevention Commission is tasked with the responsibility for political party finance oversight, while the Central Electoral Commission's Oversight and Audit Service is in charge of supervision of election campaign-related revenues and expenditures. Currently there are ongoing discussions on the expediency of unification of the whole oversight function inside CPC.

Also there has been a proposal to amend the Electoral Code to limit the sources of funding of election campaigns to facilitate the oversight, which however was not welcomed by the CoE Commission for Democracy through Law (Venice Commission) and OSCE/ODIHR, taking into consideration that funding political parties is a form of political participation.

Despite legislative regulations, there are considerable challenges with the implementation of requirements, including inaccurate completion of financial statements and declarations by political parties as well as candidates running for elections. There are limitations in the current oversight mechanisms, inadequate enforcement and imposing of sanctions for violations, including ones revealed by elections observation CSOs and journalists. Of particular concern are the abuse of administrative resource and third party campaigns, funding of which is not included in the political party finance reports, hence distorting the actual funding of campaigns, affecting the competition and putting in question the legitimacy of elections.

The Anti-Corruption Strategy and its Action Plan for 2023-2026 contains a vaguely defined measure to ensure development of political party finance oversight and accountability mechanisms as well as the design and integration of a respective digital module within CPC's platform of income, assets and interests declarations, which might facilitate the analysis of the collected data and reveal the problems.

As part of the mentioned measure of the Anti-Corruption Strategy and its Action Plan for 2023-2026 as well as recommendations of the Venice Commission and OSCE/ODIHR, the Government of Armenia shall

- strengthen the rules for the adequate and detailed annual reporting of incomes, assets and expenditures by political parties and members of their governing bodies as well as the campaign-related reporting of political parties and individual candidates running for elections;
- ensure adequate oversight of political parties' finance, including the campaign funding, through improving the mechanisms for analysis and verification, pursuit of administrative or criminal liability for the misrepresentation or falsification of data provided in declarations and financial statements and other violations of law;
- establish robust mechanisms for the prevention of administrative resource use during elections by ensuring adequate and timely response by CEC, CPC and relevant law enforcement bodies;
- enhance the scope of the Law on Freedom of Information at least to political parties running for national or local elections.

Target 16.6: Develop effective, accountable and transparent institutions at all levels

13. Transparency and integrity in public administration

Armenian legislation largely covers provisions on transparency and integrity in public administration. The main body responsible for ensuring integrity of public administration is the CPC, in charge of oversight of a wide range of anti-corruption measures, including the regulation of asset, income and interest declarations and conflict of interest among public officials.

The system of declarations formed in 2019-2022 can be evaluated as effective. The range of declarants has been expanded to include family members residing in the same household. Along with assets and income, there is a requirement for declaring expenses and interests. The latter is declared by persons holding discretionary state positions and all public servants. In addition, both criminal and administrative sanctions are introduced for failing to provide declarations or for reporting false data in declarations, though the existing sanctions are not considered to be proportionate and dissuasive.

Still there are significant gaps in the legislation, which affect the effectiveness of transparency and integrity in public administration and its oversight. The Law on Public Service addresses the issue of the "revolving door", yet it does not apply to numerous relevant decision-making positions, such as MPs, judges, community leaders, council of elders members, heads of state-affiliated commercial organizations, and key officials in non-commercial entities with state and community involvement. The Law on Public Service introduces a one-year cooling-off period, however, it neglects to specify this requirement for a certain group of public servants, which result in inconsistencies in the application of standards across various sectors of public service. Additionally, the existing oversight mechanisms lack robustness, leaving gaps in the coverage of officials and compromising the enforcement of regulations. This undermines the capacity to identify and address instances of corruption or ethical breaches effectively.

A major problem concerns the integrity framework, particularly the CPC, the ethics commissions and integrity officers. CPC commissioners' integrity checks are done by CPC itself, which raises concerns over impartiality and independence. The Law on Public Service provides for establishment of ethics commissions for separate types of public services, convened based on the individual types of state service. Yet, there is not much public data on actual operation of such commissions. Also, the law mandates an appointment of integrity officers in state and local government institutions to ensure consultation on prevention of conflict of interest. Even if there are appointed persons for the mentioned positions, there is no publicly available data about their work. Research from 2020 suggests that the existing institutional setting for integrity is completely ineffective.

The Anti-Corruption Strategy and its Action Plan for 2023-2026 emphasizes the need to close these gaps by further expanding the scope of officials subject to declaration, enhancing the CPC's role in monitoring and enforcing these regulations; developing a methodology for the analysis of declarations and organizing the training of ethics commissions and integrity officers, etc.

Along with implementation of relevant measures within the Anti-Corruption Strategy and its Action Plan for 2023-2026, the The Government of Armenia shall

- develop mechanisms to ensure reasonable “cooling-off period” to ensure prevention of “revolving door” practices;
- ensure declaration of interests for the officials of all branches of government, including the persons holding discretionary state positions, such as heads of communities, members of the Council of Elders of communities with a population of 15,000 or more, heads of administrative districts of Yerevan, etc.;
- radically revisit the ethics and integrity infrastructures in different types of the public sector, including the National Assembly, aiming to ensure an operational and effective system to actually improve the conduct of public officials;
- ensure public and interactive accessibility of the electronic system of declarations to allow the users to search and retrieve the needed information from the content of declarations.
- apply integrity checks for civil servants and a requirement for them to declare their property, income, expenses and interests.

14. *Fiscal transparency*

Since 2021 Armenia is involved in the Open Budget Survey (OBS), conducted by the International Budget Partnership. Armenia's scores in 2023 OBS are Transparency - 60, Budget Oversight - 59, Public Participation – 11 (on scales from 0 to 100), reflecting a moderate level of transparency and oversight along with limited public engagement.

Despite the legal framework, there are gaps in the accessibility and usability of published budget data. Budgetary information is generally published in Armenia, including 7 out of 8 documents that are required to be produced and published. Those include the pre-budget statement, executive's budget proposal, enacted budget, in-year reports, year-end report and audit report, except for the mid-year review report. Yet, the publication of the citizens budget is not a legal normative requirement, but is rather regulated by the Prime Minister's order adopted per year on launching the budgetary process.

There is insufficient oversight of the budget by the National Assembly. In addition, the government has discretionary powers to significantly modify the budget and shift allocations approved by the parliament without due consultation with the latter.

International Budget Partnership report 2021 proposes improvements in the development and publication of budget documents, along with other recommendations to enhance citizens participation in the governance matters.

Additionally the Armenian government undertook commitments related to budget transparency and public engagement as part of its Open Government Partnership 5th Action Plan. Those include “Commitment 4: Introduction of participatory mechanisms in the budgeting process” and “Commitment 5: Introduction of "Participatory budgeting" at local level.”

Along with taking measures to implement recommendations of the International Budget Partnership report 2023 and implementing its commitments under OGP 5th Action Plan, the Government of Armenia shall

- develop and ensure due public engagement mechanisms in the monitoring of the government's strategies, budgetary programs and delivery of services;
- improve the budget transparency and participatory measures as well as budget monitoring mechanisms at the local level, ensuring conditions for due engagement of the citizens in the local governance matters.

15. *Public procurement and government contracting*

Armenia has established detailed regulations under the Law on Procurement, defining conditions under which single-source procurement is permissible. Despite robust legislative frameworks, the practice reveals huge numbers and apparent abuse of the method of single-source procurement, particularly through getting exceptions for the copyright or emergencies, or splitting the purchase into smaller lots to circumvent the thresholds. Many procuring institutions misinterpret the requirement of the law to select the least expensive bid, which entails the poorest quality of goods, works or service and provides an excuse for overriding the legal requirements and abusing the single source method.

Armenia has an electronic procurement system, which includes functionalities such as publishing full texts of contracts electronically and requiring disclosure of beneficial ownership for bids in competitive procurement procedures. However, these measures do not extend to all procurement methods, and single-source procurement remains less transparent. At the same time not all entities conduct e-procurement. There is no legislative requirement for applying machine-readable format, open data and open code in electronic procurement. The platform does not conduct analysis of deficiencies and corruption risks. Neither is there a monitoring procedure in place to assess the credibility of declarations on conflicts of interest and beneficial ownership in the procurement process.

One major shortcoming is that appeals shall be handled only through civil law regulations provided by Armenian Civil Code, whereas there is plenty of evidence that handling of many complaints requires application of criminal or administrative law.

Since 2019, the Armenian government has initiated a process of development of a new system of electronic procurement, and still the process is pending. In parallel, there are non-formal discussions on elaborating a new Law on Procurement.

The Anti-Corruption Strategy and its Action Plan for 2023-2026 aims to address a number of issues in the procurement sector through refining the electronic procurement platform, expanding the scope of electronic procurement and applying open data standards, preventing conflict of interest situations and engagement of high-ranking officials and their related persons in the relevant procurement processes, developing unified technical specifications for certain goods, improving the transparency of procurement, etc.

Additionally, the development of a new procurement platform is included in OGP 5th Action Plan "Commitment 8: Comprehensive system of electronic procurement: Improving the institute of beneficial ownership."

Along with implementation of the Anti-Corruption Strategy and its Action Plan for 2023-2026 and OGP Commitment 8, the Government of Armenia shall

- implement targeted measures to remove corruption risks throughout all stages of the procurement process (procurement planning, organization of procurement procedures, including development of technical specifications, signing of contract, contract execution and management), with particular consideration of risks associated with single source procurement, ownership of award-winning companies by the politically exposed persons and the conflict of interest in decision-making processes;
- ensure an effective and timely complaint procedure in place to guarantee the possibility of appeal throughout different stages of procurement, including the publication of technical specifications, selection of the method of procurement, contracting, implementation and completion/acceptance;
- enhance the system of disciplinary, administrative, civil and criminal liabilities for the possible breaches throughout the public procurement processes.

16. Whistle-blowing and reporting mechanisms

The whistle-blowing legislation amended in 2022 better aligned the system with international standards. The definition of whistleblowing is quite broad. Its scope covers both public and private sector whistleblowing cases, including both physical persons as well as legal persons. The Law on the Whistleblowing System provides for protective measures of the whistleblowers, including those considered as whistleblowers by mistake, from harmful actions or their consequences at the workplace. Protective measures, such as confidentiality and safeguarding against workplace retaliation, have been articulated in the law, providing a framework for rights protection within the workplace. Whistleblowers receive protection through Criminal Law and Administrative Law.

Nevertheless, there are serious challenges that prevent the whistleblowing from advancing in Armenia. Though the poor practice of whistleblowing is often attributed to the low awareness of citizens and various cultural aspects, such as a fear of being blamed for ‘snitching’ and trust in law enforcement institutions, the system is not actually ready to ensure adequate protection of whistleblowers, including from retaliation. The law restricts private sector employees from using internal whistleblowing channels. Whistleblowing through different channels of communication is treated differently and limits the protection of those that duly file a report of crime to law enforcement bodies. Whistleblowing by the former employee or a job candidate or a volunteer does not get protection remedies, while in a criminal case much discretion for applying protective remedies is left to the investigative body. Whistleblowers do not get the necessary free legal assistance. No comprehensive statistical data is collected on whistleblowing in order to analyze the trends and problems.

It is pressing for the government to address the shortcomings in the law prior to advertising the system, in order to be ready to effectively protect the whistleblowers and promote the whistleblowing practices based on actual success stories.

In response to these gaps, the Anti-Corruption Strategy and its Action Plan 2023-2026 aims to refine legal definitions and procedures further to enhance the whistleblower protection, improve the online

platform for anonymous reports, collect and analyze the statistical data, enforce the law for both public and private sectors, etc.

Along with implementation of relevant measures within the Anti-Corruption Strategy and its Action Plan for 2023-2026, the Government of Armenia shall

- improve the whistle-blowing system in the country with consideration of best practices, including enlargement of the scope of protected persons, improvement of channels and mechanisms of reporting, provision of adequate remedies and protection from retaliation of reporters and their related persons, clarification of jurisdiction of law enforcement bodies, provision of free legal aid to the whistleblowers, etc.;
- ensure centralized management of statistics for all forms of whistleblowing (internal, external, public, and via electronic platforms) by a designated state entity, incorporating data on protective measures and the outcome of actions, conducting due evaluation of trends and further improving the system.

Target 16.10: Ensure public access to information and protect fundamental freedoms, in accordance with national legislation and international agreements

17. Protection of fundamental freedoms

According to Freedom House's *Freedom in the World 2024* report Armenia received 54 out of 100 points, of which 23 points for Political Rights and 31 for Civil Rights. In 2020 Armenia scored 51, in both 2021 and 2022 - it scored 53. Since 2013, the country's "partly free" rating has remained unchanged.

According to "World Press Freedom Index 2023" by Reporters Without Borders, Armenia ranks 49th out of 180. In the last three years, Armenia's position in this index has undergone significant changes: in 2020 the score was 28.60, in 2021 - 28.83, in 2022 – 68.97 and in 2023 - 71.6.

Protection of fundamental freedoms is ensured by the legislation, however in practice violations by the state actors do take place, as reported by international and national organisations.

The Law on Mass Media has been changed in 2022 in order to strengthen media freedom, improve the transparency in media funding and hold media accountable for unverified sources. Yet, it also contained legislative provisions affecting the freedom of information and expression, that were not duly consulted with relevant stakeholders. Recent legislative developments, such as amendments to the Law on Freedom of Information, the Law on Legal Regime of Martial Law, and the new Law on State Secrets are alarming about inadequate government censorship and political interference into freedom of expression.

In 2022, the Armenian parliament passed an amendment to the Mining Code, defining civil disobedience and protests disrupting the mining process as a force majeure. This change permitted the extension of mining rights during such disruptions and even applied this clause retroactively. This amendment was criticized by the civil society actors as it undermined the citizens' ability and motivation to exercise their fundamental rights to uncover problems related to mining through

demonstrating collective dissent, thus infringing their constitutional rights to assembly and expression.

There are multiple strategic lawsuits against public participation (SLAPPs) against CSOs, activists and mass media initiated by businesses, including those, where the Armenian government is a shareholder. These SLAPPs are aimed to silence the criticism towards controversial mining practices, sometimes linked with corruption risks. Twenty-eight litigation cases are mostly on defamation and cumulatively demand compensation of about 38 mln Armenian Drams (about 100,000 USD). The cases remain unresolved for years.

The Government of Armenia shall

- take measures to guarantee that any changes to the legislation that might affect the fundamental freedoms of citizens or civil society groups are duly consulted with the relevant stakeholders to eliminate any possibility of subsequent tension;
- ensure that all attacks against CSOs, journalists, and individuals advocating or reporting on corruption are duly addressed by the law enforcement bodies in a non-discriminatory manner and the perpetrators, including the law enforcement representatives, are held responsible;
- ensure protection against the strategic lawsuits against public participation (SLAPPs) initiated by business entities against civic activists that criticize unlawful acts, including manifestations of corruption, and immediate withdrawal of cases by companies where the state is a shareholder.

18. *Access to information*

Armenia's "Right to Information Index" rating, last updated in 2011, is 102 out of possible 150, and it holds the 37th place among 140 countries. The Law on Freedom of Information has not changed since then.

In May 2022, Armenia ratified the Council of Europe Convention on Access to Official Documents, which provides minimum standards to be applied in the processing of requests for access to official documents, sets a strict framework for limitations on the right to information access and provides additional measures to fully enforce the legislative provisions, including the oversight of the access to information.

In September 2022, the parliament adopted amendments to the Code on Administrative Offenses, which set higher fines for information holders, aiming at safeguarding citizens' access to information. E.g. sanctions for failure to provide information have been raised from 10,000-50,000 AMD to 30,000-70,000 AMD, while the fines for the same violation repeated within a year were raised from 50,000-100,000 AMD to 100,000-150,000 AMD.

Generally, the amendments to the Law on Mass Media and initiatives to enhance media transparency, demonstrate Armenia's efforts to fortify the legal framework supporting freedom of information and media operations. Also, the amendments to the Law on Freedom of Information have aimed to standardize access to official documents and improve the procedural aspects of information requests.

At the same time there have been negative initiatives, which could negatively affect the freedom of information, accountability of the authorities to the public, and contribute to the increase of corruption risks. The problems of these initiatives and negative connotations were mostly conditioned with the fact of inadequate consultations with the civil society stakeholders. Controverses were related to the new Law on State Secrets and some amendments to the Law on Mass Media, as well as to the drafts of the Law on the Legal Regime of Martial Law, Law on Environmental Information, amendments to the Law on Freedom of Information, which were eventually withdrawn because of the criticism of CSOs.

There is no independent oversight body responsible for monitoring or supervising access to official documents and securing the public's right to information. Exceptions to the access to information in practice are not based on the application of the "harm test" or "public interest" test.

Armenia's OGP 5th Action Plan for 2022-2024 "Commitment 2: Legislative framework for data policy" entails development of the framework for the publicly accessible information and cybersecurity to protect critical information infrastructures. Under "Commitment 3: Self-Assessment system in the field of freedom of information" the government intends to set up a mechanism, which will include a unified system of collecting freedom of information statistics by the government.

The Public Administration Reform Strategy for 2023-2025 has established the provision of the necessary foundations essential for the full realization of the right to freedom of information. This includes developing and strengthening the legal and institutional framework to ensure that information is accessible and freely available to the public, implementing mechanisms that guarantee transparency and easy access to information held by public entities, creating systems that support and enforce the public's right to know, and ensuring that government operations are open and transparent.

Along with implementation of the Public Administration Reform Strategy for 2023-2025 and OGP 5+ Action Plan "Commitment 3: Self-Assessment System in the field of freedom of information" the Government of Armenia shall

- enhance the freedom of information legislation to expand the scope of entities to involve at least the state-owned enterprises, companies doing business on the basis of exploitation of public assets, such as natural resources, as well as political parties participating in elections;
- introduce a legal requirement to apply special "harm" and "public interest" tests to freedom of information exceptions so that the disclosure of information is only refused when it poses a risk of actual harm to a protected interest;
- develop mechanisms and institutions, as relevant, to ensure monitoring and oversight of citizens' access to information, management and publication of relevant data by various entities, including local government bodies, and continue the enhancement of the system;
- introduce deadlines for the judiciary for access to information litigations.

19. *Open government data*

Armenia has not been included in key international open data assessments like the Open Data Barometer and the Open Data Index by Open Knowledge International. However, domestically, several initiatives have been taken to enhance transparency and combat corruption.

Noteworthy initiatives of public bodies to automatically publish information lead to a conclusion that in general, Armenian legislation promotes open government. Such measures have been included amongst the commitments of OGP action plans over some years. More recent commitments include the promotion of the transparency of the beneficial ownership of companies in the procurement, expansion of the scope of asset, income, expenditure and interest declarations, official gifts, the spatial data, state funding of CSOs, budgets and similar areas. Yet, some challenges remain in non-machine-readable data formats, processing and verification capabilities.

Armenia's OGP 5th Action Plan for 2022-2024 "Commitment 1: Data policy legislation" aligns with the Public Administration Reform Strategy 2023-2025, which calls for a comprehensive data policy and an institutional data management system. It also corresponds with the objectives of the Government Program 2021–2026, focused on enhancing administrative information systems and the capabilities of official statistics through a unified data policy. The commitment will contribute to government transparency by setting clear regulations for the publication of state-held information and ensuring government compliance to open data principles.

The Public Administration Reform Strategy for 2023-2025 is set to revise and update its freedom of information rules to support an open data approach to handling information requests, avoiding excessive identification requirements.

The Government of Armenia shall

- Ensure that all official data is provided in state-run websites in "open data" and machine-readable formats to facilitate the public oversight and independent analysis of policy-related data, contributing to more substantial civic engagement in decision-making processes.

APPENDIX 1. QUESTIONNAIRE

Background

1. National SDG process

Indicator N	1.1
Indicator question(s)	Has the government taken steps to develop an SDG action plan on how to implement Agenda 2030 at the national level?
Response	<p>The SDG nationalization process started in Armenia in 2016. In July 2017, a National SDG Innovation Lab was established through a collaborative effort between the Government of Armenia and the United Nations.</p> <p>On April 22, 2020, the Government of Armenia adopted a decision N479-A on establishing the SDG Council giving it a mandate to outline SDG nationalization directions and priorities, to include those within the strategic programs, to coordinate and monitor the comprehensive implementation of SDGs by 2030. The SDG Council shall involve officials from the concerned state bodies and representatives from civil society organizations (CSOs) working in 7 SDG-related areas, including social affairs / labor, education, health, environment, human rights / justice, industry / innovation and engineering infrastructures, to be engaged in the council on the basis of rotation.</p> <p>Under the coordination of Deputy Prime Minister Mher Grigoryan's Office and with participation of all parties concerned, Armenia's 2020 SDG Voluntary National Review Report was elaborated and submitted to the United Nations. The report presented the initiatives of Armenia towards implementation of SDGs during 2018-2020. The document was prepared with the participation of state bodies, the UN Resident Coordinator's Office in Armenia, various UN agencies. Though the civil society organizations were invited to contribute, there is no data about their actual engagement.</p> <p>On September 21, 2020, the Prime Minister of Armenia Nikol Pashinyan presented Armenia's Transformation Strategy 2020-2050 which incorporated the ambitious agenda of the SDGs, based on three interrelated elements of sustainable development: economic growth, social cohesion and protection of the environment. The implementation of SDGs was included in the 2021-2026 Action Program of the RA Government, adopted on August 18, 2021.</p> <p>In October 2021, Deputy Prime Minister Mher Grigoryan and the UN Resident Coordinator in Armenia, Shombi Sharp, officially endorsed the 2021-2025 UN Sustainable Development Cooperation Framework (Cooperation Framework) for Armenia, the key strategic document that framed the further work of all UN agencies working in Armenia.</p> <p>Implementation of the agenda of SDGs is included in the 2021-2026 Action Program of the RA Government, formed after the parliamentary elections of June 2021.</p>

Source(s) of information	<ul style="list-style-type: none"> - https://www.arlis.am/DocumentView.aspx?docid=145094 - https://www.arlis.am/DocumentView.aspx?docid=145094 - https://www.arlis.am/DocumentView.aspx?docid=145094 - https://www.gov.am/en/news/item/10008/ - https://www.gov.am/en/Five-Year-Action-Program/ - https://www.gov.am/files/docs/4740.pdf - https://www.gov.am/files/docs/4586.pdf - https://www.gov.am/am/news/item/14115/?fbclid=IwAR3k2LCBBuMdejDZmiCArTMlQgW06nqgXo-clgb3CuyliNNUbR7CLKuJs - https://www.primeminister.am/en/press-release/item/2020/09/21/Nikol-Pashinyan-meeting-Sept-21/ - https://hlpf.un.org/sites/default/files/vnrs/2021/26318Armenia_VNRFINAL.pdf (page 44) - https://unsdg.un.org/sites/default/files/2021-10/UN-Armenia-Cooperation-Framework-2021-2025.pdf - https://armenia.un.org/en/130606-un-and-government-sign-new-2021-2025-un-sustainable-development-cooperation-framework - https://www.sdglab.am - https://hlpf.un.org/sites/default/files/vnrs/2021/20315Armenia_SDG_VNR_report.pdf
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Indicator N	1.2
Indicator question(s)	Which government body or bodies are in charge of the implementation of the national SDG implementation process and, in particular, concerning the implementation of SDG 16?
Response	<p>The governmental body responsible for the national SDG implementation process is the National Council for SDGs, chaired by the Deputy Prime Minister. The SDG Council was established on April 22, 2020, based on the RA Government adopted decision N479-A.</p> <p>There is no public information about the work of the SDG Council.</p>
Source(s) of information	<ul style="list-style-type: none"> - https://www.arlis.am/DocumentView.aspx?docid=145094

Indicator N 1.3	
Indicator question(s)	Has civil society been able to contribute to the selection of national indicators concerning SDG 16 and have there been any formal discussions about how anti-corruption targets will fit into the implementation of a national SDG plan?
Response	The 2021-2025 UN Sustainable Development Cooperation Framework is mentioned to be a result of a 14-month long consultation process with the Government of Armenia, other national partners, including civil society organizations, international finance institutions, development partners, private sector, academia, and international NGOs. However, there is no data to confirm the civil society actors' actual engagement, including in the selection of national indicators.
Source(s) of information	- https://armenia.un.org/en/130606-un-and-government-sign-new-2021-2025-un-sustainable-development-cooperation-framework

Indicator N 1.4	
Indicator question(s)	Has the development of national SDG implementation reports relating to SDG 16 been open and inclusive?
Response	<p>There is no special report on SDG 16, but a three page section is included in the VNR presented in 2020. Though the government issued an open call for the CSOs to contribute to the development of the report, there is no data on actual engagement and input of CSOs.</p> <p>For the development of VNR to be presented in 2024 there have been arranged national consultations with engagement of CSOs on March 5, 2024.</p>
Source(s) of information	<ul style="list-style-type: none"> - https://www.gov.am/am/news/item/14115/?fbclid=IwAR3k2LCBBuMdeijDZmiCArTMIIQgW06nqgXo-clgb3CuyliNNUbR7CLKuJs - https://www.sdglab.am - https://hlpf.un.org/countries/armenia - https://hlpf.un.org/sites/default/files/vnrs/2023/VNR%202024%20Armenia%20Letter.pdf

Indicator N 1.5	
Indicator question(s)	How do you assess the quality of the official assessment and the data provided in official implementation reports for targets 16.4, 16.5, 16.6 and 16.10?
Response	<p>The latest Voluntary National Review Report of Armenia (covering the period of July 2018-June 2020) was published in June 2020. The report contains a sub-chapter “Combating Corruption” consisting of one page of information on the anti-corruption reform program, international indices measuring corruption, statistical data on prosecution of crimes, amounts of money recovered and on public trust towards institutions.</p> <p>The information included in VNR is not sufficient, though for the time being it reflects the limited work of the government.</p>
Source(s) of information	<ul style="list-style-type: none"> - https://www.gov.am/am/news/item/14552/ - https://hlpf.un.org/sites/default/files/vnrs/2021/26318Armenia_VNRFINAL.pdf (page 44) - https://sustainabledevelopment.un.org/content/documents/26318Armenia_VNRFINAL.pdf (page 44)

Indicator N 1.6	
Indicator question(s)	Are there any salient corruption or governance issues which are omitted or not adequately addressed in the official national report?
Response	As mentioned above, the latest Voluntary National Review Report of Armenia from June 2020 does not contain sufficient information, but it reflected the limited work of the government in that period.
Source(s) of information	<ul style="list-style-type: none"> - https://hlpf.un.org/sites/default/files/vnrs/2021/26318Armenia_VNRFINAL.pdf (page 44)

2. General developments

Indicator N	2.1
Indicator question(s)	Has the country adopted a national anti-corruption action plan?
Scoring	 1: A national anti-corruption action plan has been adopted
Response	<p>The government of Armenia completed the Anti-corruption Strategy and Its 2019-2022 Implementation Action on December 31, 2022.</p> <p>On October 26, 2023 RA Government with its decision N1871-L adopted the Anti-corruption Strategy and Its 2023-2026 Implementation Action Plan.</p> <p>The recently adopted strategy marked the 5th anti-corruption policy cycle. The previous strategies were implemented during 2003-2007, 2009-2012 and 2015-2018, and 2019-2022.</p>
Source(s) of information	<ul style="list-style-type: none"> - https://www.arlis.am/DocumentView.aspx?docid=168051 - https://www.moj.am/page/583

Indicator N	2.2
Indicator question(s)	% of respondents state that their government performs “well” at fighting corruption in government, according to Transparency International’s Global Corruption Barometer
Response	<p>The last GCB was published in 2016 for Armenia. According to GCB 2016, 14 % of respondents stated that the government performs “well” at fighting corruption in government, according to Transparency International’s Global Corruption Barometer.</p> <p>According to International Republican Institute (IRI) polls conducted in October 2019, 67% of respondents thought the government’s fight against corruption has progressed. Results of December 2023 poll showed that 44% of respondents answered that the fight against corruption has improved a lot or somewhat improved during the last six months.</p> <p>Caucasus Research Resource Center (CRRC) Armenia’s Public Opinion Study on Corruption 2022 showed that the respondents are generally divided into two groups: 50.9% considers the government’s fight against corruption to be effective, while 45.8% considers it ineffective.</p>

Source(s) of information	<ul style="list-style-type: none"> - https://transparency.am/storage/GCB2016_Tables_am.pdf - https://www.iri.org/wp-content/uploads/2019/12/iri_poll_armenia_september-october_2019.pdf - https://www.iri.org/resources/public-opinion-survey-residents-of-armenia-december-2023/ - https://www.crrc.am/wp-content/uploads/2022/11/Research-Report_Corruption-in-Armenia_ENG_Final.pdf (page 30)
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Indicator N 2.3	
Indicator question(s)	Has your country's current political leadership made public declarations about fighting corruption in the past two years? Have there been high-level commitments by the current administration to strengthen the legal framework, policies or institutions that are relevant to preventing, detecting and prosecuting corruption?
Response	<p>Since the Velvet Revolution of 2018, the new leadership of Armenia continuously demonstrated its political will and commitment to fight against corruption.</p> <p>On December 6, 2023 Nikol Pashinyan announced in the National Assembly, that the greatest expectations of the people who implemented the revolution of 2018 - justice and the elimination of corruption - have not been fully realized. During his speech in the National Assembly, Pashinyan mentioned "I have to report with pain that the expectations continue to remain in their place, which means that they have not been realized at least fully. But what does this mean? Why are those expectations not fulfilled? Does it mean that the government has betrayed the principles and values of the revolution? As strange as it may seem, before answering this question, we must first answer another question. what is justice, how is it expressed or how should it be expressed? ... Our approach has been and remains the same: justice is decided in institutions that have the authority to establish justice and act on the basis of the law and the Constitution. justice is an institutional phenomenon, and my belief was and remains that what is not institutional cannot be justice."</p> <p>Other authorities also spoke about their intention to fight corruption. Thus, in September 2022, the Deputy Minister of Justice Yeranuhi Tumanyants, in charge of the anti-corruption reform, gave a speech at the meeting of the working group of the United Nations Convention against Corruption (UNCAC). The Deputy Minister emphasized that the fight against corruption is considered one of the most important priorities of Armenia and an important reform agenda is being implemented in this area. Moreover, the acting Minister of Justice Grigor Minasyan mentioned during a briefing with journalists in March 2023 that "The brand of our government is the fight against corruption".</p> <p>The government articulated its anti-corruption commitments through various policy initiatives. It particularly developed the legal and institutional framework necessary for the effective fight against corruption and along with strengthening the already existing Corruption Prevention Commission established the law</p>

	<p>enforcement setting, including the Anti-Corruption Committee, specialized departments within the General Prosecutor's office as well as specialized Anti-Corruption Court system, which are described in relevant sections of the report.</p> <p>The implementation of the national Anti-Corruption Strategy and its Action Plan 2019-2023 was followed by a more ambitious national Anti-Corruption Strategy and its Action Plan for 2023-2026. The latter envisaged 83 measures aiming at four directions: prevention of corruption, counteracting corruption, anti-corruption education and awareness raising and development of legal and institutional framework for ensuring business integrity. Additionally, the government has adopted a number of strategies that are linked to its anti-corruption that include Legal and Judicial Reform Strategy for 2022-2026, Human Rights Strategy for 2023-2025 and Public Administration Reform Strategy for 2022-2024 (in August 2023 modified and changed to a Strategy for 2023-2025).</p>
Source(s) of information	<ul style="list-style-type: none"> - https://www.arlis.am/DocumentView.aspx?docID=162791 - https://www.arlis.am/DocumentView.aspx?docid=181429 - https://foreignpolicy.com/2021/06/21/armenia-election-war-pashinyan-democracy/ - https://www.azatutyun.am/a/32716725.html - https://armenpress.am/arm/news/1125633.html - https://armenpress.am/arm/news/1106171.html - https://yerevan.today/all/politics/120113/mer-ishxanoutyan-brendy-koroupciayi-dem-payqarn-e-ardaradatoutyan-naxarar

Indicator N 2.4	
Indicator question(s)	Is there evidence that laws and policies are not equally applied to all officials, resulting in an increased risk for misuse of power and grand corruption?
Response	<p>In general, Armenia still has issues with selective justice, where laws and policies are not equally applied to all officials.</p> <p>The Freedom House in its Freedom in the World 2023 country report on Armenia mentions: " Relationships between politicians, public servants, and businesspeople have historically influenced policy and contributed to selective application of the law. High-level government officials are rarely investigated despite clear evidence of improper uses of their office. Though the government attempted to investigate past wrongdoings and fortify anti-corruption mechanisms after the revolution, those measures were significantly hindered by security challenges following the 2020 war ... Authorities apply the law selectively, and due process is not guaranteed in civil or criminal cases. Lengthy pretrial detention remains a problem, and the Armenian judiciary is largely distrusted by the public ... The raft of corruption investigations aimed at HHK elites and allies have prompted concerns about the ability of the country's judicial and investigative mechanisms to ensure fair application of the law."</p>

	<p>For instance, the brother of the Speaker of the National Assembly became a director in newly established companies, two of which deal with asphalt paving and concrete production. These companies began to actively participate in public procurement tenders becoming winners. Within one to two months during summer 2021, one of his companies won three major public procurement tenders.</p> <p>In addition, the Bertelsmann Transformation Index 2022 country report on Armenia notes: "There is a general consensus that the courts are still somehow devoted to the previous political regime, and that they suffer as much from lack of independence as from ongoing petty corruption. According to the U.S. Department of State Human Rights Report 2019, although citizens in Armenia have access to courts to file lawsuits seeking damages for alleged human rights violations, the courts are widely perceived as corrupt."</p> <p>Of particular concern have been the National Assembly's continuous failures to ensure political dialogue, proper oversight over the government and appropriate follow up with unethical behaviors of MPs, which was largely attributed to the political setting caused by the stable majority rule, the skewed system of checks and balances, and the failure to establish a parliamentary ethics committee which would review the cases of ethical breaches by MPs.</p>
Source(s) of information	<ul style="list-style-type: none"> - https://freedomhouse.org/country/armenia/freedom-world/2023 - https://bti-project.org/en/downloads?content=country&country=ARM - https://shorturl.at/qCIMW - https://www.azatutyun.am/a/31509846.html - https://medialab.am/200915/

Indicator N	2.5
Indicator question(s)	Have there been significant anti-corruption reforms or advances in the fight against corruption in the past two years?
Response	<p>There were significant initiatives undertaken in the past two years aimed at advancing and increasing the effectiveness of anti-corruption reforms.</p> <p>On March 24, 2021, the National Assembly passed a Law On Anti-Corruption Committee, a specialized anti-corruption investigative body that organizes and carries out the pre-trial criminal proceedings for alleged corruption crimes under its authority under the Criminal Procedure Code of the Republic of Armenia. It implements operative-intelligence activities within the framework of its powers in accordance with the Law on Operative-Intelligence Activities and exercises other powers defined by the law.</p> <p>Based on the order of November 16, 2021, the department for supervision over the legality of pre-trial proceedings in the RA Anti-Corruption Committee was formed by the RA Prosecutor General's Office.</p> <p>On April 14, 2021, the National Assembly adopted changes to RA Judicial Code, according to which the proceedings related to corruption crimes, civil cases</p>

	<p>initiated by claims for the protection of interests of the state on the basis of the Law on Confiscation of Illegally Originated Property have been submitted to the anti-corruption court. The latter, established in 2022, consists of 15 judges (10 specialized in corruption crimes, 5 specialized in corruption civil cases), who underwent integrity checking by the CPC.</p> <p>During 2021, the drafts of the new Criminal Code and Criminal Procedure Code of the Republic of Armenia were developed, and entered into force on July 1, 2022. With the new criminal code, some crimes of a corruption nature have been revised, bringing it in line with international standards. The new Criminal Code also established liability of legal persons for corruption offenses.</p> <p>In addition, the range of persons submitting the assets and income declarations was broadened through some amendments of the Law on Public Service. The content of declarations was detailed, the obligation to declare expenses and interests was added, etc.</p> <p>In October 2023, Armenia's 5th Anti-Corruption Strategy and its Action Plan for 2023-2026 was adopted through the Government Decree N 1871-L, as the 4th Implementation Action Plan for 2019-2022 expired on December 31, 2022.</p> <p>Along with the above mentioned advancements, there is a record of some deterioration in the anti-corruption framework. This is also evidenced by the results of the 2022 Armenia Corruption Perception Index, according to which Armenia has registered a decrease of 3 points. This indicator fixed that corruption remains a significant problem in many areas of the country, in particular, in the law enforcement system integrity, the independence of the judicial system and the protection of civic space, etc. In 2023 Armenia raised its score by 1 point, reaching 47 points on a scale of 0 (highly corrupt) to 100 (very clean), ranking the 62nd out of 180 countries. Considering that the standard error of the CPI measurement of Armenia for 2023 (2.54 point) is greater than the increase in the CPI value (1 point), it can be argued that this improvement is not statistically significant.</p>
Source(s) of information	<ul style="list-style-type: none"> - https://www.arlis.am/documentview.aspx?docid=173171 - https://www.arlis.am/DocumentView.aspx?DocID=153080 - https://www.moj.am/storage/files/pages/pg_7967694028641_AC_M-A_Report_final_2023-compressed_1_.pdf - https://www.moj.am/page/583 - https://www.transparency.org/en/cpi/2023/index/arm - https://transparency.am/hy/media/news/article/5049


Indicator N	2.6
Indicator question(s)	How do you assess the space for civil society and the media to investigate and highlight corruption risks and cases, and to demand accountability from the country's political and economic elite?
Response	<p>The polarization of the media as well as that of the society remains to be an important issue.</p> <p>As reported by Reporters without Borders: "Many media outlets are close to political leaders who came to power after 2018, while others remain faithful to former oligarchs. Only a handful of media demonstrate independence."</p> <p>In regard to Civil Society, Freedom House in its country report on Armenia (Freedom in the World 2023) mentions: "Outspoken NGOs operate in Armenia, most of which are based in Yerevan. These NGOs lack significant local funding and often rely on foreign donors. Despite this impediment, civil society was active in the 2018 protests, and has consulted with the government on policy matters, most notably on electoral, constitutional, and anti-corruption reform."</p> <p>In regard to media, the same report mentions: "In 2021, authorities imposed several new restrictions on media freedom, including limiting the free movement of journalists in the parliament and in parts of the Syunik region. In July of that year, the parliament criminalized the act of directing serious insults (defamation) toward officials and public figures. After significant outcry from journalists' associations and human rights organizations raising concerns that the law could be easily abused, the law was removed from the criminal code in July 2022."</p> <p>More comprehensive description about the situation of media in Armenia was provided by the Committee to Protect Freedom of Expression, which notes: "Authorities have not yet given up the malicious practice of adopting legislative amendments without consultations with specialized NGOs or the receipt of international expert opinions. This was the practice after which on May 25 the amendments and supplements to the provision on the accreditation of journalists in RA Law on Media were adopted, and on December 22, a draft of making amendments and supplements to the Law on the Legal Regime of the Martial Law was uploaded onto the e-draft.am official website... As compared with 2021, the number of lawsuits against media outlets and journalists halved, which, however, still remained quite high: 32 new cases were recorded. The majority of those cases, namely 30, were based on Article 1087.1 of the RA Civil Code that has to do with insult and defamation. And in 2 cases, media outlets acted as a third party within the lawsuits with TV companies against the Commission on Television and Radio. The lawsuits were triggered by the competitions organized by the latter as a result of which Armenian TV Channel 2 and Yerkir Media were not awarded licenses. However, the authorization as provided for by the Law on Audio-Visual Media lets them continue their activity and broadcast through cable or other technologies." 34 lawsuits for defamation and insult were filed against journalists and media outlets in 2023.</p>

	<p>The Reporters Without Borders mention that " Despite the decriminalisation of defamation and the implementation of legislation that guarantees the transparency of media ownership, the legal framework that regulates the sector does not sufficiently protect freedom of the press, nor does it follow European standards. Recent reforms have not resolved problems posed by disinformation and gag orders. Access to state-held information is limited by the government (refusal to respond, delays, etc.)."</p> <p>Furthermore, investigative journalists and CSOs frequently raise concerns about difficulties in accessing information and the pressures they face from officials.</p>
Source(s) of information	<ul style="list-style-type: none"> - https://freedomhouse.org/country/armenia/freedom-world/2023 - https://rsf.org/en/country/armenia - https://khosq.am/en/reports/annual-report-of-cpfe-on-situation-with-freedom-of-expression-and-violations-of-rights-of-journalists-and-media-in-armenia-2022/ - https://khosq.am/en/reports/annual-report-of-cpfe-on-situation-with-freedom-of-expression-and-violations-of-rights-of-journalists-and-media-in-armenia-2023/ - https://transparency.am/hy/media/news/article/5028


Target 16.4: By 2030, significantly reduce illicit financial and arms flows, strengthen the recovery and return of stolen assets and combat all forms of organised crime


Indicator 16.4.1:	Total value of inward and outward illicit financial flows (in current United States dollars)
Indicator 16.4.2:	Proportion of seized, found or surrendered arms whose illicit origin or context has been traced or established by a competent authority in line with international instruments.

3. Anti-money laundering


Indicator N 3.1	
Indicator question(s)	Has the country adopted a law to criminalize money laundering, in line with recommendation 3 of the Financial Action Task Force (FATF)?
Scoring	 0.75: Largely compliant
Response	According to the most current FATF evaluation, Armenia is largely compliant with recommendation 3 and has met all its criteria except the one that relates to criminal liability of legal entities. Yet, the new Criminal Code, entered into force on July 1, 2022 establishes liability of legal persons for corruption offenses. This provision entered into force on January 1, 2023.


Source(s) of information	<ul style="list-style-type: none"> - https://www.arlis.am/documentview.aspx?docID=153080 - https://www.fatf-gafi.org/content/dam/fatf-gafi/recommendations/FATF%20Recommendations%202012.pdf.coredownload.inline.pdf - https://www.fatf-gafi.org/en/publications/mutualevaluations/documents/assessment-ratings.html
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Indicator N 3.2	
Indicator question(s)	Has the government, during the last three years, conducted an assessment of the money laundering risks related to legal persons and arrangements, in line with Principle 2 of TI's "Just for Show?" report? Has the final risk assessment been published?
Scoring	 0.5: A risk assessment was carried out but only its executive summary has been published.
Response	In 2021, the Armenian government published the executive summary of the National Risks Assessment (NRA), conducted for 2017-2020. The measures for identifying, assessing, and understanding of ML/FT risks are in the focus of the Interagency Committee on Combating Money Laundering, Financing of Terrorism, and Financing of Proliferation of Weapons of Mass Destruction in the Republic of Armenia, evidencing the efforts by the Government of Armenia to build an effective AML/CFT system.
Source(s) of information	<ul style="list-style-type: none"> - https://cba.am/Storage/EN/FDK/News/NRA_ML-TF.pdf - https://images.transparencycdn.org/images/2015_G20BeneficialOwnershipPromises_EN.pdf


Indicator N 3.3	
Indicator question(s)	Are financial institutions (banks) prohibited by law from keeping anonymous accounts and are they required to undertake due diligence on their customers, in line with FATF recommendation 10?
Scoring	 1: Financial institutions are prohibited by law from keeping anonymous accounts; they are also required to undertake due diligence on their customers, in line with FATF recommendation 10.
Response	The RA Law on Anti-Money Laundering and Counter Terrorism Financing, Article 15 stipulates that, in Armenia, the opening of anonymous accounts or fictitious accounts is prohibited.


	As for due diligence, Armenia is largely compliant with FATF Recommendation 10 and, out of 20 criteria, Armenia meets all except for 10.12 and 10.20.
Source(s) of information	<ul style="list-style-type: none"> - https://www.arlis.am/documentview.aspx?docid=171907 - https://www.fatf-gafi.org/content/dam/fatf-gafi/recommendations/FATF%20Recommendations%202012.pdf.coredownload.inline.pdf - https://www.cba.am/Storage/EN/FDK/Evaluation%20Reports/mutual_evaluation_report_fifth_eng.pdf

Indicator N 3.4	
Indicator question(s)	Are financial institutions required by law to inform relevant authorities when they suspect (or have reasonable grounds to suspect) that funds are the proceeds of criminal activity, in line with FATF recommendation 20?
Scoring	 1: Financial institutions are required by law to inform relevant authorities when they suspect or have grounds to suspect that funds are the proceeds of criminal activity, in line with FATF recommendation 10.
Response	The legislation of Armenia is compliant with FATF recommendation 20. Articles 6 and 7 of the Law on Anti-Money Laundering and Counter Terrorism Financing have explicit requirements towards notifying suspicious transactions or business relationships.
Source(s) of information	<ul style="list-style-type: none"> - https://www.arlis.am/documentview.aspx?docid=171907 - https://www.fatf-gafi.org/content/dam/fatf-gafi/recommendations/FATF%20Recommendations%202012.pdf.coredownload.inline.pdf - https://www.cba.am/Storage/EN/FDK/Evaluation%20Reports/mutual_evaluation_report_fifth_eng.pdf, (page 140)


Indicator N	3.5
Indicator question(s)	Are designated non-financial businesses and professions (DNFBPs) – casinos, real estate agents, jewellers, lawyers, notaries, other legal professionals, accountants, and trust and company service providers – required to carry out customer due diligence, to keep records, and to report suspicious transactions to the financial intelligence unit, in line with FATF recommendations 22 and 23?
Scoring	 1: Designated non-financial businesses and professions by law are required to carry out customer due diligence, to keep records and to report suspicious transactions, in line with FATF recommendations 22 and 23.
Response	<p>DNFBPs are required to conduct customer due diligence, to keep records to report suspicious transactions. Armenia is in compliance with FATF recommendation 23 and is largely compliant with recommendation 22. In regard to recommendation 22 (DNFBPs customer due diligence), the only reason for being largely, rather than fully, in compliance is the partial implementation of requirement 22.3 that is linked with recommendation 12 on Politically Exposed persons (PEPs). In particular, “Armenia does not have any legislative measures relating to domestic PEPs or persons who are or have been entrusted with a prominent function by an international organization”. According to the amendments to the Law on Combating Money Laundering and Terrorism Financing from 30 June, 2021, legislative measures relating to domestic PEPs or persons who are or have been entrusted with a prominent function by an international organization have been added to the Law.</p>
Source(s) of information	<ul style="list-style-type: none"> - https://www.arlis.am/documentview.aspx?docid=154466 - https://www.cba.am/Storage/EN/FDK/Evaluation%20Reports/mutual_evaluation_report_fifth_eng.pdf, (pages 132, 140-141) - https://www.fatf-gafi.org/content/dam/fatf-gafi/recommendations/FATF%20Recommendations%202012.pdf.coredownload.inline.pdf

Indicator N 3.6	
Indicator question(s)	Does the law require financial institutions to conduct enhanced due diligence in cases where the customer or the beneficial owner is a PEP (politically exposed person) or a family member or close associate of a PEP?
Scoring	 1: Yes, financial institutions are required to conduct enhanced due diligence in cases where their client is a foreign or a domestic PEP, or a family member or close associate of a PEP.
Response	<p>The concept of “enhanced due diligence” is defined in Article 3 of the RA Law on Anti-Money Laundering and Counter Financing of Terrorism, stipulating that “in addition to the activities specified in the customer due diligence, it is also necessary to at least carry out current additional monitoring in case of a politically exposed person”.</p> <p>The definition of a PEP is also described in Article 3 of the Law and includes family members or close associate of a PEP.</p>
Source(s) of information	- https://www.arlis.am/documentview.aspx?docid=171907

Indicator N 3.7	
Indicator question(s)	Does the law require enhanced due diligence by DNFBPs in cases where the customer or the beneficial owner is a PEP or a family member or close associate of the PEP?
Scoring	 1: Yes, DNFBPs are required to conduct enhanced due diligence in cases where their client is a foreign or a domestic PEP, or a family member or close associate of a PEP
Response	<p>See response to Indicator N 3.6.</p> <p>The concept of “reporting persons” covers DNFBPs as provided in Article 3, point 4 of the Law.</p>
Source(s) of information	- https://www.arlis.am/documentview.aspx?docid=171907

Indicator N 3.8	
Indicator question(s)	Has the country signed the multilateral competent authority agreement on the exchange of country-by-country reports on key indicators of multinational enterprise groups?
Scoring	 0: No
Response	Despite the fact that Armenia has signed the multilateral competent authority agreement on January 27, 2016, by the end of 2023 the document has not been ratified. On October 5, 2023 the RA Government approved the initiative on adopting a Law on Ratifying the Multilateral Competent Authority Agreement on the Exchange of Country-by-Country Reports, which derived from the Strategy of the State Revenue Committee (SRC) on the Development and Improvement of Administration and the Activity Programme of the RA Government for 2021-2026.
Source(s) of information	<ul style="list-style-type: none"> - https://www.irtek.am/views/act.aspx?aid=123092 - http://www.parliament.am/drafts.php?sel=showdraft&DraftID=73096 - http://www.parliament.am/draft_docs8/K-731_05102023KV1693.pdf - https://www.e-gov.am/u_files/file/decrees/kar/2019/12/19_1830.pdf - https://www.oecd.org/tax/automatic-exchange/country-specific-information-on-country-by-country-reporting-implementation.htm

Indicator N 3.9	
Indicator question(s)	Has the country signed the competent authority multinational agreement on automatic exchange of financial account information?
Scoring	 1: Yes
Response	On 13 September 2023, the Armenian parliament approved the Law on the Ratification of the Multilateral Competent Authority Agreement on the Automatic Exchange of Financial Account Information (MCAA). The MCAA provides for the exchange of financial account information under the OECD Common Reporting Standard (CRS). Armenia intends to begin CRS exchange by 2025.
Source(s) of information	<ul style="list-style-type: none"> - http://www.parliament.am/legislation.php?sel=show&ID=8892&lang=arm - https://www.oecd.org/tax/automatic-exchange/international-framework-for-the-crs/crs-mcaa-signatories.pdf - https://www.oecd.org/tax/automatic-exchange/common-reporting-standard/

Indicator N 3.10	
Indicator question(s)	How is the jurisdiction's performance on the exchange of information for tax purposes on request assessed by the OECD's Global Forum on Transparency and Exchange of Information for Tax Purposes?
Scoring	 N/A: Not applicable or no data available.
Response	Armenia joined the Global Forum on Transparency and Exchange of Information for Tax Purposes in 2015. Although the first assessment of the legal and regulatory framework for transparency and exchange of information on request has been committed in 2024. The OECD's Peer Review Report (2024) assesses the legal and regulatory framework as of 24 November 2023. According to the report, "Armenia has a legal and regulatory framework that broadly ensures the availability of, access to, and exchange of relevant information for tax purposes, but that this framework requires improvement in the areas of availability, access and exchange of information."
Source(s) of information	- https://read.oecd-ilibrary.org/taxation/global-forum-on-transparency-and-exchange-of-information-for-tax-purposes-armenia-2024-second-round-phase-1_688ccd9d-en#page13

Indicator N 3.11	
Indicator question(s)	What is the country's score in the Basel Institute on Governance's Basel Anti-Money Laundering Index https://index.baselgovernance.org/ ?
Response	The Basel Anti-Money Laundering Index evaluates countries based on their risk of money laundering and terrorist financing. Each country is scored on a scale of 1.00 to 10.00, where lower scores indicate a lower risk of money laundering activities, and countries are ranked accordingly. In the 2023 Index, Armenia received a score of 4.72, placing it 98 th among 152 ranked countries. This ranking suggests that Armenia has a moderate level of risk compared to other nations, with 1 being the highest risk and 152 the lowest. In 2022 Armenia received 4.64 and held 89 th position among 128 countries.
Source(s) of information	- https://index.baselgovernance.org/ranking - https://datahelpdesk.worldbank.org/knowledgebase/articles/906519

Indicator N 3.12	
Indicator question(s)	What is the country's secrecy score in the Tax Justice Network's Financial Secrecy Index https://financialsecrecyindex.com/introduction/fsi-2018-results?
Response	Armenia is not included among the evaluated countries.
Source(s) of information	- https://fsi.taxjustice.net/

Indicator N 3.13	
Indicator question(s)	What is the estimated illicit financial outflow of funds from your country in the latest available year, according to Global Financial Integrity http://www.gfintegrity.org/issues/data-by-country?
Response	According to the study of Global Financial Integrity on Illicit Financial Flows from Developing Countries, during 2008-2017, more than 10 billion US dollars were taken out of Armenia, which is money obtained in an illegal way.
Source(s) of information	<ul style="list-style-type: none"> - https://gfintegrity.org/reports/ - https://gfintegrity.org/wp-content/uploads/2015/12/IFF-Update_2015-Final-1.pdf - https://gfintegrity.org/wp-content/uploads/2017/05/GFI-IFF-Report-2017_final.pdf - https://transparency.am/hy/publication/pdf/219/1323 - https://factor.am/1195.html

Indicator N 3.14	
Indicator question(s)	Is there evidence that money laundering is effectively prosecuted?
Response	<p>According to 2021-2023 statistics published by the Prosecutor General's Office, the cases of money laundering increased during 2022 (49 in 2021, 65 in 2022) and decreased in 2023 (38 cases).</p> <p>During 2023, 38 criminal proceedings were conducted, 1 of which was completed, 33 persons were sent to court with an indictment, of which 7 were in custody, 3 criminal proceedings were sent according to subordination, 22</p>

	<p>were joined, 48 criminal proceedings remained unfinished, and there are 7 persons under arrest in those proceedings.</p> <p>During 2022, 20 criminal proceedings were conducted, 2 of which were completed, 5 persons were sent to court with an indictment, of which 4 were in custody, 8 criminal proceedings were sent according to subordination, 5 were joined, 5 criminal proceedings remained unfinished, and there was no person under arrest in those proceedings.</p> <p>As for 2021, 22 case materials were prepared, of which 21 criminal cases were initiated. During 2021, 40 criminal cases were under the proceedings, of which only one case was completed and sent to the court with an indictment.</p>
Source(s) of information	- https://prosecutor.am/dynamicWebPages/report1

Indicator N 3.15	
Indicator question(s)	How many suspicious transaction reports did financial institutions and different types of DNFBPs file in the last two years for which data is available?
Response	<p>According to the Financial Monitoring Center of the Central Bank, in 2022, there were 254 reported cases of suspicious transactions and/or business relationships, with banks reporting 209 of those. The mentioned cases involved 350 citizens and 91 non-citizens, as well as 123 resident and 61 non-resident legal entities.</p> <p>In 2021, there were 262 reported instances of suspicious transactions and/or business relationships, with banks accounting for 224 of those cases. The mentioned cases involved 340 citizens and 111 non-citizens, as well as 172 resident and 111 non-resident legal entities.</p> <p>For the year before, in 2020, there were 253 reports of suspicious transactions and/or business relationships, with banks contributing 196 of these. The structure of these reports included 128 citizens and 27 non-citizens, as well as 64 resident and 66 non-resident legal entities.</p> <p>The data from 2020 to 2022 demonstrates a consistent pattern of reporting suspicious transactions and/or business relationships in Armenia, with a slight annual fluctuation in total reports. Over these years, banks consistently serve as the primary reporters of these activities, highlighting their critical role in the financial monitoring system.</p> <p>The reports show a significant increase in the number of suspicious activities involving resident natural persons, suggesting either an increase in such activities or improved detection capabilities. Worth to mention, that during the previous reporting period, there was not a single file opened for money laundering-related offences, though there were 280 reported suspicious</p>

	transactions and business relationships according to the Central Bank Financial Monitoring Center's statistics for 2017.
Source(s) of information	<ul style="list-style-type: none"> - https://www.cba.am/en/SitePages/fmcpublicannual.aspx - https://www.cba.am/Storage/AM/downloads/FDK/Annual%20Reports/2022%20FMC%20Annual%20Report_arm.pdf - https://www.cba.am/Storage/AM/downloads/FDK/Annual%20Reports/2021%20FMC%20Annual%20Report_arm%20.pdf - https://www.cba.am/Storage/AM/downloads/FDK/Annual%20Reports/2020%20FMC%20Annual%20Report_arm.pdf - https://www.cba.am/Storage/AM/downloads/FDK/Annual%20Reports/FMC_Annual%20Report_2017_arm.pdf


Indicator N 3.16	
Indicator question(s)	Have there been any noteworthy changes or developments in the past two years that indicate an improvement or deterioration in the framework or practice to prevent and fight money laundering?
Response	<p>Significant improvements took place in June 2021 with the amendment to the Law on Combating Money Laundering and Terrorism Financing. A number of articles in the Law were altered and amended, in particular,</p> <ol style="list-style-type: none"> 1. The circle of politically exposed persons, including a local high-ranking official, persons performing significant functions in international organizations, including their family members or persons closely related to them was expanded. 2. The process carried out by reporting persons for ascertaining the beneficial owner of a legal entity client, including identification and identity verification, was specified, according to the principle of sequence, based on the requirements of FATF Recommendation 10. 3. Provisions for exchange of information regarding suspicious transactions or business relations between members of the financial group were established. 4. The concept of "money transfer" has been provided, the concept of "preceding crime" has also been included, the concept of "trust" has been defined, with the introduction of regulations related to trusts, the concept of "proliferation financing of weapons of mass destruction" has been clarified, etc. 5. The relations related to the provision of information to the criminal prosecution bodies were subjected to additional regulation, including providing regulations on the basis of information exchange and the non-distribution of such information by the criminal prosecution bodies to third parties, as well as other changes due to the need to eliminate the shortcomings that appeared as a result of the application of the law. <p>However, there are new global challenges that need to be addressed. Those include sanctions imposed to Armenia's economic partners, such as Russia, that</p>


	entail risks of abusing the Armenian financial system in order to overcome the economic consequences. Another challenge is the cryptocurrencies, which may be used for hiding the bribery and embezzlement as well as used for money laundering and evasion of financial sanctions. As mentioned by the Central Bank of Armenia in its press release regarding crypto-assets, <i>"The Central Bank of RA closely monitors the developments in the field of "cryptocurrencies" and, analyzing international experience and studies, considers it necessary to warn that regardless of the type, prevalence and other characteristics, "cryptocurrencies" and the transactions made with them are highly risky ... The Central Bank of Armenia warns of significant risks and urges the public, including business entities, to abstain from activities such as exchanging or trading "crypto-assets," receiving payments in "crypto-assets," investing in "crypto-assets," or engaging in other related transactions."</i>
Source(s) of information	<ul style="list-style-type: none"> - http://www.parliament.am/drafts.php?sel=showdraft&DraftID=12298&Reading=0 - https://www.cba.am/storage/am/downloads/warnings/%D5%AF%D6%80%D5%AB%D5%BA%D5%BF%D5%B8%D5%A1%D5%AF%D5%BF%D5%AB%D5%BE%D5%B6%D5%A5%D6%80.pdf

4. Beneficial ownership transparency

Indicator N	4.1
Indicator question(s)	To what extent does the law in your country clearly define beneficial ownership?
Scoring	<p>1: Beneficial owner is defined as a natural person who directly or indirectly exercises ultimate control over a legal entity or arrangement, and the definition of ownership covers control through other means, in addition to legal ownership.</p>
Response	<p>According to Article 3, part 1, point 14 of the Law on Combating Money Laundering and Terrorism Financing, "beneficial owner" is a natural person on whose behalf or for whose benefit the client actually acts and/or who actually (in fact) controls the client or the person on whose behalf or for whose benefit the transaction is executed or the business relationship is established.</p> <p>"Beneficial owner" of a legal entity (except for a trust or other legal entity that does not have the status of a legal entity under foreign legislation) is a natural person who.</p> <ul style="list-style-type: none"> a. directly or indirectly owns 20 or more percent of the voting shares (shares, stakes) of the given legal entity or directly or indirectly has a 20 or more percent participation in the legal entity's statutory capital, b. exercises real (factual) control over the given legal entity by other means, c. is an official person carrying out the general or current management of the activities of the given legal entity in the event that there is no natural person meeting the requirements of sub-points "a" and "b" of this clause.

Source(s) of information	- https://www.arlis.am/documentview.aspx?docid=171907
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Indicator N 4.2	
Indicator question(s)	Does the law require that financial institutions have procedures for identifying the beneficial owner(s) when establishing a business relationship with a client?
Scoring	 1: Yes, financial institutions are always required to identify the beneficial owners of their clients when establishing a business relationship.
Response	<p>Article 16, part 2 of the Law on Combating Money Laundering and Terrorism Financing stipulates that Reporting entities should undertake customer due diligence, when:</p> <ol style="list-style-type: none"> 1. establishing a business relationship; 2. carrying out an occasional transaction (linked occasional transactions), including domestic or international wire transfers, at an amount equal or above the 400-fold of the minimal salary, unless stricter provisions are established by the legislation; 3. doubts arise with regard to the veracity or adequacy of previously obtained customer identification data (including documents); 4. suspicions arise with regard to money laundering or terrorism financing.
Source(s) of information	- https://www.arlis.am/documentview.aspx?docid=171907

Indicator N 4.3	
Indicator question(s)	Does the law specify which competent authorities (ex. financial intelligence unit, tax authorities, public prosecutors, anti-corruption agencies, etc.) have access to beneficial ownership information?
Scoring	 1: Yes, the law specifies that all law enforcement bodies, tax agencies, and the financial intelligence unit should have access to beneficial ownership information.
Response	<p>The relationship with the authorized body – the Financial Monitoring Center of the Central Bank with other bodies is regulated by Article 13, part 4 of the Law on Combating Money Laundering and Terrorism Financing. The mentioned provision stipulates: <i>“Upon the request of the bodies carrying out operative-investigative activities, as well as the public participants of the proceedings, the</i></p>

	<p><i>authorized body shall provide the information available at its disposal, including the confidential information defined by law, if the request contains sufficient justification regarding the suspicion or case of money laundering or financing of terrorism, or in relation to a suspicion or incident of a previous crime, which, in the opinion of the authorized body, may lead to money laundering. Such information is provided within a 10-day period, unless another period is specified in the request, or in the justified opinion of the authorized body, a longer period is not necessary to respond to the request.”</i></p> <p>Part 1 of the same Article stipulates that, in order to effectively implement the fight against money laundering and terrorist financing, the authorized body, in accordance with the procedure and within the limits provided for by this law, cooperates with other bodies, including those with supervisory and operational-investigative activities, as well as with public participants in the proceedings, by concluding bilateral agreements or without them.</p> <p>Thus, the financial intelligence unit (Financial Monitoring Center) is itself the holder of the information and, second, all relevant bodies can apply to it to receive relevant information.</p> <p>According to Article 60.3 of the RA Law on Registration of Legal Entities, a legal entity registered in the territory of the Republic of Armenia is obliged to submit a declaration regarding its beneficial owners to the Agency for State Register (Agency). The declaration of beneficial owners is subject to submission within 40 days from the moment of registration of the legal entity. In addition, in case of changes in the data on beneficial owners, they are subject to declaration after becoming known to the legal entity, immediately, but not later than within 40 days. Irrespective of the terms stipulated in the Article, by February 20 of each year, the legal entity is obliged to submit to the Agency:</p> <ol style="list-style-type: none"> 1. confirmation that the latest declaration submitted to the Agency on beneficial owners contains up-to-date information as of December 31 of the previous year, or 2. changed information on the beneficial owners of the legal entity. <p>Thus, the Agency for Registration of Legal Entities also collects information on beneficial ownership.</p> <p>Also, article 60.1 of the Law stipulates that the provisions on recording of information on beneficial owners by the Agency do not apply to legal entities registered by the Central Bank. Relations related to identification of beneficial owners of legal entities registered by the Central Bank, registration and ensuring the reliability of data are regulated by the legislation regulating the activities of these legal entities – the Law on Combating Money Laundering and Terrorism Financing.</p>
Source(s) of information	<ul style="list-style-type: none"> - https://www.arlis.am/documentview.aspx?docid=171907 - https://www.arlis.am/documentview.aspx?docid=172246

Indicator N 4.4	
Indicator question(s)	Which information sources are competent authorities allowed to access for beneficial ownership information?
Scoring	 1: Information is available through a central beneficial ownership registry/company registry.
Response	<p>The Financial Monitoring Center is in charge of cooperating with other authorities. Thus, the competent authorities, such as Law Enforcement Bodies, shall make all their information requests to this unit of the Central Bank. The scope of the information provided by inquiring authorities shall be based on the substantiation of a suspicion of money laundering or terrorism financing. Also, it should be mentioned that the State Registry of Legal Entities is accessible for state bodies. According to Article 60.5 of the RA Law on Registration of Legal Entities, the Agency carries out current control in order to ensure the reliability of information on the beneficial owners of legal entities. In carrying out the functions provided for in this Article, the Agency has the right to request and receive from the state and local self-government bodies information related to the legal entities with the duty to submit a declaration on the beneficial owners, including tax and customs secret information. In case of discovering apparent characteristics of an act prohibited by the Criminal Code of the Republic of Armenia while performing the functions provided for in this Article, as well as if in case of doubts regarding the credibility of the information the legal entity does not submit the due diligence documents underlying its declaration at the request of the Agency, or they are not sufficient to dispel the doubts, the Agency sends it to the Prosecutor General's Office within a three-day period, accepting a decision to suspend the administrative proceedings.</p>
Source(s) of information	<ul style="list-style-type: none"> - https://www.arlis.am/documentview.aspx?docid=171907 - https://www.arlis.am/documentview.aspx?docid=172246

Indicator N 4.5	
Indicator question(s)	Which public authority supervises/holds the company registry?
Response	<p>The company register is maintained by the Agency for State Register of Legal Entities of the Ministry of Justice of Armenia.</p> <p>Information about the joint stock companies is held by the Central Bank. Though it is supposed to pass the beneficial ownership information to the State Register of Legal Entities, in practice the data transfer and availability is not ensured for all the companies.</p>

Source(s) of information	<ul style="list-style-type: none"> - https://www.arlis.am/documentview.aspx?docid=170567 - www.e-register.am
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Indicator N 4.6	
Indicator question(s)	What information on beneficial ownership is recorded in the company registry?
Scoring	<p>● 1: All relevant information is published online: name of the beneficial owner(s), identification or tax number, personal or business address, nationality, country of residence and description of how control is exercised</p>
Response	<p>According to Article 60.3 of the RA Law on State Registration of Legal Entities, there are certain data that must be included in the declaration:</p> <ol style="list-style-type: none"> 1. regarding the person submitting the declaration on behalf of the legal entity (name, surname and position); 2. regarding listing of shares of a legal entity or allowing trading on the regulated market; 3. regarding the listing of the shares of the legal entity that fully controls the legal entity, regarding the legal entity with listed shares (state registration data of the legal entity and the name and surname of the head of its executive body), as well as regarding the participation volumes of such a legal entity; 4. regarding the volume of participation of the state, community or international organization in the statutory capital of a legal entity; 5. regarding the beneficial owners of the legal entity (name, surname, citizenship, date of birth, identity document data, social security number, place of residence (registration), means of communication, if available, date of becoming a beneficial owner); 6. regarding the grounds of being a beneficial owner of a person and on controlling a legal entity separately or jointly with a natural or legal entity affiliated with it; 7. regarding intermediate legal entities (state registration data of the legal entity and the name and surname of the head of its executive body). <p>In addition, the Order of the RA Minister of Justice from August 31, 2021 N 416-N, "On approval of the form of declaration on beneficial owners of legal entities, the procedure for its completion" defines the main provisions regarding the form of the declaration on beneficial owners and the procedure for completing, submitting and approving the declaration on beneficial owners.</p>
Source(s) of information	<ul style="list-style-type: none"> - https://www.arlis.am/documentview.aspx?docid=170567 - https://www.arlis.am/DocumentView.aspx?DocID=155465

Indicator N	4.7
Indicator question(s)	What information on beneficial ownership is made available to the public?
Scoring	<p>● 1: All relevant information is published online: name of the beneficial owner(s), identification or tax number, personal or business address, nationality, country of residence and description of how control is exercised.</p>
Response	<p>Beneficial ownership data as well as other data on companies is accessible on the website of the MoJ Agency for State Register of Legal Entities at https://www.e-register.am. It is free of charge for journalists and media organizations, meanwhile of others it has a price of about 7.7 USD (3,000AMD) per company. Additionally, Armenia has adopted the Beneficial Ownership Data Standard (BODS) developed by the Open Ownership, which provides guidance for collecting, sharing, and using high-quality data on beneficial ownership. The country also makes use of the open source BODS visualisation library to create automatic diagrams of beneficial ownership networks, which are available for the large mining companies only.</p> <p>Although, as mentioned in the OECD Baseline Report of the Fifth Round of Monitoring of Anti-Corruption Reforms in Armenia, <i>“Information about the beneficial owners ... is published in machine-readable format (JSON) and is searchable ... Through the information system without paying a state fee, the following are available from the Agency's official website: the name and surname of the legal entity's beneficial owner, the beneficial owner's citizenship, the date of becoming a beneficial owner, the grounds for being the beneficial owner of a legal entity.”</i></p> <p>Information about the joint stock companies is not always available on the Register of Legal Persons. Neither there is transparency of the share owners of companies listed in the Armenian stock exchange.</p>
Source(s) of information	<ul style="list-style-type: none"> - https://www.e-register.am - https://www.e-register.am/en/companies/1340197/declaration/c51e08a7-6fdb-4ab7-a55c-c74a68a8f54c?diagram=1 - https://doi.org/10.1787/fb158bf9-en (page 75) - https://www.openownership.org/en/topics/beneficial-ownership-data-standard/ - https://www.openownership.org/en/publications/beneficial-ownership-data-standard-visualisation-library/

Indicator N 4.8	
Indicator question(s)	Does the law require legal entities to update information on beneficial ownership, shareholders, and directors provided in the company registry?
Scoring	● 0.75: Yes, legal entities are required to update the information on beneficial ownership or directors/shareholders within 30 days after the change
Response	<p>Article 60.3 of the Law on State Registration of Legal Entities, part 4 and 5 stipulate that in case of changes in the data on beneficial owners, they are subject to declaration after becoming known to the legal entity, immediately, but not later than within 40 days. Irrespective of the 40-day period, by February 20 of each year, the legal entity is obliged to submit to the Agency:</p> <ol style="list-style-type: none"> 1. confirmation that the latest declaration submitted to the agency on beneficial owners contains up-to-date information as of December 31 of the previous year, or 2. changed information on the beneficial owners of the legal entity.
Source(s) of information	- https://www.arlis.am/documentview.aspx?docid=170567

Indicator N 4.9	
Indicator question(s)	Is there a registry which collects information on trusts?
Scoring	● 0.5: Yes, there is a registry of trusts, but information available to the public is not sufficient to identify the beneficiaries/beneficial owners.
Response	<p>The institute of trust was introduced in the RA legislation since 2021. The Law on Combating Money Laundering and Terrorism Financing stipulates the definition of the trust which is an organization with the status of a legal entity under foreign law or another legal entity that does not have the status of a legal entity, where the manager of the trust, on the basis of fiduciary obligations, performs transactions related to the property transferred to him by the founder of the trust with the right of ownership, for the benefit of the beneficiary of the trust. According to Article 16 of the Law, in the case of clients who are a trust or other legal entity that does not have the status of a legal entity under foreign law, the person providing the report must have full information about its founders, managers, beneficiaries (including the class of beneficiaries), the protector of interests in order to identify the beneficial owner of the client and to verify his</p>

	identity by taking reasonable steps. (if any) and other natural person exercising real (actual) control or person exercising similar functions and their powers.
Source(s) of information	<ul style="list-style-type: none"> - https://www.arlis.am/documentview.aspx?docid=171907 - www.e-register.am

Indicator N 4.10	
Indicator question(s)	What is the country's score in the Open Company Data Index produced by Open Corporates http://registries.opencorporates.com ?
Response	The latest data of the Open Company Data Index available for Armenia is from 2014, where Armenia received 25 points out of a possible 100. The index scores countries across 6 categories: freely searchable basic data on companies; open license; free availability of data; publicly available data on directors; annual accounts; data on shareholders. Armenia only got points for the 1 st and 2 nd category: freely searchable basic data on companies and licensing. Armenia received 20 points out of a possible 20 for the "Freely searchable data" indicator, which means that it is possible to search basic data about the organization, and 5 points out of a possible 30 for "Licensing", where 5 points are awarded for "No Licensing". Although the situation has changed since 2012, the score has remained the same.
Source(s) of information	- http://registries.opencorporates.com/jurisdiction/am


Indicator N 4.11	
Indicator question(s)	How strong is the level of transparency of the company registry in practice?
Response	<ul style="list-style-type: none"> a. The company registry is accessible on the official website of the MoJ Agency for State Register of Legal Entities at https://www.e-register.am. It is searchable by such parameters as the name of the company, names of executives and founders of the company. In the free version of the registry there is access only to the names of the founders of legal entities. The register itself is old and it is not user-friendly, particularly in terms of the search engine. b. It is free of charge for journalists and media organizations, while for others it has a price of about 7.7 USD (3,000AMD) per company. c. It is not mandatory to share companies' annual accounts and other fillings.

	d. Registration is required for the entity to be legally valid and/or allowed to operate in the country.
Source(s) of information	<ul style="list-style-type: none"> - https://www.arlis.am/documentview.aspx?docid=172246 - www.e-register.am

Indicator N 4.12	
Indicator question(s)	Have there been any developments in the past two years that indicate an improvement or deterioration of the transparency of corporations and other legal entities?
Response	<p>In 2020, the electronic system of declaration of beneficial owners was launched. Starting from March 2021, legal entities with an obligation to submit a declaration on beneficial owners submit their declarations via electronic system.</p> <p>Starting from June 2021 the regulations for the declaration of beneficial owners were more aligned with international standards and the scope of legal entities with the obligation to submit a declaration on beneficial owners was expanded. In addition to legal entities operating in the extractives sector, which was mandated within the scope of Armenia's commitments under the Extractive Industries Transparency Initiative (EITI), the duties to submit declarations were established for legal entities operating in the regulated sphere of public services, as well as providing audiovisual media services from September 1, 2021, for all other legal entities, except for limited liability companies with only natural person participants - from January 1, 2022, and for limited liability companies with only natural person participants and non-commercial organizations - from January 1, 2023.</p> <p>The form of the declaration regarding the beneficial owners was approved by the order of the Minister of Justice of the RA dated August 30, 2021 N 416-N.</p> <p>For submitting false or incomplete data on beneficial owners, the RA legislation has established a complex of administrative and criminal sanctions. The Law on the State Registry of Legal Entities stipulates that in case of non-fulfilment of the duty to submit the declaration for three years in a row, or in case of multiple or gross violations, the State Register may apply to the court with the request to liquidate the legal entity. In the field of mining, in addition to the above, other sanctions are also defined, up to depriving the right to subsoil use.</p> <p>Although there has been some progress in this field, significant gaps remain, as outlined and targeted within the Anti-Corruption Strategy and its Action Plan for 2023-2026. Key issues include the lack of effective systems for verifying information on beneficial owners and a clear methodology to assess risks posed by legal entities responsible for declaring these owners. Additionally, technical regulations have not been implemented, and there is ineffective oversight over the accuracy of information about actual beneficiaries. The definition of "beneficial owner" also varies across different sectoral legal acts, necessitating</p>

	standardization. Moreover, the electronic operating system of the state register does not have the technical capabilities for data processing, analysis, search, automatic sending of notifications, red flagging of legal entities according to risk criteria, generating analytical data, and introducing innovative tools for generating open "bulk" data. Effective mechanisms for verifying the credibility of beneficial ownership data are also missing. This hinders automatic data access and international cooperation.
Source(s) of information	<ul style="list-style-type: none"> - https://www.arlis.am/documentview.aspx?docid=171907 - https://www.arlis.am/documentview.aspx?docid=170567 - https://www.arlis.am/DocumentView.aspx?DocID=155465 - https://www.arlis.am/DocumentView.aspx?DocID=153080 - https://www.arlis.am/documentview.aspx?docid=178025 - https://moj.am/storage/uploads/1871.1.pdf (page 63) - https://bo.e-register.am/am/auth - https://www.eiti.org - https://www.openownership.org/en/blog/upscaling-the-use-of-beneficial-ownership-data-in-armenia/ - https://www.openownership.org/en/map/country/armenia

5. Recovery of stolen assets

Indicator N	5.1
Indicator question(s)	Does the country have a specific asset recovery policy?
Scoring	 1: A comprehensive asset recovery policy is in place.
Response	<p>The main provisions on asset recovery policy are established in the RA Law on Confiscation of Property of Illegal Origin from April 16, 2020. The law regulates the issues related to the confiscation of property of illegal origin, defines the grounds for starting an investigation, the scope of competent bodies to initiate and conduct investigation, the rules of international cooperation. The Anti-corruption Strategy and its Action Plan for 2023-2026 also established key guidelines for further development of asset recovery institutions in Armenia.</p> <p>On April 19, 2019 the Prime Minister of Armenia, Nikol Pashinyan, gave a comprehensive speech on the subject of confiscation of property without indictments within the framework of the fight against corruption. He mentioned the importance of moving the fight against corruption in the Republic of Armenia from the declarative level to the institutional level.</p>
Source(s) of information	<ul style="list-style-type: none"> - https://www.arlis.am/documentview.aspx?docid=168414 - https://www.moj.am/storage/files/pages/pg_7967694028641_AC_M-A_Report_final_2023-compressed_1_.pdf - https://moj.am/storage/uploads/1871.1.pdf - https://www.azatutjun.am/a/29891849.html - https://mediamax.am/am/news/parzabanum/33225

Indicator N	5.2
Indicator question(s)	Has the country established a wide range of asset recovery mechanisms, including a) measures that allow for the seizure and confiscation of proceeds from money laundering without requiring a criminal conviction (non-conviction based confiscation), b) a policy that requires an offender to demonstrate that the assets were acquired lawfully, and c) the recognition/enforceability of foreign non-conviction based confiscation/forfeiture orders?
Scoring	<p>● 1: The country has adopted measures that allow for non-conviction based confiscation and/or measures that shift the burden of proof that assets were acquired legally on the offender, as well as a mechanism that allows for the recognition and enforcement of foreign non-conviction based confiscation orders</p>
Response	<p>Article 22 of the Law on Confiscation of Property of Illegal Origin stipulates that the court may make a judgment based on the presumption of illegal origin of the property, if as a result of the investigation of the case, the plaintiff can demonstrate that the defendant's property - whether a single item, multiple items, or part of an item - cannot be accounted for by legally obtained income, supported by relevant evidence.</p> <p>The defendant, from his/her side, can rebut the presumption of illegal origin of the property by presenting evidence justifying the acquisition of the property with legal income.</p> <p>One of the grounds for the competent authority (the Department for Confiscation of Property of Illegal Origin) to start examination on illegal nature of property, is listed in Article 5 of the Law, occurs when the data obtained within the framework of the confiscation of property of illegal origin, provides sufficient grounds to suspect that the official or a person related to him owns property of illegal origin. On the basis of the conclusion regarding the results of the study, the competent authority can submit a claim to the court of first instance on behalf of the Prosecutor General's Office of the Republic of Armenia (article 20).</p> <p>According to part 3 of Article 5 of the Law, investigation can also be initiated based on the presence of an indictment issued by a foreign court, if it has been recognized in the Republic of Armenia.</p> <p>Articles 28 and 29 address the recognition and enforceability of foreign non-conviction-based confiscation and forfeiture orders, without specifying details about the nature of foreign judgments.</p>
Source(s) of information	- https://www.arlis.am/documentview.aspx?docid=168414

Indicator N 5.3	
Indicator question(s)	Has the country created a specialized asset recovery team or unit?
Scoring	<p>🟡 0.5: There is a team, unit or agency that specializes in asset recovery and the legal framework provides either sufficient political independence or sufficient resources to carry out its responsibilities</p>
Response	<p>On September 1, 2020, the Prosecutor General of the RA issued an order appointing a deputy of the Prosecutor General of RA coordinating the field of confiscation of property of illegal origin, and on September 3, 2020, the Department for Confiscation of Property of Illegal Origin was established within the Prosecutor General's Office.</p> <p>Taking into account the fact that it is a structural department within the respective institution, it does not have an independent budget for committing its duties more effectively.</p> <p>As mentioned in the OECD Baseline Report of the Fifth Round of Monitoring of Anti-Corruption Reforms in Armenia, <i>“According to the authorities, the identification and tracing of criminal proceeds in corruption cases is conducted by the Anti-Corruption Committee. However, benchmarks of this indicator require that there is a dedicated body, unit or group of specialists to perform these functions. It means that there should be an agency, a unit within the agency, or specialized staff that deals exclusively with these functions and does not perform other duties. No such agency, unit, or specialists exists in Armenia – neither for the identification and tracing of criminal proceeds nor for the management of seized and confiscated assets.”</i></p>
Source(s) of information	<ul style="list-style-type: none"> - https://prosecutor.am/dynamicWebPages/report2 - https://www.moj.am/storage/files/pages/pg_7967694028641_AC_M-A_Report_final_2023-compressed_1_.pdf, page 264-265 - https://doi.org/10.1787/fb158bf9-en (page 137-138)

Indicator N 5.4	
Indicator question(s)	Is there evidence of a strong political commitment to promoting asset recovery?
Response	<p>On March 1, 2019, the Prime Minister issued a directive to establish a task force that included representatives from various state agencies. This task force was to develop and submit a legislative package that aligns with the basic human rights and freedoms enshrined in the Constitution of Armenia.</p> <p>On April 19, 2019 Prime Minister Nikol Pashinyan held a consultative meeting in the framework of the fight against corruption on the subject of non-conviction</p>

	<p>based asset forfeiture. The meeting was attended by heads and representatives of interested public agencies and government departments. He specifically mentioned in his speech that: <i>“The Law on Confiscation of Ill-Earned Assets should target corrupt officials, those involved in money laundering and the members of criminal groups”</i>.</p> <p>The importance of recovery of stolen assets was also emphasized in the Anti-Corruption Strategy and its Action Plan for 2019-2022, as well as in the newly accepted Anti-Corruption Strategy and its Action Plan for 2023-2026.</p>
Source(s) of information	<ul style="list-style-type: none"> - https://www.primeminister.am/en/press-release/item/2019/04/19/Nikol-Pashinyan-meeting/ - https://moj.am/page/583

Indicator N 5.5	
Indicator question(s)	Does the country actively participate in international cooperation networks focusing on asset recovery?
Response	<p>In order to ensure cooperation with international structures and other states, since November 2020, the Prosecutor General's Office of RA has been a member of CARIN.NETWORK (Camden Asset Recovery Interagency Network) international informal network. Within the framework of this membership, during 2023, 7 inquiries were sent to UAE, Czech Republic, Georgia and USA, resulting in 2 replies. At the same time, 4 international requests were received through the CARIN network from competent authorities of foreign countries: 2 from France, 1 from Spain, and 1 from Germany.</p> <p>Moreover, as reported in the OECD Baseline Report of the Fifth Round of Monitoring of Anti-Corruption Reforms in Armenia, <i>“during 2022 the Department for Confiscation of Property of Illicit Origin of the RA Prosecutor General’s Office sent 49 official requests abroad to obtain information about property, including 13 requests sent through the CARIN network.”</i></p> <p>There are units for mutual legal assistance within the Ministry of Justice and Prosecutor General’s Office. Armenia has been more proactive in attempting to retrieve its stolen assets from foreign countries. Armenia actively participates in international forums, such as the Asset Recovery Working Group (a subsidiary body of the Conference of the States Parties to the United Nations Convention against Corruption) meeting in September 2021. However, its engagement on other international platforms appears to be less vigorous.</p> <p>Armenia also participates in MONEYVAL, the Open-ended Intergovernmental Working Group on Asset Recovery of UNCAC, in the Egmont Group and is an observer in the FATF Eurasian Group.</p>
Source(s) of information	<ul style="list-style-type: none"> - https://www.moj.am/storage/files/pages/pg_7967694028641_AC_M-A_Report_final_2023-compressed_1_.pdf - https://prosecutor.am/dynamicWebPages/report2

	<ul style="list-style-type: none"> - https://www.unodc.org/documents/treaties/UNCAC/WorkingGroups/workinggroup2/2021-September-6-10/CAC-COSP-WG.2-2021-5/V2106830_E.pdf - https://doi.org/10.1787/fb158bf9-en (page 155) - https://egmontgroup.org/members-by-region/eg-member-fiu-information - https://www.fatf-gafi.org/en/countries/global-network/committee-of-experts-on-the-evaluation-of-anti-money-laundering-.html https://www.fatf-gafi.org/en/countries/global-network/eurasian-group--eag-.html
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Indicator N 5.6	
Indicator question(s)	<p>Is there public evidence of any asset recovery cases involving your country in the past two years?</p> <p>a. Is there public evidence of proactive enforcement actions? Is there evidence of a proactive information exchange concerning proceeds of corruption with relevant stakeholders from other countries?</p> <p>b. Has there been adequate transparency and accountability with regard to the confiscation of assets and their return?</p>
Response	<p>During 2023, the Department for Confiscation of Property of Illegal Origin received 46 criminal case materials (50 during 2022) and 27 materials (25 in 2022) related to the data found as a result of operative-investigative measures, regarding the ownership of property of 107 persons (84 in 2022) with possible illegal origin.</p> <p>Based on the results of checking the grounds for starting a study with the mentioned materials, 82 decisions (77 in 2022) were made to initiate a study, and 26 decisions (18 in 2022) were made not to initiate a study.</p> <p>In 2023, 73 lawsuits were submitted to the RA Anti-corruption court, which were accepted for proceedings. All submitted lawsuits are currently being examined in the RA Anti-Corruption Court. With the lawsuits filed in 2023, the amount subject to confiscation is about 384 billion AMD.</p> <p>For comparison, in 2022, 11 lawsuits were submitted to the court of first instance of general jurisdiction of Yerevan city (before the establishment of the Anti-Corruption Court), and 10 lawsuits were submitted to the RA Anti-Corruption Court, which were accepted for proceedings. With 21 lawsuits filed in 2022, the amount subject to confiscation is about 52 billion AMD.</p> <p>Thus, it can be concluded that the structures of confiscation of property of illegal origin are, in fact, actively implemented. Though, as of 2023, no judicial decision was available on confiscation of property of illegal origin.</p>
Source(s) of information	<ul style="list-style-type: none"> - https://www.moj.am/storage/files/pages/pg_7967694028641_AC_M-A_Report_final_2023-compressed_1_.pdf - https://prosecutor.am/dynamicWebPages/report2 - https://prosecutor.am/storage/dynamic_web_pages/rep_47_8560336077.pdf

6. Fight against organised crime

Indicator N	6.1
Indicator question(s)	Is there evidence of strong public trust in the integrity of the police?
Response	<p>Armenia implements a major police reform, which in parallel with significant flaws has improved the public perception of this sector. The importance of changing the image of the police, increasing public trust in police officers, as well as reviewing their professional education was emphasized in public sector reforms launched by the Government in 2019, as well as in the 2020-2022 RA Strategy on Police Reform. On December 16, 2022, the establishment of the RA Ministry of Internal Affairs marked the major step towards the reforms. The Police, along with the Migration and Citizenship Service, and Rescue Service fell under the jurisdiction of the new Ministry.</p> <p>The last GCB was published in 2016 for Armenia. According to GCB 2016, 40% of respondents in Armenia considered the police to be a corrupt institution. The police were perceived as the 6th worst institution, surpassed by the judiciary (41%); MPs (42%); tax officials (43%); the office of the President/Prime Minister (44%); and public officials (45%).</p> <p>According to Caucasus Barometer 2019/2020 survey, Police had 6th best result in terms of trust (12% fully trust and 39% rather trust) leaving it behind Local Government (13% fully trust and 38% rather trust), Executive Government (27% fully trust and 44% rather trust), President (35% fully trust and 43% rather trust), Religious Institutions (46% fully trust and 34% rather trust) and Army (57% fully trust and 31% rather trust). The level of trust in Police decreased according to the recent Caucasus Barometer 2021/2022 survey, where Police held 11th position in terms of trust (20.6% fully trust or rather trust against 61.6% fully distrust or rather distrust). And according to one of the recent polls conducted in December 2023 (commissioned by IRI), the Police is the 2nd institution about which respondents had a satisfied opinion (62% very satisfied or somewhat satisfied against 35% very dissatisfied or somewhat dissatisfied).</p> <p>In March 2022, the Committee of Ministers of the Council of Europe, in the framework of its examination of the execution of the Case Virabyan v. Armenia, recognised the large-scale reforms in the police sector launched in December 2019, including the Government's efforts on changing the image of the police, increasing public trust in police officers, as well as reviewing their professional education. Furthermore, during its 1492-nd meeting in March 2024, the Committee recalled the importance of police reforms undertaken by the Armenian authorities and encouraged them to continue promoting the "zero-tolerance" policy. Moreover, several ongoing issues were highlighted by the Committee. These include ill-treatment of attorneys in police custody, a failure to hold perpetrators accountable, excessive use of force by police, and the lack of an anonymous reporting system for allegations of torture and ill-treatment in closed institutions.</p>

	<p>The ill-treatment of police was also enshrined in the Amnesty International 2024 report, stating that <i>“Several lawyers reported being harassed and ill-treated while visiting their clients in police detention centres and performing their professional duties. Lawyers Marzpet Avagyan and Emanuel Ananyan described how on 9 February a group of police officers insulted, kicked and punched them at the police department of Yerevan. The lawyers alleged that they were assaulted while defending the rights of their clients who were minors and had also been subjected to torture or other ill-treatment by the same police officers.”</i></p> <p>In addition, the Group of States Against Corruption (GRECO) in its Fifth Evaluation Round Report 2024 on Armenia enshrined, that Police lacks a well-developed ethics infrastructure: it has neither a dedicated anti-corruption policy/strategy, nor a Code of Conduct of its own, and no risk assessment has been carried out to date. Vetting procedures, upon recruitment and at regular intervals, must be stepped up. Internal oversight would benefit from additional staffing and a proactive, rather than reactive, approach. The representation of women in all ranks in the police should be strengthened, both at the recruitment stage and in the context of the internal promotions.</p>
Source(s) of information	<ul style="list-style-type: none"> - https://www.police.am/%D5%B6%D5%B8%D6%80%D5%B8%D6%82%D5%A9%D5%B5%D5%B8%D6%82%D5%B6%D5%B6%D5%A5%D6%80/reforms.html - https://hudoc.exec.coe.int/eng?i=004-355 - https://www.amnesty.org/en/location/europe-and-central-asia/armenia/report-armenia/ - https://rm.coe.int/fifth-evaluation-round-preventing-corruption-and-promoting-integrity-i/1680af5d35 - https://transparency.am/storage/GCB2016_Tables_am.pdf - http://www.crrc.am/wp-content/uploads/2019/03/CB_2019_PPT_ENG_v.3.pdf, page 22 - https://www.crrc.am/wp-content/uploads/2022/06/Barometer-2021_pptx_ENG_Final_14%E2%80%A406%E2%80%A422.pdf, (page 33) - https://www.iri.org/resources/public-opinion-survey-residents-of-armenia-december-2023/ - https://forrights.am/2024/02/22/%D5%A1%D5%B5%D5%AC-%D5%BA%D5%A5%D5%BF%D5%A1%D5%AF%D5%A1%D5%B6-%D5%AF%D5%A1%D5%BC%D5%B8%D6%82%D5%B5%D6%81%D5%B6%D5%A5%D6%80%D5%AB-%D5%B0%D5%A1%D5%B4%D5%A5%D5%B4%D5%A1%D5%BF%D5%B8%D6%82%D5%A9%D5%B5/

Indicator N	6.2
Indicator question(s)	Is there evidence, for example through media investigations or prosecution reports, of a penetration of organised crime into the police, the prosecution, or the judiciary? If no, is there evidence that the government is alert and prepared for this risk?
Response	<p>There is no evidence revealed through media investigations or prosecution reports on penetration of organized crime into police, prosecution or other institutions of Armenia.</p> <p>According to Global Organized Crime Index 2023 <i>“State-embedded actors remain one of the most influential criminal actors in Armenia. However, their influence has reduced in recent years following government efforts to combat corruption. Nevertheless, criminal activities are thought to take place at all levels of the state, enabled by law enforcement officials who facilitate transactions between criminal groups and higher-ranking officials for personal gain ... At a high level, the Armenian political elite and their relatives are reportedly engaged in several criminal markets including arms trafficking, drug trafficking, wildlife trafficking, money laundering, illegal mining and other corrupt practices ... Foreign players are also engaged in criminal activities in Armenia. For the most part, these are Iranian groups involved in the trafficking of heroin, synthetic drugs and to a lesser extent, cocaine; and Russian companies working with state-embedded actors to exploit non-renewable resources ... There are reports of an Armenian mafia divided into separate clans or brotherhoods (called ‘akhperutyuns’), which control parts of the capital Yerevan, although the reports indicate a decline in membership since 2018. Historically, professional criminals who enjoy elite positions within organized crime groups have been active in Armenia, although their influence has declined since the early 2000s. (In the region, this type of criminal is known as a ‘thief in law’ – from the Russian slang term vory v zakone.) Experts no longer consider such groups to be mafia-style groups but rather criminal networks. The activities of Armenian criminal networks remain limited, mostly due to a lack of resources and Armenia only being a transit country of illicit trade, rather than the source or destination. Nevertheless, a small number of thieves in law remain in Armenia, exerting some influence over criminal markets.”</i></p> <p>Thus, in Armenia still exists the “criminal subculture” developed during soviet times, which praises the practices of men governed by an unwritten code of honour. In 2019 the Minister of Justice proposed amendments to the RA Criminal Code criminalizing “criminal subculture,” which passed shortly. Since its entry into force on February 22, 2020 the RA Prosecutor General's Office has carried out large-scale activities in order to create the prerequisites for carrying out the criminal legal fight against those acts of high public danger as efficiently as possible. Armenian law-enforcement bodies are said to pay special attention to the comprehensive and consistent fight against the criminal subculture, to the structures of prevention and neutralization of possible resistance attempts of the groups carrying that subculture.</p> <p>In addition, TI Government Defence Integrity Index (2020) mentioned that <i>“The likelihood that organized crime penetrates the defence sector is very low. At the</i></p>

	<i>time the armed forces developed in Armenia in the late 1980s, there was a strong will to build a strong and operational Army. This was objectively justified considering the conflict with Azerbaijan, and those responsible for defence architecture were alert to these types of issues. This is why the general definition of organized crime does not apply to the Armenian defence and security sector. There might be separate cases of criminal behaviour, but it's never organized."</i>
Source(s) of information	<ul style="list-style-type: none"> - https://ocindex.net/assets/downloads/2023/english/ocindex_profile_armenia_2023.pdf - https://ti-defence.org/gdi/countries/armenia/?risk=political&single-question=7297#sub-16674 - https://armeniasputnik.am/20200611/Orenqov-gogheri-gorcerov-kzbaghven-masnagitacac-dataxaznery-23347688.html - http://armtimes.com/hy/article/112240

Indicator N 6.3	
Indicator question(s)	Is there evidence of effective policing against organised crime by (specialized) law enforcement units? Do these bodies have sufficient independence, resources, capacity and adequate integrity mechanisms to be effective?
Response	<p>According to the Global Organized Crime Index 2023 Armenia performs quite positively. In terms of Mafia-style Groups Armenia received 2.5 out of 10 (10 is the worst score), for Criminal Networks, Foreign Actors and for State-embedded Actors the score was 3.0. Overall, for the Criminal Actors indicator (combination of the mentioned 4 indicators) the score of Armenia was 2.70 and it ranked 181th among 193 countries (193rd position is the best while the 1st position is the worst one).</p> <p>To show the progress, according to Global Organized Crime Index 2021 Armenia received 3.0 out of 10 in terms of Mafia-style Groups, Criminal Networks and Foreign Actors, while for State-embedded Actors the score was 3.5. Overall, for Criminal Actors indicator the score of Armenia was 3.13 and ranked 176th among 193 countries.</p>
Source(s) of information	<ul style="list-style-type: none"> - https://ocindex.net/assets/downloads/2023/english/ocindex_profile_armenia_2023.pdf - https://globalinitiative.net/wp-content/uploads/2021/09/GITOC-Global-Organized-Crime-Index-2021.pdf, page 137 - https://globalinitiative.net/wp-content/uploads/2023/09/Global-organized-crime-index-2023-web-compressed-compressed.pdf, page 226

7. Arms trafficking

Indicator N 7.1	
Indicator question(s)	Has the country ratified the Protocol against the Illicit Manufacturing of and Trafficking in Firearms, Their Parts and Components and Ammunition, supplementing the United Nations Convention against Transnational Organised Crime?
Scoring	 1: The Protocol has been ratified (or accepted)
Response	Armenia ratified the Protocol against the Illicit Manufacturing of and Trafficking in Firearms, Their Parts and Components and Ammunition on February 25, 2012.
Source(s) of information	<ul style="list-style-type: none"> - https://www.arlis.am/DocumentView.aspx?DocID=80565 - https://www.unodc.org/unodc/en/treaties/CTOC/countrylist.html

Indicator N 7.2	
Indicator question(s)	Has the country signed and ratified the Arms Trade Treaty (ATT)?
Scoring	 0: The ATT has not been signed or ratified
Response	Armenia has not signed and ratified the Arms Trade Treaty.
Source(s) of information	<ul style="list-style-type: none"> - www.arlis.am - https://thearmstradetreaty.org/treaty-status.html?templateId=209883

Indicator N 7.3	
Indicator question(s)	Does the government have a well-scrutinised process for arms export decisions that aligns with international protocols, particularly the Arms Trade Treaty?
Response	In 2020 Armenia scored 0 on question 23 of the TI Government Defence Integrity Index (2020) that asked whether the government had a well-scrutinized process for arms export decisions that aligns with international protocols, particularly the Arms Trade Treaty. According to the report, <i>“Armenia is not a significant arms export country. However, whenever the opportunity presents itself, the issue is</i>

	<i>debated at the joint meeting of the standing Defence and Security and Financial-Credit and Budgetary Affairs committees within wider budgetary discussions. Clause 6 of Article 117 of the Rules of Procedures of the National Assembly states that joint meetings of the standing committees are to discuss secret budget items at closed meetings."</i>
Source(s) of information	<ul style="list-style-type: none"> - http://government.defenceindex.org/countries/armenia/ - https://ti-defence.org/gdi/wp-content/uploads/sites/3/2021/11/Armenia_GDI-2020-Brief.pdf - https://ti-defence.org/gdi/countries/armenia/

Indicator N 7.4	
Indicator question(s)	Are there independent, well-resourced, and effective institutions within the defence and security apparatus tasked with building integrity and countering corruption?
Response	<p>The TI Government Defence Integrity Index (2020) revealed that <i>"The Ministry of Defence (MoD) Human Rights and Integrity Centre addresses operational evaluation concerning the human rights abuses in the defence sector, it may provide methodological intervention and suggest measures to overcome the situation ... All employees of the centre participate in training courses on integrity, fight against corruption and human rights issues. The courses are mainly organized within the framework of international cooperation of the MoD (NATO, CoE, OSCE) ... The staff of the Human Rights and Integrity Centre has no opportunity to neutralize corruption risks independently. It transmits information to the Military Police on the incident received by hotline, and cases involving elements of apparent corruption offences through the whistleblowing system, as well as reports to the minister of defence. The Military Police conducts a comprehensive investigation of the submitted reports and informs the head of the centre about the results, which is also responsible for the internal and external whistleblowing of the MoD. Those who have been found guilty based on reports submitted through the hotline are subject to liability."</i></p> <p>As regards to independency, according to the new Statute of the Ministry of Defence, approved by the RA Prime Minister's Decree N1825-L of October 19, 2023, the MoD Human Rights and Integrity Building Centre (HRIBC) is a specialized structural unit of the MoD, and its activities cannot be suspended by the order of the Minister of Defence.</p> <p>According to the annual report of the Ministry of Defense hotline, during 2023, the hotline received 29,154 calls, out of which 21,179 were answered. This constitutes a response rate of 73% of the total calls received. Among these calls the hotline received information on incidents that displayed characteristics of criminal activity, which were subsequently forwarded to the Military Police. Among these were three allegations of illegal activities. Two calls reported unauthorized fundraising within a military unit: one of these was substantiated, leading to the return of the collected money to the serviceman, while the other</p>

	was not substantiated. The third call reported an instance of corruption, which also could not be substantiated.
Source(s) of information	<ul style="list-style-type: none"> - https://www.e-gov.am/gov-decrees/item/41445/ - https://www.mil.am/hy/structures/8 - https://ti-defence.org/gdi/wp-content/uploads/sites/3/2021/11/Armenia_GDI-2020-Brief.pdf - https://ti-defence.org/gdi/countries/armenia/

Indicator N 7.5	
Indicator question(s)	How effective are controls over the disposal of assets? Is information on these disposals and the proceeds of their sale transparent?
Response	<p>Assets disposal issues are regulated by Government Decree N 587-N. The asset disposal is conducted through the auction, tender or direct sales. In the case of direct sales, the asset disposal decision must include information about the buyer and the price of assets disposal, payment method etc. The Law on Audit Chamber allows the conduct of the audit in regards to state and community property, nevertheless, it does not have the clause related to asset disposal control or audit regulations.</p> <p>According to the TI Government Defence Index (2020) <i>“as for the transparency of the disposal process, there is a clear policy on non-secret disposals. For example, the auction notice for sale of cars (model, year of release, technical characteristics, residual value) written-off and withdrawn from the RA Armed Forces, is posted on the RA MoD’s official website about a month before the auction and published in the Hay Zinvor (Armenian Soldier) Weekly. At the same time, the list and the residual prices of all movable property subject to disposal are published. Information about the tender, auction or direct sale and the details about the relevant conditions can be found on the State Property Management Department official website; however, there is no information about the signed contracts and financial results of asset disposals.”</i></p>
Source(s) of information	<ul style="list-style-type: none"> - https://www.arlis.am/documentview.aspx?docid=151775 - https://www.arlis.am/documentview.aspx?docid=119273 - https://ti-defence.org/gdi/wp-content/uploads/sites/3/2021/11/Armenia_GDI-2020-Brief.pdf - https://ti-defence.org/gdi/countries/armenia/

Indicator N	7.6
Indicator question(s)	How do you assess the integrity and corruption risks related to customs and border officials? Do customs and border agency have adequate capacity and resources to ensure effective control of goods moving in and out of the country?
Response	<p>The Customs Service showed the best results during the last 10 years in terms of detecting smuggling. Detection of cases of smuggling has been 564 in 2021 (including 406 cases of smuggling and 158 cases of other violations), 564 - in 2022 (including 351 cases of smuggling and 213 cases of other violations) and 537 in 2023 (including 393 cases of smuggling and 144 cases of other violations). Thus, comparing the indicators of the previous 3 years, it becomes obvious that the Anti-Smuggling Department of the RA State Revenue Service has ensured a dynamic increase in detections of smuggling. On the other hand, while the number of smuggling-specific cases increased in 2023 compared to 2022, the total number of combined incidents (smuggling plus other violations) decreased from 564 in 2022 to 537 in 2023.</p> <p>According to the 2020-2024 Strategy of the State Revenue Committee (SRC) on the Development and Improvement of Administration, it is envisaged that by the end of 2025, the SRC will ensure the modernization and technical enhancement of customs subsystems. This includes the introduction of expert laboratories, the establishment of service centers equipped with electronic and digital systems, the rebuilding and modernization of customs points, and equipping SRC customs bodies with the necessary X-ray, customs control, and operational intelligence equipment. Additionally, updates to the SRC website and implementation of a modern human resource management system are planned. Worth to mention that still in the customs service there is a significant dependency on physical inspections and manual checks, which create corruption risks and impede security and compliance in a situation of increasing international trade volumes and innovative smuggling trends. Furthermore, this approach leads to inefficient resource allocation and diminishes the quality of customs administration.</p> <p>The SRC report on the progress of activities implemented within the Strategy on the Development and Improvement of Administration, envisaged that as of December 2023, as part of the efforts to enhance human resources management and standardize the recruitment of tax and customs officers, the organization of competitions for filling vacant positions in operative-investigative units of the tax and customs body was revised. On June 12, 2023, proposals for amendments and additions to the Tax Service and Customs Service laws were presented to the competent structural divisions of the SRC. These amendments aim to implement systemic changes, including the introduction of a certification system for employees. This system will assess compliance and determine additional payments appropriate for their positions, as well as facilitate the promotion of employees to other positions. Moreover, based on the Order No. 1292 of December 8, 2023, issued by the head of the SRC, amendments and additions have been made concerning the submission of completed integrity questionnaires by tender participants. These changes stipulate the rejection of an</p>

	<p>applicant's submission in case of non-submission and consider the results of the preliminary interview.</p> <p>Thus, based on the information provided in the Strategy and its implementation report about the initiatives for modernization and the changes in legislation, it's reasonable to conclude that there is a strong commitment to improving the capabilities and effectiveness of customs and border officials in Armenia. These measures suggest a deliberate effort by the SRC to ensure that customs and border officials are well-equipped and motivated to enforce relevant legislation effectively. Moreover, based on the outcomes on detection of smuggling cases, it is evident that the efforts to equip and enhance the capabilities of customs officials have had a tangible impact on the enforcement of legislation related to smuggling and border security in Armenia.</p> <p>It is worth mentioning that considering the possible engagement of the private military and security companies (PMSC) in arms trafficking, Armenia's commitment to regulating the activities of private military and security companies operating domestically was assessed positively by the UN Human Right Council Working Group on the use of mercenaries.</p>
Source(s) of information	<ul style="list-style-type: none"> - https://www.e-gov.am/u_files/file/decrees/kar/2019/12/19_1830.pdf - https://www.src.am/am/showAnnualActivityReportPage/219 - https://www.src.am/storage/menu_contents_253/hv_hhpek_razmts_2023_as_hkh_hashv_660515734ce13.pdf - https://documents.un.org/doc/undoc/gen/g23/133/49/pdf/g2313349.pdf?token=Weic5kgnB1Eo2EdIBc&fe=true - https://ti-defence.org/wp-content/uploads/2022/12/TI-DS_PMSC_Factsheet_digital0.pdf

Target 16.5: Substantially reduce corruption and bribery in all their forms.

Indicator 16.5.1: Proportion of persons who had at least one contact with a public official and who paid a bribe to a public official, or were asked for a bribe by those public officials, during the previous 12 months

Indicator 16.5.2: Proportion of businesses that had at least one contact with a public official and that paid a bribe to a public official, or were asked for a bribe by those public officials during the previous 12 months

8. Experience and perceptions of corruption

Indicator N	8.1
Indicator question(s)	<p>% of respondents state that they or a member of their household made an unofficial payment or gift when coming into contact with public services over the past 12 months, according to Transparency International's Global Corruption Barometer (or similar national surveys).</p>
Response	<p>The last Transparency International's Global Corruption Barometer survey was conducted in Armenia in 2016 where 24% of respondents stated that they or a member of their household made an unofficial payment or gift when coming into contact with public services over the past 12 months.</p> <p>The results of the most recent public opinion survey on corruption in Armenia was conducted by CRRC-Armenia Foundation in October-November of 2021. It was among 1520 households and showed that 9.5 % of respondents stated that they or a member of their household made extra contributions when coming into contact with public services over the past 12 months. In particular, the report shows that "Comparing the share of respondents who were involved with different institutions/services and those who paid extra fees, it is noticeable that for some services, the reforms implemented in the last two years (2019-2020) have slightly helped to reduce corruption risks, while for others the opposite. In particular, almost 23% of those who applied to the customs service institutions paid an additional fee." For comparison, in 2019 the percentage of those who applied to the customs service institutions and paid an additional fee was 2.5%.</p>
Source(s) of information	<ul style="list-style-type: none"> - https://transparency.am/storage/GCB2016_Tables_am.pdf - https://www.crrc.am/wp-content/uploads/2022/11/Research-Report_Corruption-in-Armenia_ENG_Final.pdf

Indicator N	8.2
Indicator question(s)	<p>% of respondents state that corruption or bribery is one of the three most important problems facing this country that the government should address, according to Transparency International's Global Corruption Barometer (or similar national surveys).</p>
Response	<p>According to Transparency International's latest - 2016 Global Corruption Barometer including Armenia, 37 % of respondents state that corruption or bribery is one of the three most important problems facing this country that the government should address.</p> <p>According to the Public Opinion Survey conducted in 2019 (commissioned by IRI), corruption was not listed in five most important issues, as only 7% of</p>

	<p>respondents mentioned corruption as the main problem Armenia is currently facing. The percentage decreased more according to one of the recent polls conducted in December 2023 (also commissioned by IRI), where again corruption was not listed in five most important issues, as only 4% of respondents mentioned corruption as the main current problem. In addition, according to Caucasus Barometer 2021/2022 (data collection was conducted December 2021 - February 2022) respondents did not mention corruption among 5 most important issues faced in Armenia.</p>
Source(s) of information	<ul style="list-style-type: none"> - https://transparency.am/storage/GCB2016_Tables_am.pdf - https://www.iri.org/wp-content/uploads/2019/12/iri_poll_armenia_september-october_2019.pdf - https://www.iri.org/resources/public-opinion-survey-residents-of-armenia-december-2023/ - https://www.crrc.am/wp-content/uploads/2022/06/Barometer-2021_pptx_ENG_Final_14%E2%80%A406%E2%80%A422.pdf - https://www.crrc.am/wp-content/uploads/2022/11/Research-Report_Corruption-in-Armenia_ENG_Final.pdf - https://transparency.am/hy/publication/203

Indicator N 8.3	
Indicator question(s)	% of respondents state that their government performs “badly” at fighting corruption in government, according to Transparency International’s Global Corruption Barometer.
Response	<p>65% of respondents state that the Armenian government performs “badly” at fighting corruption in government, according to Transparency International’s 2016 Global Corruption Barometer.</p> <p>According to a poll conducted in October 2019 (commissioned by IRI), 29% of respondents mentioned that the government is not making enough effort to fight corruption. In 2019, 67% of respondents answered that the fight against corruption improved. And according to the poll of December 2023 (also commissioned by IRI), only 44 % mentioned improvement of the government's fight against corruption. In 2023, 21% of respondents answered that the fight against corruption has decreased (in 2019 only 4% gave a similar answer).</p> <p>The results of the public opinion survey on corruption conducted in 2021, regarding the evaluation of the effectiveness of the government’s fight against corruption, show that 50.9% of respondents consider it effective (81.6% in 2019), and 45.8% - ineffective (14.9% in 2019). Thus, the comparison of the last few years shows that the number of respondents who think that the government performs badly increased by 35.8%. About 41.1% of those who assessed the fight by the government as ineffective consider that the Government is not sincere in the fight against corruption.</p>

Source(s) of information	<ul style="list-style-type: none"> - https://transparency.am/storage/GCB2016_Tables_am.pdf - https://transparency.am/hy/publication/pdf/203/1302 - https://www.iri.org/wp-content/uploads/2019/12/iri_poll_armenia_september-october_2019.pdf - https://www.iri.org/resources/public-opinion-survey-residents-of-armenia-december-2023/ - https://www.crrc.am/wp-content/uploads/2022/11/Research-Report_Corruption-in-Armenia_ENG_Final.pdf (page 30)
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Indicator N 8.4	
Indicator question(s)	In Transparency International's most recent Corruption Perceptions Index 2016, the country scored ____ points on a scale of 0 (highly corrupt) to 100 (very clean), ranking ____ out of 176 countries.
Response	<p>Until 2018, Transparency International's Corruption Perceptions Index varied between 33-37 points on a scale of 0 (highly corrupt) to 100 (very clean). During 2019-2020 it increased by 14 points, reaching 49. The growth stopped in 2021, and in 2022 it retreated for 3 points, reaching 46.</p> <p>According to CPI 2023, the country scored 47 points, ranking 62nd out of 180 countries.</p>
Source(s) of information	<ul style="list-style-type: none"> - https://www.transparency.org/en/cpi/2023/index/arm

Indicator N 8.5	
Indicator question(s)	Has corruption experienced by people increased or decreased in recent years?
Response	In 2019 the respondents saw their contribution to corruption reduction in refraining from acts of corruption, especially avoiding giving bribes to public services (37.6 %), as well as refusing to do a "favour" to officials or their relatives (12.1 %). In 2021 36.6% of the respondents were ready to avoid paying bribes for public services, and 14.3% were ready to talk to their relatives and friends about the unacceptability of corruption, as well as report to the relevant authorities (12.3%).
Source(s) of information	<ul style="list-style-type: none"> - https://www.crrc.am/wp-content/uploads/2019/03/Presentation-ENG.pdf - https://www.crrc.am/wp-content/uploads/2019/03/CRRC-TIAC-Executive-Summary-ENG-1.pdf - https://www.crrc.am/wp-content/uploads/2022/11/Research-Report_Corruption-in-Armenia_ENG_Final.pdf

9. Anti-corruption framework and institutions

Indicator N	9.1
Indicator question(s)	Are the following offences clearly defined and banned by criminal law?
Scoring	<p>a. Active bribery of domestic public officials, in line with Article 15(a) of UNCAC</p> <p>● 1: The offence is clearly defined and banned.</p> <p>b. Passive bribery of domestic public officials, in line with Article 15(b) of UNCAC</p> <p>● 1: The offence is clearly defined and banned.</p> <p>c. Embezzlement, misappropriation or other diversion of property by a public official, in line with Article 17 of UNCAC</p> <p>● 1: The offence is clearly defined and banned.</p> <p>d. Trading in influence, in line with Article 18 of UNCAC</p> <p>● 1: The offence is clearly defined and banned.</p> <p>e. Abuse of functions, in line with Article 19 of UNCAC</p> <p>● 1: The offence is clearly defined and banned.</p> <p>f. Illicit Enrichment, in line with Article 20 of UNCAC</p> <p>● 1: The offence is clearly defined and banned.</p> <p>g. Bribery in the private sector, in line with Article 21 of UNCAC</p> <p>● 1: The offence is clearly defined and banned.</p> <p>h. Embezzlement of property in the private sector, in line with Article 22 of UNCAC</p> <p>● 1: The offence is clearly defined and banned.</p> <p>i. Laundering the proceeds of crime, in line with Article 23 of UNCAC</p> <p>● 1: The offence is clearly defined and banned.</p> <p>j. Concealment, in line with Article 24 of UNCAC</p> <p>● 1: The offence is clearly defined and banned.</p> <p>k. Obstruction of justice, in line with Article 25 of UNCAC</p> <p>● 1: The offence is clearly defined and banned.</p>

Response	<p>a. Active bribery of domestic public officials is criminalized in Article 436 of the Criminal Code of Armenia. According to the UNCAC Country Report Executive Summary on Armenia, <i>"The definition of an "official" is provided by Article 308(3) CC, which largely corresponds to Article 2 of the Convention against Corruption. However, the element "or entity" (as third party beneficiary, art. 15, Convention against Corruption) is missing from Articles 311, 311.1, 312 and 312.1 CC."</i></p> <p>On July 1, 2022, a new Criminal Code entered into force, establishing liability for corruption offenses, mainly compliant with international standards. The adoption of the new Criminal Code became possible as a result of the cooperative engagement of various international organizations, including the GRECO.</p> <p>The new Criminal Code introduces an expanded definition of "an official" under Clause 20 of Part 1 of Article 3. Previously, the old Criminal Code differentiated between "an official" and "a public servant". The revised definition not only encompasses the categories previously recognized as officials but also broadens this designation. Now, an official is defined as a a public servant, a person holding a public office, the person who has the authority to act on behalf of, or performing functions that give entail rights, duties or responsibilities on behalf of a state, a state administration system, a local self-government body, a non-commercial organization or institution created by the state or community.</p> <p>However, the phrase "or entity" (referring to a third party beneficiary, see art. 15, Convention against Corruption) is still absent from Articles 435 and 436 of the RA Criminal Code, even though the term "person" in the Criminal Code is not limited to natural persons.</p> <p>b. Passive bribery of domestic public officials, is criminalized in Article 436 of the Criminal Code of Armenia. Significant amendments were made in the definition of the offence, making it compliant with international standards. See answer to previous point.</p> <p>c. The embezzlement is criminalized in Article 256 of the new Criminal Code of Armenia. In regard to its correspondence with Article 17 of UNCAC, the country report mentions: <i>"However, the element "or entity" for purposes of third party beneficiaries is missing from Article 179 of the Criminal Code (Article 256 of the new Criminal Code). Moreover, unlike that provision, Article 17 of UNCAC is not limited to property of a "significant scale" but covers "any other thing of value". Worth to mention that the word "property" in Article 256 of the Criminal Code also covers "any other thing or value". Furthermore, in contrast to the former Criminal Code, the new Criminal Code does not contain any provisions regarding embezzlement on a significant scale. Thus, it defines: "The amounts of stolen property, caused property damage, property or benefit obtained or obtained by criminal means in this Code are an amount (value) not exceeding 500,000 Armenian drams is considered a small amount, a large amount is considered to be an amount (value) not exceeding 5 million Armenian drams, an amount (value) exceeding 5 million Armenian drams is considered a particularly large amount, except for the cases provided for in the Special Part of this Code."</i></p>
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	<p>The definition of this provision is extremely important and it is able to significantly facilitate law enforcement activities, the process of qualifying crimes, and with its provision, a unified logic is communicated to the Code.</p> <p>d. Trading in influence is criminalized in two Articles of the RA Criminal Code: Articles 438 (using real or assumed influence) and 439 (giving illegal payment for using real or assumed influence). Armenia is in compliance with both parts of Article 18.</p> <p>e. Abuse of functions is criminalized in Article 441 of the RA Criminal Code. Armenia is in compliance with Article 19. At the same time, in comparison with Article 19 of UNCAC, Article 441 of the Criminal Code requires, as an element of this crime, that there should be an “essential damage” caused to the rights and legal interests of physical persons and entities.</p> <p>f. Illicit enrichment is criminalized in Article 443 of the Criminal Code. It is defined as the increase in assets and/or decrease in liabilities and/or expenses of a person who is obliged to submit a declaration during the reporting period, which significantly exceed his/her legal income and are not reasonably justified by him/her, if the features of other crimes that are the basis for illicit enrichment are absent. Armenia is in compliance with Article 20 of UNCAC, defining illicit enrichment.</p> <p>g. Bribery in the private sector is criminalized in Articles 272, 273 (Active and passive bribery in the private sector) and 274, 275 (Active and passive bribery of Participants and Organizers of Professional Sports Competitions and Commercial Entertainment Contests) of the RA Criminal Code. According to the UNCAC Country Report Executive Summary, Armenia is in compliance with Article 21.</p> <p>h. For the embezzlement of property in the private sector, the Criminal Code of Armenia does not have a separate article. However, it is regulated by Article 256, which is in line with the requirements of UNCAC.</p> <p>i. Article 190 of the former Criminal Code of the Republic of Armenia established responsibility for legalizing property obtained through criminal means (money laundering). With the new legal regulation, the Article has been defined as "Money Laundering" (Article 296 of the new Criminal Code). The Article almost directly repeats the provisions of Article 9 of the Warsaw Convention "On the Laundering, Tracing, Seizure and Confiscation of the Proceeds of Crime and Combating the Financing of Terrorism" adopted by the Council of Europe in 2005 (the Republic of Armenia joined in 2008). Also, the provisions stipulated in the Article 296 CC cover the definition of money laundering, given in the UNCAC.</p> <p>j. Article 474 of the new Criminal Code stipulates responsibility for assisting a person who has committed a crime, that is, concealment of crime or the person committed the crime without prior promise or otherwise assisting the person who committed the crime in order to prevent the detection of a crime or a person who has committed a crime, to prevent the subjection of the person who committed a crime to criminal liability or punishment, to</p>
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	<p>prevent the implementation of the punishment or its unserved part, security or coercive measures of an educational nature. The offense, as defined in the new Criminal Code, is distinctly different from the one outlined in Article 334 of the former Criminal Code. In the updated code, the concealment of any category of crime and not just serious or particularly serious crimes is punishable. Furthermore, the definition of actions comprising <i>actus reus</i> of the crime includes not only concealment but also other forms of assistance to the perpetrator. Unlike the earlier regulations, the new code also makes intent a necessary element of the crime.</p> <p>k. Obstruction of justice is criminalized under different Articles in the RA Criminal Code. Article 486 of the new Criminal Code provides liability for interfering in any way with the activities of the court or the investigation of the case in order to obstruct the exercise of justice or as a court, other powers provided by law, or the activities of the prosecutor, investigator, head of the investigative body, investigation body, lawyer or representative. This offense essentially mirrors the one described in Article 332 of the former Criminal Code, but with clearer and more explicit wording. . Provisions of obstruction of justice can be also found in the following articles of the new Criminal Code: Article 477 (Provocation of bribery or bribery in the private sector), Article 490 (Threatening or disclosing information about a judge, prosecutor, investigator, head of an investigative body, investigation body, lawyer, representative, expert, or enforcer, or destroying or damaging their property, or using violence against them), Article 491 (Obstructing the exercise of powers of a lawyer), Article 495 (Obstructing the exercise of powers of trial participants), Article 496 (Bribing participants in the trial in connection with their powers), Article 497 (Taking a bribe by the trial participants in connection with their powers). The reviewing experts concluded that Armenia is fully in compliance with Article 25 of UNCAC.</p>
Source(s) of information	<ul style="list-style-type: none"> - https://www.arlis.am/DocumentView.aspx?DocID=153080 - https://rm.coe.int/CoERMPublicCommonSearchServices/DisplayDCTMContent?documentId=09000016806c2b3a - http://www.unodc.org/documents/treaties/UNCAC/WorkingGroups/ImplementationReviewGroup/ExecutiveSummaries/V1501516e.pdf

Indicator N

9.2

Indicator question(s)

Please provide case statistics for each of those offences, including, if available, the number of trials in each of the past two years (ongoing and finalized), the number of convictions, the number of settlements, the number of acquittals and the number of cases currently pending.

Response

The available statistics cover the legal articles quoted above for the year of 2021, 2022 and 2023. As the new Criminal Code entered into force in July 2022, the mentioned new articles will cover the period of 2022 and 2023.

Article of Criminal Code	Number of Prepared Materials			Opened Criminal Files		
	2021	2022	2023	2021	2022	2023
Article 256 (Squandering or embezzlement) Article 179 of former CC		68	178		68	158
	246			156		
Article 296 (Money laundering) Article 190 of former CC		14	38		14	38
	22			21		
Articles 272, 273 (Active and passive bribery in private sector) Article 200 (Commercial Bribe) of former CC		1	10		1	8
	5			3		
Articles 274, 275 (Bribing Participants and Organizers of Professional Sports Competitions and Commercial Entertainment Contests) Article 201 of former CC		0	0		0	0
	0			0		
Article 441 (Abuse of official functions) Article 308 of former CC		256	484		227	439
	484			185		
Article 443 (Illicit Enrichment) Article 310.1 of former CC		1	5		1	5
	3			3		
Article 435 (Receiving a bribe) Article 311 of former CC		56	189		55	179
	108			79		
Article 435 (Bribe giving) Article 312 of former CC		17	63		17	63
	20			16		
Article 438 (Using real or presumable influence) Article 311.2 of former CC		2	3		2	3
	1			1		
Article 439 (Illicit payment for using real or presumable influence) Article 312.2 of former CC		0	0		0	0
	0			0		
Article 477 (Entrapment for bribe or commercial bribe) Article 350 of former CC		0	2		0	2
	N/A			N/A		
Article 486 (Obstruction of implementation of justice and investigation) Article 332 of former CC		0	0		0	0
	1			0		
Article 474 (Concealment of crime) Article 334 of former CC		0	0		0	0
	N/A			N/A		

	Articles 496, 497 (Bribing or forcing to give false testimonies, false expert review or to provide an incorrect translation) Article 340 of former CC	N/A	0	0	N/A	0	0
	Article 490 (Threatening or disclosing information about a judge, prosecutor, investigator, head of an investigative body, investigation body, lawyer, representative, expert, or enforcer, or destroying or damaging their property, or using violence against them)	N/A	N/A	N/A	N/A	N/A	N/A
	Article 491 (Obstructing the exercise of powers of a lawyer)	N/A	N/A	N/A	N/A	N/A	N/A
	Article 495 (Obstructing the exercise of powers of trial participants)	N/A	N/A	N/A	N/A	N/A	N/A
	Source(s) of information	- https://prosecutor.am/dynamicWebPages/report1					

Indicator N	9.3
Indicator question(s)	<p>Anti-Corruption Agency</p> <ol style="list-style-type: none"> To what extent is there formal operational independence of the Anti-Corruption Agency (ACA), and what evidence is there that, in practice, it can perform its work without external interference? To what extent does it have adequate resources and capacity to achieve its goals in practice? To what extent are there mechanisms in place to ensure the integrity of the ACA, and to what extent is its integrity ensured in practice? To what extent does the ACA engage in preventive, educational and investigation activities on corruption and alleged corruption cases?
Response	<p>The specialized anti-corruption agency responsible for prevention of corruption is the Corruption Prevention Commission (CPC), detailed in this indicator. The specialized enforcement agency - Anti-Corruption Committee (ACC) responsible for investigating corruption crimes, along with the supervising units of the Prosecutor General's office, is described in indicator 9.6 below.</p> <ol style="list-style-type: none"> The Law of the Republic of Armenia on the Corruption Prevention Commission assigned to the Commission the status of an autonomous body, which is defined by the Constitution of the Republic of Armenia. The Commission acts "<i>on the basis of the principles of collegiality, financial independence, public accountability and transparency, cooperation and political neutrality</i>". The most important component of the operational independence of the Commission is the formation mechanism of the Commission, which was revised in 2021. The selection of Commission members is currently managed through an open tender process, organized

by a selection council established by the National Assembly. Another important component is the conditions of immunity granted to the members of the Commission by law, which guarantees the protection of the Commission member from criminal prosecution, protection from prosecution for expressing an opinion related to his activity, providing explanations and comments regarding the cases examined by the Commission, under the circumstances of exclusion of interference in the work of the Commission. At the same time, the staff of the Commission is formed according to the requirements of the Law on Civil Service, which ensures professional activity based on the principle of non-commercial selection and promotion of personnel. The Commission formed in 2019 has a broad mandate to guarantee the conduct of public officials, to manage the system of declarations, to monitor and implement the rules of conduct of public officials by checking the conduct of candidates for certain positions, to supervise the financial activities of parties, as well as to assess corruption risks in the system.

From the point of view of operational independence of the Commission and to ensure the continuity of the activities of the chairman of the CPC, Article 22 of the Law on CPC provides that *"In case of vacation or business trip, the chairman of the Commission appoints one of the members of the Commission to replace him. In cases of not appointing a replacement, as well as in cases of temporary incapacity of the Chairman of the Commission, suspension or termination of powers, the Chairman of the Commission is replaced by the oldest member of the Commission"*.

In the processes of formation of the staff of the CPC, selection and dismissal of civil servants, as an external interference and obstacle to the operational autonomy of the Commission, the CPC notes that *"the formation of the staff has a certain dependence on the Civil Service Office of the RA Prime Minister's Staff, because without the permission given by the office, the Commission does not have the authority to make any changes in the passports of the position"*. The concurrence or "permitting" related to making changes in the passports of civil servants by the Civil Service Office is recognized to be a corruption risk by TIAC in its report "Evaluation of corruption risks of human resource management processes in the field of civil service".

- b. According to the CPC report from 2022 *"... since the moment of its formation, there is a problem of full implementation of the Commission's functions due to the lack of appropriate human resources in the Commission"*. The same issue is enshrined in the CPC report from 2023. According to the summary assessment and monitoring report of the anti-corruption strategy of the RA and its implementation for the years 2019-2022, the measures to ensure the formation and operation of the Corruption Prevention Commission have been fully implemented. Nevertheless, despite the increase in the positions of the Commission, they are still not fully equipped. According to the data of the electronic system of the Civil Service Office of the Prime Minister of the Republic of Armenia, the staffing level of the employees of the Corruption Prevention Commission is 66.7 percent.

	<p>c. From the point of view of the evaluation of the integrity of the CPC, it should be noted that according to Article 28 of the RA Law on Public Service, the rules of conduct of the members of the Commission are defined by the CPC. As of December 2023, the CPC has not yet adopted the rules of conduct for public office holders, including the members of the CPC. It was in the drafting stage. The rules of conduct of civil servants are approved by the Deputy Prime Minister coordinating the civil service, and the requirements for the conduct of civil servants of structural units are defined by RA Law on Public Service. The investigation and resolution of violations of the rules of conduct by members of the CPC and persons holding discretionary positions is carried out by the CPC in accordance with the Law of the Republic of Armenia on the Corruption Prevention Commission. The procedures for violations of the rules of conduct of civil servants of the structural divisions of the CPC are defined by the RA law on Civil Service by the ethics commission formed on the electronic platform. The website of the Civil Service and the CPC lacks any information about the rules of conduct, incompatibility requirements, other restrictions, examination and conclusion of conflict of interest situations by the civil servants of the structural divisions of the CPC. According to the RA Law on Public Service, the members of the CPC, persons holding discretionary positions, as well as the general secretary holding the position of the 1st and 2nd subgroups of the civil service management group, have the duty to submit declarations. From the point of view of the implementation of the mechanisms of integrity of the members and employees of the CPC, no process was carried out.</p> <p>d. CPC has the main mandate for corruption prevention, anti-corruption education and awareness, stipulated by the Law on Corruption Prevention Commission. It is authorized to develop corruption prevention programs and submit them to the Government of the Republic of Armenia, as well as to develop and implement educational and public awareness raising programs on issues related to the fight against corruption. According to the Commission's 2023 report presented to the National Assembly, Commission conducted a set of actions in the framework of the EU Twinning Program, particularly by organizing workshops on enhancing the role of CPC, ToTs for the CPC staff, as well as workshops for university, school and NGO representatives. In 2022, CPC signed memorandums of cooperation with the French University in Armenia, the RA Academy of Public Administration in the direction of implementing joint anti-corruption programs.</p>
Source(s) of information	<ul style="list-style-type: none"> - https://www.arlis.am/DocumentView.aspx?docid=169106 - https://cso.gov.am/charts - http://cpcarmenia.am/files/legislation/995.pdf - http://cpcarmenia.am/files/legislation/1390.pdf - https://www.moj.am/storage/files/pages/pg_7967694028641_AC_M-A_Report_final_2023-compressed_1_.pdf - https://prosecutor.am/storage/dynamic_web_pages/dyn_page_285_1465690793.pdf - https://transparency.am/hy/publication/pdf/276/9667 - https://transparency.am/hy/publication/366

Indicator N	9.4
Indicator question(s)	<p>Supreme Audit Institution</p> <ol style="list-style-type: none"> To what extent is there formal operational independence of the audit institution, and what evidence is there that, in practice, it can perform its work without external interference? To what extent does it have adequate resources and capacity to achieve its goals in practice? To what extent are there mechanisms in place to ensure the integrity of the audit institution, and to what extent is its integrity ensured in practice? To what extent does the audit institution provide effective audits of public expenditure? Are its reports, findings, and recommendations available to the public?
Response	<ol style="list-style-type: none"> <p>The Constitution of the RA, Article 198, stipulates that the Audit Chamber of Armenia is <i>"an independent state body, which conducts audit, in the field of public finance and ownership, over the lawfulness and effectiveness of the use of the State Budget and community budget funds, loans and credits received, as well as state- and community-owned property. The Audit Chamber is entitled to conduct inspections of legal persons only in the cases prescribed by law"</i>. Additionally, the Law on the Audit Chamber reiterates its role as an independent entity performing external state audits. The amended Constitution and the Law on Audit Chamber give a high level of operational independence. Also, the requirements of election of members and the Head of the Audit Chamber, stipulated in the above-mentioned Law, stipulate that no politicians or public figures can apply for those positions, only accountants and auditors.</p> <p>In terms of practical independence, the information is quite promising: during last three years the Chamber made some scandalous statements such as that the Ministry of High Technologies did not conduct proper oversight to return around 750,000 USD from an NGO, which was tasked with organizing World Conference of Information Technologies (WCIT), almost 40 of public procurement was single-sourced or number of irregularities in the ministries of health and social protection, violations in the State Revenue Committee etc. During 2022 it applied to the Prosecutor General's office with a request to open criminal files in regard to 5 instances. In 2021, the number of such requests was 8.</p> In regard to resources, the Audit Chamber so far has not articulated the lack of it. Besides, there are no other third sources claiming that the Chamber has lack of resources for effectively discharging its functions. Yet, in 2022 the Chamber had 135 employees out of 155 maximum possible. The members of the Audit Chamber hold autonomous positions, thus the Corruption Prevention Commission has a mandate to initiate disciplinary proceedings on them. Thus, in 2019 the CPC initiated proceedings on the

	<p>violation of the rules of ethics by the member of the Audit Chamber, based on the complaint of the member of the RA Chamber of Advocates. The complaint stemmed from an unsatisfactory response the advocate received from the Audit Chamber when seeking clarifications about an Audit Chamber conclusion. As a result of the proceeding the Commission noted that the reply letter addressed to the member of the RA Chamber of Advocates, did not reflect the essence of the constitutional duty, politeness and respect for human rights by a public servant. However, in the absence of rules of conduct for the public servant, the Commission has no legal basis to characterize it as a violation of the Code of Conduct and to propose disciplinary action against the member of the Audit Chamber on that basis. As of December 2023, the CPC has not yet defined the rules of conduct for public office holders, including the members of the AC.</p> <p>At the same time, the part of the staff of the AC is formed according to the requirements of the Law on Civil Service, which ensures professional activity based on the principle of merit-based and equal selection and promotion of personnel. The rules of conduct for civil servants are approved by the Deputy Prime Minister coordinating the civil service. Thus, there is an issue concerning the introduction of specific ethical rules for staff by the Audit Commission, as required by international standards, while general conduct rules for civil servants are already established. Nevertheless, in 2020 the AC approved the Rules of ethics applicable in the internal employee relations for accountants, based on its Decree N 94-L from May 26, 2020.</p> <p>d. The Law on Audit Chamber, Article 14 stipulates that the Audit Chamber is required to post to www.azdarar.am and its own official website within three working days its own decisions, financial reports, and conclusions of external audit companies, unless they contain secrets protected by law. Generally, the findings of the Chamber are well-grounded. Based on the annual reports and the public statements of the Chamber one may conclude that this institution is largely effective. At the same time there are some shortcomings in law and practice. Thus, the Law on Audit Chamber does not specify procedures for the follow-up based on the conclusions and recommendations of the audit. The Audit Chamber's recommendations are grouped together without clear differentiation, making it challenging to identify and track priority areas like systemic issues, policies, or processes. Additionally, while international audit standards require oversight of the implementation of recommendations, the Law on Audit Chamber does not grant this authority.</p>
Source(s) of information	<ul style="list-style-type: none"> - https://www.arlis.am/DocumentView.aspx?docid=169106 - https://www.arlis.am/documentview.aspx?docID=102510 - https://www.arlis.am/documentview.aspx?docid=165069 - http://armsai.am/hy/annual-report - http://armsai.am/files/decrees/internal-acts/codeofethics.pdf - http://cpcarmenia.am/files/legislation/343.pdf - https://www.unodc.org/documents/treaties/UNCAC/WorkingGroups/workinggroup4/2023-June-12/Contributions/Armenia_EN.pdf - https://transparency.am/hy/publication/pdf/362/10975

	<ul style="list-style-type: none"> - https://yerevan.today/mamuli-tesutyun/84410/hashveqnnich-palatn-aghaghakogh-paster-e-haytnaberel-heghapoxakanneri-talani-masin%E2%80%A4-%C2%ABhraparak%C2%BB - https://finport.am/full_news.php?id=44170&lang=1 - https://168.am/2023/05/26/1879403.html - https://168.am/2023/05/24/1877708.html
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Indicator N 9.5	
Indicator question(s)	<p>Judiciary</p> <ol style="list-style-type: none"> To what extent is the judiciary independent by law, and to what extent does it operate without interference from the government or other actors? To what extent are there laws seeking to ensure appropriate tenure policies, salaries and working conditions of the judiciary, and does it have adequate levels of financial resources, staffing, and infrastructure to operate effectively in practice? To what extent does the public have access to judicial information and activities in practice? To what extent is the integrity of members of the judiciary ensured in practice? To what extent is the judiciary committed to fighting corruption through prosecution and other activities?
Response	<p>The judicial system in Armenia is designed to administer justice according to the country's Constitution and legal framework. It comprises general jurisdiction courts along with specialized courts such as the Administrative Court, Bankruptcy Court, and Anti-Corruption Court. Each of these courts operates across three tiers: the first instance courts, appellate courts, and the cassation court.</p> <ol style="list-style-type: none"> The judiciary of Armenia is designed to be independent from the executive and legislative branches, though there have been ongoing concerns and efforts regarding judicial reforms to enhance its independence and efficiency. These reforms aim to ensure greater transparency, reduce corruption, and improve the overall trust in the judicial system. The independence of the judiciary is guaranteed by the Constitution of Armenia and the Judicial Code. The Constitution of Armenia prohibits any interference with the administration of justice. The constitution also provides for the independence of judges and stipulates that <i>"When administering justice, a judge shall be independent, impartial and act only in accordance with the Constitution and laws. A judge may not be held liable for the opinion expressed or a judicial act rendered during the administration of justice, except where there are elements of crime or disciplinary violation."</i> <p>As for practice, the judicial system is not immune from the parliamentary majority's influence. According to the Constitution, the judges of the Constitutional Court are elected by at least a 3/5 vote by the Parliament. The Parliament also elects some members of the Supreme Judicial Council</p>

(SJC), the Chair of the Court of Cassation (High Court), and the judges of the anti-corruption chamber of the Court of Cassation by a majority vote. De facto, these elections turn into a single-party decision, given the fact that the ruling party has a “stable constitutional majority” in the Parliament and the opposition regularly boycotts the sessions.

The independent state body that shall guarantee the independence of courts and judges is the SJC of Armenia. It plays a decisive role in appointments and dismissal of judges in accordance with RA Constitution and the Judicial Code. The SJC is composed of 10 members. Five of them are elected by the General Assembly of Judges from among judges that have at least ten years of experience as a judge. The second half of the Council is elected by the National Assembly by at least 3/5 of votes of the total number of MPs from among academic lawyers and other prominent lawyers that hold citizenship of only the Republic of Armenia, having the right of suffrage, with high professional qualities and at least 15 years of professional work experience. However, the reality that half of the members of the SJC are elected by the National Assembly might suggest that some members could have political biases and are elected with the intention of influencing the independence of judges. The issue is also enshrined in the report of the World Bank, specifically mentioning *“Given the key role of the SJC in the appointment and evaluation of judges, widening its membership would help reduce the influence of individuals appointed by the NA and could reduce any potential for political influence in the SJC’s operations.”*

The SJC is not able to ensure independence of judges from internal and external influences. The disciplinary proceedings are sometimes not objective, as independent monitoring has shown differentiated treatment towards different judges who are tried under similar factual circumstances. Promotion and transfer of judges by the SJC is usually not merit-based. The OECD Baseline Report of the Fifth Round of Monitoring of Anti-Corruption Reforms in Armenia noted that *“Armenia has started reforming its judiciary to ensure its independence, integrity and accountability in line with international standards, but further deep reforms are required. Judges have life tenure. The Supreme Judicial Council and three other judicial institutions operate as judicial governance bodies in charge of the judicial career, evaluation, training, and discipline. During the evaluation period of 2022, their composition mostly complied with the monitoring benchmarks, except for the training commission and ethics and disciplinary commission, in which the civil society representation should be increased. Armenia should also consider measures to avoid the politization of appointments of judges and members of the judicial governance bodies, for example, by prohibiting former political officials to be selected in these positions during a certain period.”*

As mentioned in the Freedom House Freedom in the World 2023 report, *“The courts face systemic political influence, and judicial institutions are undermined by corruption. Judges reportedly feel pressure to work with prosecutors to convict defendants, and acquittal rates are extremely low. The government published a five-year judicial-reform strategy in 2019;*

reforms continued to be enacted in 2022, though progress has been slow". Worth to mention that on November 21, 2022 the SJC elected Mnatsakan Martirosyan as a judge of the Anti-Corruption Court out of 2 candidates participating in the interview stage, with 6 votes in favour and 3 against. CSOs considered the election of M. Martirosyan as highly unacceptable and condemnable, as he was notorious for providing questionable verdicts on multiple high-profile political cases. Moreover, as a result of M. Martirosyan's integrity check, the CPC gave a negative conclusion, which however was ignored. Eventually, M. Martirosyan was not appointed as a judge of the Anti-Corruption Court according to his own withdrawal, but in a short time he was selected by the SJC as a candidate for the president of the first instance general jurisdiction criminal court of Yerevan. Despite the criticism of human rights defenders and experts, on January 30, 2023 President of the Republic of Armenia Vahagn Khachatryan signed the Decree by which M. Martirosyan was appointed as a president of the criminal court of first instance of general jurisdiction of Yerevan city and will coordinate the work of 60 judges. The case of M. Martirosyan was also noted in Freedom House's 2023 report, *"In November, Mnatsakan Martirosyan's election as an Anti-Corruption Court judge sparked controversy, as several of his rulings in politically charged cases had been overturned by the European Court of Human Rights (ECtHR)."*

- b. According to Article 38 of the Judicial Code, the position of the Supreme Judicial Council on the budget bid or the medium-term expenditure programme is presented in the National Assembly by the SCJ chairperson or, upon his assignment, the head of the Judicial Department. The issues of remuneration and bonuses are clearly stipulated in Articles 12 and 13 of the RA Law on Remuneration of State Officials and Persons occupying Positions in State Service. Article 13, part 1 of the abovementioned Law stipulates an imperative rule for payments to judges. The Law on the Remuneration of Persons Holding Public Office and Public Service Positions, stipulates that the salary of a judge is determined by multiplying the base salary rate and the coefficient which is different for judges of different level and specialisation. The base salary rate amount is established by the State Budget Law for each year. No discretionary payments are provided in the law.

As mentioned in the OECD Baseline Report of the Fifth Round of Monitoring of Anti-Corruption Reforms in Armenia *"In 2022 the amount of funding allocated to the judicial system amounted to 14,227,589.3 thousand AMD, which was 89.6 % of the requested sum"*. However, as the World Bank in its report noted, *"Armenia ranked low both in justice spending per gross domestic product as well as in its real per capita justice spending when compared to European Commission for the Efficiency of Justice member states. Even though the SJC approved its own and the courts' budget applications and medium-term expenditure plans, the SJC's de facto influence on the final budget decision taken by the National Assembly was limited. Low capacities at court and management levels hampered the budget preparation and adoption processes."*

The OECD report also emphasized that *“There were diverse views on the sufficiency of judicial remuneration in Armenia. Interlocutors noted that the salary of the specialised anti-corruption judges was relatively high and addressed the additional risks related to the adjudication in these cases. As to other judges, their remuneration was not viewed by all stakeholders as sufficient, especially considering the level of remuneration of prosecutors and the high workload of judges at the first instance court level. Notably, in 2023, the remuneration of prosecutors was increased in the law, but it was not immediately matched by the increase in judicial remuneration (although such amendments were later prepared and were expected to be adopted). The Government later informed that in July 2023, it endorsed a draft law stipulating a 60% increase in salary for some categories of judges starting from 2024.”* The Law on RA Law on Remuneration of State Officials and Persons occupying Positions in State Service was amended in October 2023 and the amendments on increasing the salary of judges of the first instance general jurisdiction courts, the bankruptcy court, and the administrative court will enter into force from January 1, 2024.

- c. There are several resources for the public to get information about the judiciary. Electronic platforms such as <https://court.am/hy> and www.datalex.am are quite interactive and informative. The website court.am serves as the official digital portal for the judiciary of the Republic of Armenia. It provides comprehensive information and services related to the Armenian judicial system, including details about the courts and judges. The official information system of the Judiciary is the www.datalex.am website, which is part of Armenia's judicial information system, operating and providing a variety of legal and court-related services. This includes allowing users to search for judicial cases, tracking the timetable of court hearings, and accessing detailed information on court decisions. It serves as a comprehensive platform for both public access to legal documents and supports various administrative functions within the judiciary of Armenia. Nevertheless, during the last two years journalists and lawyers have reported ongoing issues with Armenia's "Datalex". The system has not been updated with new court hearing information due to technical problems, including outdated servers. The Supreme Judicial Council has acknowledged the need to resolve these issues to restore the system's functionality.

Due to the lack of a unified electronic system for handling all judicial proceedings in Armenia, and the insufficiency of existing tools for complete trial digitization, the Armenian government, under commitment 8 of the OGP-Armenia National Action Plan, is set to introduce "eCourt-statistics." This tool within the e-justice system will use specific statistical indicators and open data to analyze pre-trial and judicial cases, thereby enhancing public oversight of justice administration. The data will be accessible for free to the legal community, citizens, researchers, and both international and state institutions.

- d. Concerning the issue of integrity of judges and ability to fight corruption, the best summary is provided by Freedom House in its Freedom in the World 2023 country report on Armenia: *“Authorities apply the law selectively, and due process is not guaranteed in civil or criminal cases.*

Lengthy pretrial detention remains a problem, and the Armenian judiciary is largely distrusted by the public. The raft of corruption investigations aimed at HHK [Republican Party of Armenia] elites and allies have prompted concerns about the ability of the country's judicial and investigative mechanisms to ensure fair application of the law." In addition, the Bertelsmann Transformation Index 2022 country report on Armenia notes: "In Armenia, the constitution provides for an independent judiciary. However, lack of judicial accountability and independence has proven to be a hindrance to democratic and economic development and was one of the main reasons behind the revolution of April 2018. Judicial reform is not unfolding in the way it was expected to by the public."

In regard to integrity of judges the EU quite comprehensively provides the full picture: "Lack of the independence, integrity, accessibility and accountability of judiciary is primarily connected with the shortcomings in the system for the appointment and disciplinary measures for the judges. In this regard, there is a need to ensure transparency and credibility of judges' appointment process, the need for the revision of the reasoning part for the written stage evaluation of candidate judges, revision of the interview procedure, evaluation criteria, introduction of the appeals procedure of the examination results, and the transparency of decision-making in general. Furthermore, the application of the disciplinary liability procedure of judges in practice identified some significant shortcomings that are envisaged to be addressed by the government reform policy. Last but not least, the corruption in the judiciary remains an issue of systemic character. The existing legal framework does not provide for an effective evaluation of integrity of judges and fails to prevent conflict of interest and illicit enrichment. While the judges and their immediate family members are obliged to declare assets annually, the regulation leaves room for concealing illegal income, as there are no mechanisms to detect the covert, allegedly wide-spread, engagement of judges in entrepreneurial activity. Furthermore, the evaluation of conflict of interest and political influence on the judiciary has never been attempted. The Strategy on Judicial and Legal Reform envisages a system of integrity checks to be carried out across the entire judiciary. While a welcome development, the success of it will largely depend on good planning and a credible implementation that is transparent, well justified and void of political influence."

Freedom House noted in its 2023 report: "In November 2022, the new Anti-Corruption Court and the Anti-Corruption Chamber of the Court of Cassation went into effect after legislation created the two bodies in April 2021. Though authorities have initiated high-profile corruption investigations, no charges have been brought forward. In August 2022, prosecutors initiated lawsuits to recover stolen assets from allegedly corrupt former officials from the prerevolution regime."

The OECD Baseline Report of the Fifth Round of Monitoring of Anti-Corruption Reforms in Armenia mentions that "The Supreme Judicial Council does not properly assess the integrity of the judicial candidates and often disregards the integrity check conclusions provided by the Commission on the Prevention of Corruption (CPC). The CPC's opinions are not public, which

	<i>allows the SJC to disregard them ... The interlocutors noted the different approach to treating the CPC opinions by the prosecutorial bodies that consider the appointment or promotion of prosecutors compared with the consideration of the CPC opinions for judicial appointments; reportedly, in the case of prosecutors, the CPC integrity check opinions are reviewed and have an impact on the final decision."</i>
Source(s) of information	<ul style="list-style-type: none"> - https://www.arlis.am/documentview.aspx?docid=172556 - https://www.arlis.am/documentview.aspx?docID=102510 - https://www.arlis.am/documentview.aspx?docid=173241 - https://www.arlis.am/documentview.aspx?docid=185692 - https://www.president.am/hy/decrees/item/5787/ - https://thedocs.worldbank.org/en/doc/85f57dc0beedc56749b028be8031c158-0080012023/original/Forward-Look-Armenia-Judiciary-eng.pdf - https://doi.org/10.1787/fb158bf9-en - https://freedomhouse.org/country/armenia/freedom-world/2023 - https://www.unodc.org/documents/treaties/UNCAC/WorkingGroups/ImplementationReviewGroup/ExecutiveSummaries/V1501516e.pdf - https://bti-project.org/en/reports/country-report/ARM - https://neighbourhood-enlargement.ec.europa.eu/system/files/2020-07/c_2020_4218_f1_annex_en_v1_p1_1084379.pdf (pages 8-9) - https://transparency.am/en/media/statements/article/4768 - https://factor.am/477290.html - https://168.am/2022/10/26/1786427.html - https://www.panorama.am/am/news/2023/11/14/%D5%BA%D5%A1%D5%B7%D5%BF%D5%B8%D5%B6%D5%A1%D5%AF%D5%A1%D5%B6-%D5%AF%D5%A1%D5%B5%D6%84%D5%A7%D5%BB/2925736

Indicator N	9.6
Indicator question(s)	<p>Law Enforcement Agencies</p> <ol style="list-style-type: none"> To what extent are law enforcement agencies independent by law, and to what extent are they independent in practice? To what extent do law enforcement agencies have adequate levels of financial resources, staffing, and infrastructure to operate effectively in practice? To what extent do law enforcement agencies have to report and be answerable for their actions in practice? To what extent is the integrity of members of law enforcement agencies ensured? To what extent do law enforcement agencies detect and investigate corruption cases in the country?
Response	The law enforcement agencies in Armenia include: Police, Investigative Committee, Anti-Corruption Committee, National Security Service, State Revenue Service and Prosecutor's Office (responsible for initiating criminal prosecution, overseeing the legality of investigations, and enforcing state interests in the courts).

- a. In terms of independence of law enforcement agencies by law and by practice, all these agencies in terms of appointment and reporting are dependent on the executive branch and especially the Prime Minister. However, there are indications of the dependence also throughout the work of the enforcement bodies and their selective reaction to the offences by different perpetrators.

During the reporting period there were indications pointing to such dependence. For example, in December, 2021, due to political stalemate between the mayor of Yerevan, who previously was a member of the ruling party but resigned after 44-days war with Azerbaijan, the law enforcement agencies started to open criminal files against close allies of the mayor. In another case, the law enforcement bodies ignored the actions of MP Hayk Sargsyan, a close ally and godson of the Prime Minister, for obstruction of work of a journalist, although the investigator admitted the fact. Nevertheless, there are not enough third-party unbiased resources in terms of practical operations of law enforcement agencies in Armenia.

As for the Prosecutor General, according to the RA Constitution *“The Prosecutor General shall be elected by the National Assembly, upon the recommendation of the competent standing committee of the National Assembly, by at least three fifths of votes of the total number of Deputies, for a term of six years.”* The deputies are appointed either by the Prosecutor General directly by the Qualification Committee of the Prosecutor’s Office. The incumbent Prosecutor General Anna Vardapetyan (assistant to the Prime Minister Nikol Pashinyan by the time of proposing her candidature) was elected on 29 June, 2022 by the National Assembly, with 70 votes in favour. Out of 107 MPs only 70 participated in the voting. The opposition factions boycotted the sessions of the National Assembly and did not participate in the voting. Given that Anna Vardapetyan's candidacy was proposed by the “Civil Contract” faction, which was also the only faction to participate in the voting, one could conclude that this political decision could have subjective grounds.

Moreover, on March 24, 2020 the National Assembly adopted the Law on the Anti-Corruption Committee (ACC) and established a specialized law enforcement entity to carry out pretrial criminal proceedings on alleged corruption crimes as well as conduct investigative activities. Based on the order of November 16, 2021, RA Prosecutor General's Office formed the department for supervision over the legality of pre-trial proceedings in the RA Anti-Corruption Committee. It consists of 8 prosecutors specialized in prosecuting corruption crimes, all of which underwent integrity checking by the Corruption Prevention Commission before the appointment. The mandate of the Department is overseeing the legality of the preliminary investigation carried out by the Anti-Corruption Committee and supporting the prosecution in court in these cases.

The selection board of the head of the Anti-Corruption Committee included observers from NGOs and international partners, US Embassy in Armenia in particular, who had the chance to ask questions to the candidates of the head and present their observations. The overall impression of CSOs is that

the selection procedure was not participatory, as other candidates were not sufficiently qualified for that job, and the former head of the Special Investigative Service Sasun Khachatryan was elected to the position of the head of the Anti-corruption Committee, appointed by the Prime Minister on March 3, 2021.

Article 181 of the new Criminal Procedure Code (entered into force on July 1, 2022) assigned the preliminary investigation of corruption crimes listed in the Annex 1 of the RA Criminal Code to the investigators of the Anti-Corruption Committee. Although, the above-mentioned article enters into force on January 1, 2024. Thus, it is problematic that despite creation of a designated specialised investigative body, the National Security Service still continues investigation into certain corruption crimes. Moreover, by the end of 2022, the Anti-corruption Committee came up with a draft law, where they suggested limiting the scope of the corruption crimes that fall under the jurisdiction of the Committee. This implies that investigation of certain corruption crimes will be handed over to the Investigative Committee of Armenia, which is not a specialised agency. In the meantime, the logic behind creation of the Anti-corruption committee was to have a centralised body for investigation of all corruption crimes. As mentioned in the Nations in Transit 2022 report *“The newly established Anti-Corruption Committee is now responsible for investigating corruption cases that were previously carried out by the National Security Service (NSS), the Special Investigative Services, the Investigative Committee, and the State Revenue Committee (SRC), among their other functions and with limited efficiency. The Anti-Corruption Committee is meant to systematize the fight against corruption via its prosecutorial authority, which the Corruption Prevention Commission (created in 2019) reportedly lacks.”* Although these provisions are not fully enabled yet.

- b. There is no public information about the shortage of resources to prevent the effective operation of law enforcement bodies.
- c. The formal procedures such as posting annual reports and official information about important cases are being kept. However, real accountability is quite low in the country. Thus, the Anti-corruption Committee does publish a report including some statistical data about its activities as well as sends its data to the General Prosecutor’s Office. The General Prosecutor of Armenia publishes annually two comprehensive reports, a general report on the activities of its office, which is discussed in the Parliament (in accordance with the Law on General Prosecutor), and another one - on corruption crimes. The published reports are not in “open data” format, hence it is difficult to process and use them. Data collection in the General Prosecutor’s office is not conducted systematically and professionally. The respective department does not have specialised statisticians or other professionals. Data collection tools do not comply with OECD standards. Particularly, they do not provide disaggregated data on high-level corruption cases. As noted in the Nations in Transit 2022 report, *“Although the government has sustained momentum in institutionalizing the fight against corruption, anti-corruption bodies still need to enhance*

	<p><i>their capacities, including the recruitment of relevant staff and ensuring transparency and accountability, in order to build public trust.”</i></p> <p>d. The investigation of corruption occurs only in regard to small-scale corruption, low or mid-level officials and is extremely selective. In 2023, the Anti-Corruption Committee demonstrated advancements in its operational efficiency, as evidenced by the annual activity report. Investigators examined a total of 1,801 criminal proceedings, completing 513 of them. Notably, 169 of these proceedings resulted in indictments involving 399 individuals. This performance marks substantial improvements over 2022, with a 53.1% increase in examined proceedings, a 115.5% rise in completed proceedings, and a near doubling in both indictments issued and individuals charged. Nevertheless, it's important to note that the investigation of corruption primarily targets small-scale cases involving low or mid-level officials. This approach raises concerns about the depth and breadth of the anti-corruption efforts, suggesting a need for a more comprehensive and inclusive approach to address corruption at all levels.</p> <p>Nations in Transit 2023 report states that <i>“The Anti-Corruption Committee has undertaken high-profile investigations since becoming operationalized ... Corruption cases were initiated against current and former officials in 2022. Trials against former defence minister D.T., General A.D., and arms dealer D.G., who were charged with fraud and embezzlement for arms-procurement dealings, proceeded in January. Prosecutions against D.T. and A.D. proceeded despite the defendants’ close political ties to Prime Minister Pashinyan”</i>. An earlier Nations in Transit 2022 report stated that <i>“...judiciary remains dependent on certain political actors (usually outside of government), and the majority of embezzlement cases are either stalled in the court system or dismissed.”</i> Moreover, the US Department of State, in its 2024 Armenia Human Rights Report, writes: <i>“The government launched numerous criminal cases against alleged corruption by former high-ranking government officials and their relatives, parliamentarians, the former presidents, and in a few instances, members of the judiciary and their relatives, with cases involving monetary values from a few thousand to millions of dollars. A number of criminal proceedings of a corruption nature with a high public impact were sent to the court and went to trial; some criminal proceedings were at the preliminary investigation stage. At year’s end, the trial continued of former Minister of Emergency Situations Andranik Piloyan, who was a member of Prime Minister Pashinyan’s cabinet, and 12 other ministry officials on multiple corruption charges.”</i> Although the issue on selectiveness of initiating cases against former high-level officials and inaction towards current high-ranking non-oppositional officials still remains.</p>
Source(s) of information	<ul style="list-style-type: none"> - https://www.arlis.am/documentView.aspx?docid=153080 - https://www.arlis.am/documentview.aspx?docid=154763 - https://www.arlis.am/documentview.aspx?docID=151799 - https://www.arlis.am/documentView.aspx?docid=189458 - https://www.e-draft.am/projects/6275/about - https://freedomhouse.org/country/armenia/nations-transit/2023 - https://www.state.gov/wp-content/uploads/2023/03/415610_ARMENIA-2022-HUMAN-RIGHTS-REPORT.pdf

	<ul style="list-style-type: none"> - https://www.lragir.am/2021/12/22/689493/ - https://www.azatutyun.am/a/31343685.html
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10. Private sector corruption

Indicator N	10.1
Indicator question(s)	Is it a criminal offence under the country's laws to bribe a foreign public official?
Scoring	● 1: The offence is clearly defined and banned.
Response	<p>The RA Criminal Code stipulates liability for bribery of foreign public official in Articles 435 (passive bribery) and 436 (active bribery). Although, there is no separate article in the RA Criminal Code in regard to bribery of a foreign public official.</p> <p>Article 3 of the RA Criminal Code stipulates the definition of the official (Clause 20 of Part 1), which also includes foreign public officials. However, the element "or entity" (as third party beneficiary, UN Convention against Corruption, art. 15) is still missing from Articles 435 and 436 of the RA Criminal Code, although the term "person" as used in the Criminal Code is not limited to natural persons.</p>
Source(s) of information	<ul style="list-style-type: none"> - https://www.arlis.am/DocumentView.aspx?DocID=153080 - https://rm.coe.int/CoERMPublicCommonSearchServices/DisplayDCTMContent?documentId=09000016806c2b3a - http://www.unodc.org/documents/treaties/UNCAC/WorkingGroups/ImplementationReviewGroup/ExecutiveSummaries/V1501516e.pdf

Indicator N	10.2
Indicator question(s)	Does the country's legal framework prohibit collusion?
Scoring	● 1: The law prohibits hard-core cartels and collusion.
Response	<p>The actions, behavior or acts of economic entities, state bodies, as well as their officials, which lead or may lead to the prevention, restriction, prohibition or unfair competition of economic competition, as well as damage the interests of consumers are regulated by the RA Law on the Protection of Economic Competition. Article 5 of the Law distinguishes and prohibits three types of anti-competitive agreements:</p> <p>a. "horizontal agreement" - agreement between potential or actual competitors operating in the same product market, if the agreement is related to the given product market;</p>

	<p>b. "vertical agreement" - agreement between non-competing economic entities acquiring and selling in the same product market, if the agreement is related to the given product market;</p> <p>c. "other agreement" - agreement between business entities having certain interconnections or operating in different product markets, which directly or indirectly lead to or may lead to the prevention, limitation or prohibition of competition, as well as other agreements not provided for vertical and horizontal agreements.</p> <p>Fixing prices, making rigged bids, sharing or dividing of a market are considered a "horizontal agreement" and regulated by the same article.</p> <p>Article 284 of the RA Criminal Code stipulates liability for anti-competitive activities, which is <i>"Coordinating economic activities or making an anti-competitive agreement or abusing a monopoly or dominant position or failing to declare a concentration or putting a prohibited concentration into effect, which led to the restriction, prevention or prohibition of competition and caused substantial property damage to the rights, freedoms or legal interests of a person or organization or society or to the legal interests of the state, or as a result of which the economic entity received large profits"</i>.</p>
Source(s) of information	<ul style="list-style-type: none"> - https://www.arlis.am/documentview.aspx?docid=166229 - https://www.arlis.am/DocumentView.aspx?DocID=153080

Indicator N 10.3	
Indicator question(s)	Is the ban on foreign bribery enforced?
Response	<p>The dedicated body responsible for investigation of allegations of foreign bribery is the specialized law-enforcement body created in 2021 – the Anti-Corruption Committee of the Republic of Armenia. However, the official statistics on investigation of corruption offenses, published annually by the Prosecutor General's office, display violations according to the articles of the Criminal Code, and, as there is no explicit article on foreign bribery in that Code, it does not include any separate information on foreign bribery cases. Thus, it is not possible to distinguish whether there are any foreign bribery cases and whether they are enforced.</p>
Source(s) of information	<ul style="list-style-type: none"> - https://prosecutor.am/dynamicWebPages/report1


Indicator N 10.4	
Indicator question(s)	Are anti-collusion provisions effectively enforced?
Response	<p>The Competition Protection Commission is an autonomous body that ensures the freedom of economic activity, free economic competition, the environment necessary for fair competition and the development of entrepreneurship, and carries out the protection of consumer interests. The Commission is composed of 7 members, appointed by the Parliament vote.</p> <p>According to the 2021 and 2022 reports of the Competition Protection Commission, there were 2 administrative proceedings for anti-collusion in 2021 and 2 administrative proceedings in 2022 . Report for 2023 was not available by May 20, 2024.</p> <p>The Prosecutor General's office does not publish statistics for this crime.</p>
Source(s) of information	<p>- https://competition.am/hy/%d5%a3%d5%b8%d6%80%d5%ae%d5%b8%d6%82%d5%b6%d5%a5%d5%b8%d6%82%d5%a9%d5%b5%d5%b8%d6%82%d5%b6/%d5%bf%d5%a1%d6%80%d5%a5%d5%af%d5%a1%d5%b6-%d5%b0%d5%a1%d5%b7%d5%be%d5%a5%d5%bf%d5%be%d5%b8%d6%82%d5%a9%d5%b5%d5%b8%d6%82%d5%b6%d5%b6%d5%a5%d6%80/</p>


Indicator N 10.5	
Indicator question(s)	Are there specific rules or practices related to the transparency of corporations that result in high corruption risks?
Response	<p>Article 7 of the RA Law on Accounting stipulates that all organizations (including those in the process of insolvency or liquidation) are required to carry out accounting.</p> <p>Article 26 stipulates companies and groups financial reports of which must undergo mandatory audit. These companies and groups are:</p> <ol style="list-style-type: none"> 1. Companies which present public interest and big companies; 2. Medium-level companies; 3. Group, the mother company of which is a company which presents public interest and big groups; 4. Medium-sized groups. <p>According to Article 27, part 1 of this law, all companies and groups (except for small companies and groups and micro-companies) must publish annual financial reports.</p>

	<p>In terms of integrity programs as an incentive or requirement for participants of public tenders, the Armenian legislation does not contain such requirements.</p> <p>There are some limitations stipulated in the Law on Procurement for participants in procurement. Thus, according to Article 6 of the Law, those persons who or whose representative of the executive body has been convicted of terrorism financing, child exploitation or human trafficking, creating or participating in criminal cooperation, accepting bribes, giving bribes or brokering bribes and economic activities prescribed by law during the five years preceding the date of submission of the application for targeted crimes, except for the cases when the conviction is extinguished or canceled in accordance with the law, are not entitled to participate in procurement procedures.</p> <p>Generally, one major problem entailing high corruption risks related to corporations is the absence of the culture of corporate governance in Armenian businesses. A modern Corporate Governance Code could contribute to the solution of this problem, which is foreseen by the Anti-Corruption Strategy and its Action Plan for 2023-2026.</p>
Source(s) of information	<ul style="list-style-type: none"> - https://www.arlis.am/documentview.aspx?docID=137754 - https://www.arlis.am/DocumentView.aspx?docid=165080

11. Lobbying transparency

Indicator N	11.1
Indicator question(s)	Is there a law or policy that sets a framework for lobbyists and lobbying activities?
Scoring	● 0: there is no such framework
Response	<p>Currently, Armenia lacks specific regulations on lobbying. However, the Government's Anti-Corruption Strategy and its Action Plan for 2023-2026 highlighted the need to regulate transparency in dealings with lobbying organizations and individuals. By the end of 2025, it is anticipated that a package of relevant legal acts will be developed, which will clarify the conduct and communication of the interaction with the lobbying persons. This activity, nevertheless, contains some risks and needs to be watched closely not to follow the negative practice of other countries and end up with shrinking the space of non-governmental actors as 'agents of foreign influence'.</p>
Source(s) of information	<ul style="list-style-type: none"> - https://moj.am/storage/uploads/1871.1.pdf - https://moj.am/storage/uploads/1871.2.pdf

Indicator N 11.2	
Indicator question(s)	Is the definition of (i) lobbyists, (ii) lobbying targets, and (iii) lobbying activities clear and unambiguous? Who is covered by the definition (consultant lobbyists/in-house lobbyists/ anybody engaging in lobbying activities)?
Scoring	 0: There is no legislative framework on lobbying
Response	Although there is currently no legislative framework for lobbying, it is expected that by the end of 2025, various legal documents will be updated to include regulations on lobbying activities.
Source(s) of information	<ul style="list-style-type: none"> - https://moj.am/storage/uploads/1871.1.pdf - https://moj.am/storage/uploads/1871.2.pdf

Indicator N 11.3	
Indicator question(s)	Is there a mandatory lobbying register? Do disclosure requirements provide sufficient and relevant information on key aspects of lobbying and lobbyists, such as its objective, beneficiaries, funding sources, and targets?
Scoring	 – : Not applicable or no data available
Response	N/A
Source(s) of information	N/A

Indicator N 11.4	
Indicator question(s)	Are there rules and guidelines which set standards for expected behaviour for public officials and lobbyists, for example to avoid misuse of confidential information?
Response	N/A

Source(s) of information	N/A
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Indicator N	11.5
Indicator question(s)	Are procedures for securing compliance framed in a coherent spectrum of strategies and mechanisms, including monitoring and enforcement?
Response	N/A
Source(s) of information	N/A

Indicator N	11.6
Indicator question(s)	Are there documented cases of lobbying misconduct that have been investigated in the past two years? Are there documented cases of sanctions being imposed for non-compliance?
Response	N/A
Source(s) of information	N/A

Indicator N	11.7
Indicator question(s)	Have there been noteworthy efforts to promote transparency and integrity related to lobbying in the past two years? Have there been relevant changes to the framework or its implementation?
Response	The importance of implementing regulations on lobbying transparency, particularly by introducing regulations on lobbying activities (undue influence), was enshrined in the Anti-Corruption Strategy and its Action Plan for 2023-2026. Notably, that GRECO in its Fifth Evaluation Round Report 2024 on Armenia mentioned that <i>“Clear rules on lobbying activities would help ensure an adequate degree of transparency in the legislative process – which is crucial</i>

	<i>to gaining citizens' trust in politicians and in the democratic process, including by introducing compulsory registration of lobbyists, introducing rules of conduct for the third parties concerned, and to actively promote transparency in this area. Consistent with its established practice, GRECO recommends that (i) detailed rules and guidance be introduced on how persons with top executive functions engage in contacts with lobbyists and other third parties who seek to influence the government's legislative and other activities; and (ii) sufficient information about the purpose of these contacts be disclosed, such as the identity of the person(s) with whom (or on whose behalf) the meeting(s) took place and the specific subject matter(s) of the discussion."</i>
Source(s) of information	<ul style="list-style-type: none"> - https://moj.am/storage/uploads/1871.1.pdf - https://moj.am/storage/uploads/1871.2.pdf - https://rm.coe.int/fifth-evaluation-round-preventing-corruption-and-promoting-integrity-i/1680af5d35

12. Party and election campaign finance transparency

Indicator N	12.1
Indicator question(s)	Is there a legal framework regulating the financing of political parties and the finances of candidates running for elected office?
Scoring	<p>1: There is a legal framework regulating the financing of political parties and the finances of candidates running for elected office.</p>
Response	<p>In 2020-2021 Armenia adopted a number of regulations, intended to improve the transparency and accountability of political parties and the elections campaign finance. According to those</p> <ul style="list-style-type: none"> • political parties are not allowed to receive contributions from legal entities, • all financial transactions (both for parties and election campaign funding) should be electronic, no cash transaction is allowed, there are particular funding caps • political parties receive state funding once receiving 2% of votes during the Parliamentary elections (instead of previous 5% threshold), meaning that more political parties are entitled for state funding, • state funding of political parties is divided into 2 segments - general funding (60% of total funding) and targeted funding (40% of the total funding). The general funding is provided without any preconditions, while the targeted funding is provided if the political party meets preconditions in the reporting year, namely - for ensuring gender equality in governance body (if least represented gender in governance body is no less than 40% political party receives 50% of targeted funding, if least represented gender in governance body is around 20-40%, the political party receives 25% of targeted funding, if it is lower than 20%, the political party does not receive this targeted portion of funding), had regional representation (if party operates offices in more than a half of the regions it receives 25% of targeted funding) and had conducted research regarding party ideology,

	<p>party program and public affairs, political party receives remaining 25% of targeted funding.</p> <p>Oversight over the party finance is done by the Corruption Prevention Commission, which is expected to develop an online platform that would provide open data on party finance reports, As for now, party annual declarations are published on a separate platform,</p> <p>In terms of campaign finance, participating political parties and party coalitions are obliged to run separate campaign funds. During campaign participants present finance declarations of the campaign funds concerning their donations and expenditures. The list of expenditures that political parties are obliged to report include advertisement in online platforms, hall, equipment and vehicle exceeding 7 seats, rentals for campaign events, reimbursement costs of proxies, if they exceed AMD 10,000, etc.</p> <p>Currently the oversight is being done by the Central Electoral Commission's Oversight and Audit Service. According to draft amendments to the Electoral Code and the transitional provisions of the Law on the Corruption Prevention Commission this power is intended to be moved to the Commission starting from January 1, 2025), though this issue is still under discussion.</p>
Source(s) of information	<ul style="list-style-type: none"> - https://www.arlis.am/DocumentView.aspx?DocID=166242 - https://www.arlis.am/DocumentView.aspx?DocID=172405

Indicator N	12.2
Indicator question(s)	Are political parties and individual candidates running for elected office required to disclose financial statements for their campaigns detailing itemized income and expenditure, as well as individual donors to their campaign finances?
Scoring	<p>● 1: Political parties (and, if applicable, political candidates) are required to release itemized income and expenditure reports on their campaigns and to disclose donors who contributed to a party's or candidate's electoral campaign, with the threshold of disclosure at 1,000 Euro/USD or less</p>
Response	<p>The Electoral Code defines that political parties (individual candidates) are required to provide details of individual donors contributing to the election campaign fund which are supposed to be further published on the website of CPC within three days after submission.</p> <p>The law doesn't prescribe any thresholds for disclosure of contributions.</p> <p>According to the Electoral Code, the template and regulations for submission of reports should be defined by the Corruption Prevention Commission. But this regulation enters into force from January 1, 2025. Thus, the current template is defined by the Central Electoral Commission. All reports are submitted in a</p>

	<p>standardized manner. Nevertheless, in practice, there are issues with inaccurate data entry and poor access to information.</p> <p>There are ongoing discussions regarding amendments to the Electoral Code that, particularly, proposed limiting the sources of funding of election campaigns to the contribution from the political parties only. CoE Commission for Democracy through Law (Venice Commission) and OSCE/ODIHR have recommended reconsidering this clause by taking into account that funding political parties is a form of political participation.</p>
Source(s) of information	<ul style="list-style-type: none"> - https://www.arlis.am/DocumentView.aspx?DocID=172405 - https://www.arlis.am/DocumentView.aspx?docid=156100 - https://www.e-draft.am/projects/5805/about - https://www.venice.coe.int/webforms/documents/default.aspx?pdffile=CDL-AD(2023)030-e - https://transparency.am/hy/publication/pdf/354/11018

Indicator N 12.3	
Indicator question(s)	Are political parties and, if applicable, individual candidates running for elected office required to disclose annual accounts with itemized income and expenditure and individual donors?
Scoring	<p>● 1: Political parties (and, if applicable, political candidates) are required to release itemized income and expenditure reports on their annual accounts and disclose donors who contributed to a party's or candidate's annual finances, with the threshold of disclosure at 1,000 euro/USD or less.</p>
Response	<p>Article 8 of the Electoral Code requires that political parties running for elections and candidates submit asset and income declarations for the 12 months prior to elections. Additionally, the Central Electoral Commission has adopted decree on the regulation and template of compiling and submitting asset and income declaration:</p> <ul style="list-style-type: none"> • real estate • movable assets • expensive assets (any movable or immovable asset exceeding the total value of AM 8 million) • money • shares/stocks • income, identifying the source of income (in case of individual donation name, surname and place of residence of contributor). <p>The Law does not define any threshold for income disclosure. Moreover, there is no regulation regarding expenditures as well.</p>

	<p>Regulations require that assets and income declarations are submitted to the Central Electoral Commission in hard copy and electronically in PDF format which makes re-use of data practically impossible.</p> <p>In addition, as the review of submitted asset and income declarations show (e.g. the local government elections in Sisian community on March 26, 2023), none of political parties have specified names of contributors in their declarations. In addition, during the latest Yerevan municipal elections CSO observation mission revealed that “the declarations submitted to CEC on properties and income are not filled in a unified manner. For example, some parties fill in data identifying their donors, others only give a general category of "donors" and total sums of donated money. Some parties do not declare their property.”</p>
Source(s) of information	<ul style="list-style-type: none"> - https://www.arlis.am/DocumentView.aspx?DocID=172405 - https://www.arlis.am/DocumentView.aspx?docid=155398 - https://www.elections.am/Elections/LocalProportional - https://transparency.am/hy/publication/pdf/354/11018

Indicator N 12.4	
Indicator question(s)	Are parties' (and, if applicable, candidates') electoral campaign expenditures subject to independent scrutiny?
Scoring	<p>🟡 0.5: The campaign finances of parties and/or candidates for elected office are subject to verification, but the available legal framework fails to guarantee the political independence of the oversight body and/or does not provide the oversight body with sufficient powers and resources to effectively scrutinise the statements and accounts in an effective manner.</p>
Response	<p>Currently the oversight of campaign finance is being done by the Oversight and Audit Service of the Central Electoral Commission, which has limited power/resources and autonomy defined by the Electoral Code to provide independent and comprehensive oversight over the campaign finance process. On the other hand, during parliamentary elections law enables parliamentary fractions to appoint auditors to the Oversight and Audit Service. It should be noted that CEC and Oversight and Audit Service continuously failed to address the problem of abuse of state resources.</p> <p>According to draft amendments to the Electoral Code and the transitional provisions of the Law on the Corruption Prevention Commission this power is intended to be moved to the Commission starting from January 1, 2025, though this issue is still under discussion.</p>
Source(s) of information	<ul style="list-style-type: none"> - https://www.arlis.am/DocumentView.aspx?DocID=172405

Indicator N 12.5	
Indicator question(s)	Are the annual accounts of political parties (and, if applicable, of candidates) subject to independent scrutiny?
Scoring	<p>🟡 0.5: Annual financial statements of parties and/or candidates for elected office are subject to verification, but the available legal framework fails to guarantee the political independence of the oversight body and/or does not provide the oversight body with sufficient powers and resources to effectively scrutinize the statements and accounts in an effective manner.</p>
Response	<p>The annual financial statements of parties and elected officials are subject to oversight by the Corruption Prevention Commission. Political parties which receive state funding and those exceeding total incomes and expenditures of AMD 25 million are required to undergo mandatory audit in accordance with the regulations defined by CPC. According to those regulations the Commission launches an open call for audit services and selects auditing companies based on submitted bids/proposals. Through an open call, the Commission selects up to three auditing organizations to audit each party's annual report. The final auditor is chosen via a public lottery from these candidates.</p> <p>So far, the Commission lacks sufficient resources and capacities to undertake effective oversight of political party finance, including the oversight over the use of state targeted funds for gender equality, regional representation and research. Furthermore, the insufficiency of resources in CPC results in incomplete scrutiny of annual financial statements. Responsible divisions in the Commission fail to consistently cross-check and validate the data from annual statements.</p>
Source(s) of information	<ul style="list-style-type: none"> - https://www.arlis.am/DocumentView.aspx?DocID=172271 - https://www.arlis.am/DocumentView.aspx?DocID=166242 - https://www.arlis.am/DocumentView.aspx?docid=164524

Indicator N 12.6	
Indicator question(s)	What is the score in the Money Politics and Transparency assessment produced by Global Integrity?
Response	Armenia is not included in the assessment.
Source(s) of information	<ul style="list-style-type: none"> - https://data.moneypoliticstransparency.org/


Indicator N 12.7	
Indicator question(s)	Have political parties and/or candidates been sanctioned for violating political finance rules or non-compliance with disclosure requirements in the past two years, according to publicly available evidence?
Response	<p>No sanctions were reported by the Corruption Prevention Commission within the last 2 years. The Corruption Prevention Commission stated that annual reports submitted by political parties contained a number of violations (cash contributions, exceeding donation thresholds etc.) of the law on Political Parties, however no sanctions were applied. Given the novelty of the system the political parties were pardoned, though there is an intent to apply the Law properly in future.</p> <p>There are apparent limitations in the current oversight mechanisms, inadequate enforcement and imposing of sanctions for violations, including ones revealed by elections observation CSOs and journalists. Of particular concern are the abuse of administrative resource abuse and third party campaigns, funding of which is not included in the political party finance reports, hence distorting the actual funding of campaigns, affecting the competition and putting in question the legitimacy of elections.</p>
Source(s) of information	<ul style="list-style-type: none"> - cpcarmenia.am/files/legislation/995.pdf - cpcarmenia.am/files/legislation/1390.pdf


Target 16.6: Develop effective, accountable and transparent institutions at all levels

Indicator 16.6.1: Primary government expenditures as a proportion of original approved budget, by sector (or by budget codes or similar)

Indicator 16.6.2: Proportion of the population satisfied with their last experience of public services

13. Transparency and integrity in public administration

Indicator N 13.1	
Indicator question(s)	<p>Is there a law, regulation or Code of Conduct in place, covering public officials, employees and representatives of the national government, that adequately addresses the following issues:</p> <ul style="list-style-type: none"> a. integrity, fairness, and impartiality; b. gifts, benefits, and hospitality; and c. conflicts of interest?
Scoring	<p> 1: A law, regulation or Code of Conduct is in place and addresses the aspects mentioned above.</p>
Response	<p>Chapter 5 of the RA Law on Public Service (Articles 21-33) regulates the relations between persons holding public positions and servants and the integrity system, including the principles of behaviour of public officials and servants, requirements for the creation and enforcement of codes of conduct based, restrictions on acceptance of gifts and hospitality, incompatibility requirements, other restrictions and situational conflict of interest provisions.</p>
Source(s) of information	<p>- https://www.arlis.am/DocumentView.aspx?DocID=175828</p>


Indicator N 13.2	
Indicator question(s)	<p>Is there a law or clear policy in place to address the “revolving door” – the movement of individuals between public office and private sector, while working on the same sector or issue, which may result in conflicts of interest and in former public officials misusing the information and power they hold to benefit private interests?</p>
Scoring	<p> 1: There is a law or clear policy addressing the “revolving door”.</p>
Response	<p>According to Article 32 of the Law of the Republic of Armenia on Public Service, persons and servants holding public positions are prohibited <i>"7) within one year after being dismissed from the position, to be employed by the employer or to become an employee of the organization to which he/she carried out direct supervision during the last year of his tenure"</i>.</p> <p>Although, the mentioned limitation is very general and does not distinguish the transition from the state or public sphere to the private sphere and does not detail the circumstances of carrying out activities in the same sphere leading to</p>


	a conflict of interests, possible abuse of information and power possessed by former public officials and being guided by private interests or benefiting from it.
Source(s) of information	<ul style="list-style-type: none"> - https://www.arlis.am/DocumentView.aspx?DocID=175828 - https://transparency.am/hy/publication/pdf/256/9410 (page 64-65)

Indicator N	13.3
Indicator question(s)	Does the law or policy that addresses the “revolving door” cover all relevant public-sector decision-makers?
Scoring	<p>● 0.25: The law or policy addressing the ‘revolving door’ only applies to some relevant decision-makers and fails to include many relevant decision-making posts.</p>
Response	<p>According to Article 32 of the Law of the Republic of Armenia on Public Service, the limitation of post-employment activities is extended to persons and servants holding public positions.</p> <p>Article 4 of the same Law stipulates that the 4 groups of public positions (political, administrative, autonomous and discretionary) include all officials of the executive, judicial, and legislative authorities, as well as all types of public servants.</p> <p>Nevertheless, the public service in RA does not include the heads of commercial organizations with state participation, as well as the leading officials of non-commercial organizations with state and community participation. In this regard, the limitation of post-employment activities defined by the Law does not apply to them.</p> <p>In addition, part 2 of Article 32 of the same Law stipulates that <i>"Based on the characteristics of certain types of public service, additional restrictions may be established by the laws regulating these services"</i>.</p> <p>The results of the TIAC report on "Conflict of Interest System and its Management in the Public Service Sector of the RA" show that the Constitutional Law on Rules of Procedure of the National Assembly and the Law on Guarantees of the Activities of a Deputy of the National Assembly of the Republic of Armenia do not contain provisions regarding "other restrictions" on the MP as a person holding a public office.</p> <p>Regarding judges and prosecutors, the Constitutional Law on Judicial Code and RA Law on Prosecutor's Office also do not contain regulations regarding restrictions on holding other positions after dismissal.</p> <p>Regarding the head of the community and the members of the council of elders, such regulations are absent in the Law on Local Self-Government. This</p>

	<p>means that post-employment restrictions set by the RA Law on Public Service cannot be applied to public officials in the given field, because on the one hand, they are constitutional laws and, on the other hand, the regulations of sectoral laws take precedence over the general law regulations.</p> <p>In the sectoral laws governing individual types of public service, there is a lack of clear guidelines regarding post-employment restrictions for certain public service employees. This absence means that no specific framework dictates how these restrictions should be applied across different types of public servants. The Law on Public Service specifies "other restrictions" for persons holding office and public servants, including post-employment restrictions, but does not provide detailed mechanisms or guidelines for enforcing these rules. It lacks clear definitions, conditions, and requirements for individual restrictions, leaving significant gaps in the regulatory framework.</p>
Source(s) of information	<ul style="list-style-type: none"> - https://www.arlis.am/DocumentView.aspx?DocID=175828 - https://transparency.am/hy/publication/pdf/256/9410


Indicator N 13.4	
Indicator question(s)	Is there a mandatory cooling-off period – a minimum time interval restricting former officials from accepting employment in the private sector that relates to their former position – for members of the government and other relevant high-level decision-makers?
Scoring	● 0: There are no or shorter minimum post-employment restrictions
Response	The Law on Public Service establishes a cooling-off period of one year, but it is not specified for the groups of servants holding public positions. Other sectoral public service laws do not require the application of a "cooling-off period" and in practice it is not applied.
Source(s) of information	<ul style="list-style-type: none"> - https://www.arlis.am/DocumentView.aspx?DocID=175828 - https://transparency.am/hy/publication/pdf/256/9410

Indicator N 13.5	
Indicator question(s)	Is there a single public body or are there designated authorities responsible for providing advice and overseeing “revolving door” regulations?
Scoring	 1: There is a single body, or there are various designated authorities charged with providing advice and overseeing the implementation of the policy.
Response	<p>Article 24 of the RA Law on the Corruption Prevention Commission (CPC) provides the Commission with the authority to examine cases and make conclusions regarding "other restrictions" of public office holders, which includes post-employment activities, and to submit recommendations based on them to the competent body or official.</p> <p>According to Article 45 of the RA Law on Public Service, the authority to examine cases and make conclusions regarding "other restrictions" regarding public servants is assigned to the ethics commission of the relevant type of service, and according to Article 46 of the same Law, the authority to provide professional advice is assigned to the integrity officer operating within the personnel management unit of each state and local government body.</p> <p>At the same time, the CPC has the authority to provide professional advice and methodological support to ethics commissions, integrity officers regarding "other restrictions", to interpret other restrictions, and maintains statistics of cases of violations of the requirements of other restrictions.</p>
Source(s) of information	<ul style="list-style-type: none"> - https://www.arlis.am/DocumentView.aspx?DocID=172271 - https://www.arlis.am/DocumentView.aspx?DocID=175828

Indicator N 13.6	
Indicator question(s)	Are there proportionate and dissuasive sanctions for both individuals and companies that do not comply with the law or policy controlling the “revolving door”?
Scoring	 0.5: There are sanctions in the law (or policy) but they are not considered to be proportionate and dissuasive.
Response	<p>According to parts 3 and 4 of Article 32 of the RA Law on Public Service, a measure of disciplinary responsibility is provided for violations of post-employment restrictions, which is not applicable to persons holding political positions and for autonomous positions. Provisions on disciplinary responsibility against persons holding autonomous positions may be applied in cases provided by law. The conclusion of the Corruption Prevention</p>


	<p>Commission on violation of the restriction provided for by this article by a person holding a position without a superior or direct manager is published on the official website of the Commission within three days.</p> <p>A person holding a position without a superior or direct manager is obliged to submit a public explanation regarding the violation recorded by the Corruption Prevention Commission's conclusion, which is published within three days from the moment of receipt on the official website of the body where he holds a position. According to the RA laws on Rules of Procedure of the National Assembly and on the Structure and Activities of the Government of the Republic of Armenia, there are no measures of responsibility for the violation of other restrictions for the deputies of the National Assembly and members of the Government. Regarding the council of elders of the community, other persons holding a community position, the RA laws on Corruption Prevention Commission, On Public Service, and On Local Self-Government do not contain any regulations on applying measures of responsibility for violation of "other restrictions." Although disciplinary measures are provided for by sectoral laws on services in community, diplomatic, police, military, and national security bodies, these disciplinary penalties are not applicable for violations of other restrictions requirements.</p>
Source(s) of information	<ul style="list-style-type: none"> - https://www.arlis.am/DocumentView.aspx?DocID=172271 - https://www.arlis.am/DocumentView.aspx?DocID=175828 - https://transparency.am/hy/publication/pdf/256/9410

Indicator N 13.7	
Indicator question(s)	Are the “revolving door” provisions implemented and enforced in practice? Have there been any developments in the past year that indicate an improvement (or deterioration) in how the “revolving door” and related conflicts of interests are addressed?
Response	<p>Within the last two years, there were no cases of other restrictions, particularly restrictions on post-employment activities, reported by the CPC or the ethics commissions of the public sector and the integrity officers. Such cases were not considered by the press or mass media.</p> <p>The most recent fundamental changes in the Law on Public Service, related to the incompatibility requirements of public officials, the conflict of interests, were made in December 2022, but no changes were made or new procedures established regarding the limitation of “other restrictions,” including the “revolving doors”.</p>
Source(s) of information	<ul style="list-style-type: none"> - https://www.arlis.am/DocumentView.aspx?docid=172230

Indicator N	13.8
Indicator question(s)	Does the legal framework require high-level public officials and senior civil servants to regularly (at least once per year) declare their interests, including any paid or unpaid positions and financial interests in companies and other entities?
Scoring	 1: The legal framework requires high-level public officials and senior civil servants to declare their interests at least once per year.
Response	<p>According to Article 34, part 1 of the Law on Public Service, the following persons have the duty to present declarations: <i>“persons holding public office, heads of communities, their deputies, secretaries of the staff of the municipality, members of the Council of Elders of communities with a population of 15,000 or more, heads of administrative districts of Yerevan community, their deputies, persons occupying positions of the secretary of the staff of the Yerevan Municipality, members of the Council of Elders of the Yerevan community, the 1st and 2nd subgroups of civil service leadership positions, the general secretary of the Ministry of Foreign Affairs, persons occupying the highest command and highest officer positions of the military service, persons occupying the highest and main positions of the tax and customs services, persons occupying the main positions of the police, penitentiary and judicial acts enforcement services, persons occupying the highest positions of the state service and court bailiffs in the staff of the National Assembly”</i>.</p> <p>The obligation to declare is also defined by Article 28.1 of the RA Constitutional Law on Political Parties. Members of the political party's permanent governing body, and in the case of other governing bodies, the members of that body (hereinafter also the declarant officials) are obliged to submit their asset and income declarations to the Corruption Prevention Commission. Declarations of assets, income, expenses and interests are published on the RA Corruption Prevention Commission website: https://registry.cpcarmenia.am/.</p> <p>Civil servants in public service with inspection and control functions do not have a duty to submit declarations. Municipal servants, who are involved in the issuance of licenses and permits, do not have a duty to declare either. Heads of commercial organizations with state participation will fulfill the duty to declare starting from 2024, however they will submit only a situational declaration, which does not have a periodic nature and will be presented upon the request of the CPC. The request of the CPC can be appealed in court.</p>
Source(s) of information	<ul style="list-style-type: none"> - https://www.arlis.am/DocumentView.aspx?DocID=166242 - https://www.arlis.am/DocumentView.aspx?DocID=175828 - https://registry.cpcarmenia.am/

Indicator N 13.9	
Indicator question(s)	Do the interest disclosure requirements cover officials of all branches of government – executive, the legislature, the judiciary, and civil service as well as other relevant public bodies?
Scoring	● 0.75: the interest disclosure applies to three of these sectors
Response	<p>Declaration of interests is submitted only by <i>"Persons holding public positions (except for persons holding discretionary state positions), heads of communities, their deputies, secretaries of the staff of the municipality, members of the Council of Elders of communities with a population of 15,000 or more, heads of administrative districts of Yerevan community, their deputies, the secretary of the staff of Yerevan municipality, members of the Council of Elders of Yerevan community"</i>.</p> <p>Thus, not all groups of officials with the duty to declare their assets and incomes, submit a declaration of interests. Persons holding discretionary state positions and all public servants do not have the duty to submit declaration of interests.</p>
Source(s) of information	<ul style="list-style-type: none"> - https://www.arlis.am/DocumentView.aspx?DocID=175828 - https://www.arlis.am/DocumentView.aspx?DocID=166242 - https://www.arlis.am/DocumentView.aspx?DocID=175828 - https://registry.cpcarmenia.am/

Indicator N 13.10	
Indicator question(s)	Does the legal framework require high-level public officials and senior civil servants to regularly (at least once per year) declare their income and assets?
Scoring	● 1: The legal framework requires high-level public officials and senior civil servants to declare their income and assets at least once per year.
Response	See answer to indicator 13.8 above.
Source(s) of information	<ul style="list-style-type: none"> - https://www.arlis.am/DocumentView.aspx?DocID=175828 - https://www.arlis.am/DocumentView.aspx?DocID=166242 - https://www.arlis.am/DocumentView.aspx?DocID=175828 - https://registry.cpcarmenia.am/


Indicator N	13.11
Indicator question(s)	Do the income and asset disclosure requirements cover officials of all branches of government - executive, the legislature, the judiciary, and civil service as well as other relevant public bodies?
Scoring	 1: the asset and income disclosure applies to high-level officials from the executive, legislature, judiciary and civil service/other public bodies
Response	<p>According to Article 34, part 1 of the Law on Public Service, the following persons have the duty to present declarations: <i>“persons holding public office, heads of communities, their deputies, secretaries of the staff of the municipality, members of the Council of Elders of communities with a population of 15,000 or more, heads of administrative districts of Yerevan community, their deputies, persons occupying positions of the secretary of the staff of the Yerevan Municipality, members of the Council of Elders of the Yerevan community, the 1st and 2nd subgroups of civil service leadership positions, the general secretary of the Ministry of Foreign Affairs, persons occupying the highest command and highest officer positions of the military service, persons occupying the highest and main positions of the tax and customs services, persons occupying the main positions of the police, penitentiary and judicial acts enforcement services, persons occupying the highest positions of the state service and court bailiffs in the staff of the National Assembly”</i>. The obligation to declare is also defined by Article 28.1 of the RA Constitutional Law on Parties. Members of the party's permanent governing body, and in the case of other governing bodies, the members of that body (hereinafter also the declarant officials) are obliged to submit their asset and income declarations to the Corruption Prevention Commission.</p> <p>According to article 4 of the Law on Public Service the state positions include all persons of legislative, executive and judicial power, including the officials of the discretionary group. As for public servants, only civil servants of the 1st and 2nd subgroups of civil service leadership positions, the general secretary of the Ministry of Foreign Affairs, persons occupying the highest command and highest officer positions of the military service, persons occupying the highest and main positions of the tax and customs services, persons occupying the main positions of the police, penitentiary and judicial acts enforcement services, persons occupying the highest positions of the state service and court bailiffs in the staff of the National Assembly have the duty to declare.</p> <p>Community servants do not have a duty to declare.</p> <p>Persons holding public office, except for the group of discretionary officials, as well as municipal discretionary officials, submit a declaration of assets, income, expenses and interests.</p> <p>Officials of the state discretionary group and public servants who have the duty to declare do not submit a declaration of interests.</p>

Source(s) of information	<ul style="list-style-type: none"> - https://www.arlis.am/DocumentView.aspx?DocID=175828 - https://www.arlis.am/DocumentView.aspx?DocID=166242 - https://www.arlis.am/DocumentView.aspx?DocID=175828 - https://registry.cpcarmenia.am/
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Indicator N	13.12
Indicator question(s)	Does the framework require that information contained in interest declarations and income and asset disclosures be made publicly accessible?
Scoring	<p>● 1: All or most information contained in interest declarations and income and asset disclosure forms has to be made available to the public (some redaction may be necessary to protect legitimate privacy interests).</p>
Response	Article 43 of the Law on Public Service and the Decree N 306 of March 12, 2020 adopted by the RA Government defines the scope of the data subject to publication, which only limits access to the personal data of the declaration and the data of the third party. The publication of declarations is an automated process guaranteeing the protection of the mentioned fields.
Source(s) of information	<ul style="list-style-type: none"> - https://www.arlis.am/DocumentView.aspx?DocID=175828 - https://www.arlis.am/documentview.aspx?docid=140372 - https://registry.cpcarmenia.am/

Indicator N	13.13
Indicator question(s)	Does the legal framework establish an oversight body that is provided with sufficient political independence and legal powers to scrutinise income and asset disclosures?
Scoring	<p>● 1: The legal framework provides for an independent oversight mechanism with sufficient independence and powers to scrutinise income and asset declarations.</p>
Response	<p>According to Article 23 of the RA Law on Corruption Prevention Commission, the Commission is assigned with the function of "2) <i>regulating the declaration process, checking and analyzing declarations</i>".</p> <p>The Commission was formed in 2019, actually becoming the successor of the Ethics Committee of High-Ranking Officials formed in 2011. According to the RA Constitution, it is an autonomous state body that operates on the basis of the principles of collegiality, financial independence, public accountability and transparency, cooperation and political neutrality.</p>

	<p>The formation mechanism of the Commission has been revised in 2021 switching from political appointments to a competition format in order to increase its professionalism and autonomy and to prevent political influence. The Commission consists of 5 members, and is formed by the National Assembly. The selection of the members of the Commission takes place on the basis of an open call, through the competition council formed by the President of the National Assembly.</p> <p>Given the boycotts organized by the parliamentary opposition of sessions of the National Assembly, two of the current members of CPC have been elected exclusively based on the votes of the ruling party, which had an impact on the perception of independence of CPC members. At the same time, there is a problem of filling in the positions of the Commission members because of lack of applications to take part in the competition.</p> <p>One major problem is the ban on CSOs to observe the competition of CPC members, organized by the commission appointed by the National Assembly. Neither is there a possibility to monitor the hiring of civil servants to various positions at CPC given the limitations of the Law on Civil Service.</p> <p>Regarding the regulation of the declaration process, according to the Law, the Commission <i>"defines the declaration template, the requirements for filling out the declaration, the list of declaration register data, the procedures for maintaining the declaration register, submitting the declaration and making changes to the declared data, archiving the declaration, as well as the methodology of declaration analysis and risk criteria; publishes the declarations, verifies and analyses the declarations and, on the basis of this, applies measures of responsibility against the declarants for non-submission of declarations within the specified period or violations of the specified requirements."</i></p>
Source(s) of information	<ul style="list-style-type: none"> - https://www.arlis.am/DocumentView.aspx?DocID=172271 - https://www.arlis.am/DocumentView.aspx?DocID=175823 - https://hetq.am/hy/article/163022

Indicator N	13.14
Indicator question(s)	Does the law or policy contain dissuasive and proportionate sanctions for failure to comply with interest and income and asset disclosure requirements?
Scoring	 1: The law or policy contains dissuasive and proportionate sanctions for non-filing of disclosures, or for incomplete or false claims made in disclosures, covering both interests and income and assets.
Response	According to Article 169.28 of the RA Code on Administrative Offenses, the failure to submit the declarations to the Corruption Prevention Commission within the specified time limits or submitting in violation of the requirements or the order of filling out the declarations or carelessly submitting incorrect or

	<p>incomplete data in the declarations, leads to notification by the CPC. The failure to submit within 30 days after notification – leads to a fine in the amount of 200 times the minimum wage. Submission of the declaration in violation of requirements for its completion or of the order of submission leads to notification, the failure to submit after 30 days - to a fine in the amount of 200 times the minimum wage. In case of carelessly submitting incorrect or incomplete data in the declaration – a fine of 200-400 times the minimum wage is established.</p> <p>According to Article 444 of the Criminal Code of the Republic of Armenia, submitting false information in the declaration or concealing the information to be declared or not submitting the declaration within 30 days after applying the responsibility established by law is punished by a fine in the amount of 10-30 times the person's monthly income, or by deprivation of the right to hold certain positions or engage in certain activities for a period of two to five years, or by restriction of freedom up to three years, or by short-term imprisonment up to two months, or by imprisonment up to three years.</p>
Source(s) of information	<ul style="list-style-type: none"> - https://www.arlis.am/DocumentView.aspx?DocID=178682 - https://www.arlis.am/DocumentView.aspx?DocID=178683

Indicator N 13.15	
Indicator question(s)	Have there been cases in the past two years of sanctions being imposed on elected or high-level public officials or senior civil servants for failing to file declarations of their interest declaration or their assets and income declaration, or for intentionally providing false or incomplete information in their disclosure, according to publicly available evidence?
Response	<p>The 2022 and 2023 CPC reports indicate that in 2022 the Commission initiated 118 proceedings regarding violations related to income and asset declarations. Among the initiated proceedings, 97 were for failure to submit declarations within 30 days after the expiration of the deadline established by the law, 20 related to the declarant's careless submission of incorrect or incomplete data in the declaration, and 1 was for the submission of the declaration in violation of the requirements for its completion or the order of submission. Fifteen proceedings regarding administrative offenses were initiated against judges, 3 - against MPs (2 - were former MPs at the time of initiation of the proceedings), 1 - against a minister. Out of 118 proceedings initiated regarding administrative offenses related to the income and asset declarations 107 were terminated. Administrative penalty was applied as a result of 11 proceedings, of which in 10 cases (8 - on the basis of submitting incorrect or incomplete data in the declaration, 2 - on the basis of not submitting a declaration) an administrative fine was applied in the amount of AMD 200,000, and in case of one - a notification was issued as an administrative penalty on the basis of violation of requirements of the order of filling out the declaration.</p>

	<p>In 2023, 20 proceedings were initiated for failure to submit the declarations within 30 days after the expiration, 2 - on the basis of violations of requirements submitted to the applicant or the order of submission, where one proceeding was initiated against an MP, and another - against the Deputy Head of Police.</p> <p>In 2022, the RA General Prosecutor's Office reported that they sent an inquiry to the CPC because individuals who were required to submit declarations in 2021 deliberately failed to do so. Despite being aware of their failure to submit, no declarations were made, and the CPC did not initiate administrative proceedings. Consequently, the deadlines for imposing administrative penalties lapsed.</p> <p>In 2022, 31 criminal proceedings were investigated under submitting false data in the declaration or concealing the data subject to declaration, 7 of which were initiated based on the data received from the CPC. Out of the aforementioned criminal proceedings, 7 criminal cases against 10 persons were sent to the court with an indictment, 3 criminal proceedings were terminated, 1 criminal proceeding was suspended, 5 were connected, and the investigation of 15 proceedings is ongoing.</p> <p>As for 2023, 18 criminal proceedings were investigated under submitting false data in the declaration or concealing the data subject to declaration, 10 of which were initiated by the data received from the CPC. Out of the aforementioned criminal proceedings, 3 criminal cases were sent to the court with an indictment, 6 criminal proceedings were terminated, and the investigation of other proceedings is ongoing.</p> <p>Individual cases of not submitting a declaration within the specified period and submitting false data in the declaration are detailed in the report of the General Prosecutor's Office of RA, particularly regarding high-ranking officials. Individual cases are described in the publications of "Hetq" and "Infocom" investigative journalists' websites.</p>
Source(s) of information	<ul style="list-style-type: none"> - http://cpcarmenia.am/files/legislation/995.pdf - http://cpcarmenia.am/files/legislation/1390.pdf - https://prosecutor.am/dynamicWebPages/report1 - https://infocom.am/hy/article/84387 - https://infocom.am/hy/article/102475 - https://hetq.am/hy/article/151831 - https://hetq.am/hy/article/113888 - https://hetq.am/hy/article/143813 - https://hetq.am/hy/article/113463

Indicator N	13.16
Indicator question(s)	How do you evaluate the effectiveness of the disclosure mechanism for interests, assets and income? Is there a disclosure requirement for gifts and hospitality received by public officials and civil servants (if applicable)? Have there been any developments in the past two years that indicate an improvement or a deterioration of the disclosure mechanism?
Response	<p>The declaration system formed in 2019-2022 can be evaluated as effective. Such assessment is due to the transition from the declaration of assets and income of high-ranking officials to the system of declaration of assets, income, interests and expenses. The range of declarants has been expanded. It fully includes all high-ranking officials of executive, legislative, judicial and prosecutorial and other autonomous bodies, the leadership of Local Self-Government bodies. Heads of public servants and servants of groups of major positions also have the duty to declare. The declaration is submitted in cases of assumption of office, termination and annually. Not only officials, but also their family members have a duty to declare. Family members submit a declaration in the same format and content, except for the declaration of interests, which family members and public servants do not submit.</p> <p>The declaration contains data on property, main types of real estate, vehicles, financial assets: loans, shares, stocks, valuables, cash. Income includes types of income from all possible sources of income for natural persons. In terms of donations, donations received and given in terms of both types of property, inheritance are included.</p> <p>The declaration of gifts and hospitality due to official duties is carried out in accordance with the requirements of Articles 29-30 of the RA Law on Public Service, according to the procedures for recording and handing over gifts due to official duties based on Order N 01-N from December 22, 2023. For this purpose, the declarants should download an excel file, fill it, sign it and send the scanned version to the CPC e-mail.</p> <p>The declaration of interests includes data on the official's participation and beneficial ownership in commercial organizations, involvement in the management councils of non-commercial organizations, political parties, representation in the management, administrative or supervisory bodies of commercial organizations, data on the transfer of shares to trust management, official participation in RA state and municipal procurements, data on contracts signed by companies with the participation of a person and his family member.</p> <p>The declaration of expenses includes data on payments made for vacation, rental of movable or immovable property, rent paid for education or other courses, repairs of immovable property, implementation of agricultural activities and repayment of loans. The declaration includes detailed data on property name, registration numbers, identification, location, acquisition and disposal transactions, price, currency, transaction party identifiers, cryptocurrency and cash funds in bank accounts, sources of income, donor identifiers.</p>


	<p>Declarations are published on the website of the CPC, in the register of declarations. The new electronic system for submitting declarations was launched on February 1, 2023. It allows to expand the search possibilities of declarations up to the individual property types and monetary thresholds and other information included in the declaration.</p> <p>The published declarations create quite good opportunities for investigative journalists to make discoveries, to make calculations of apparent discrepancies of illegal enrichment, to compare the declared data with the data of the administrative registers of individual state and local government bodies. In 2022, the CPC initiated 6 proceedings against the National Assembly MPs, based on the apparent violations found during the examination of the 2021 annual interest declarations. In 2023, only 1 proceeding was initiated against the NA MP, based on the apparent violations found during the examination of the 2022 annual declaration.</p> <p>The basis for initiating proceedings against the deputy mayor of Yerevan based on the apparent violation of the requirements of incompatibility, was the publication of the media outlet, according to which the official is the chairman of the board of directors of a closed joint-stock company. It was also noted that it is a company operating under the RA government, whose activities are aimed at implementing large-scale projects together with the big investors and partners.</p> <p>Along with significant progress, the declaration system still has problems that need improvement. In particular, it is impossible to obtain data from the register of declarations, summary data on the officials who assumed and terminated the position, the officials with the duty of declaration and their family members, including the lists of the declarants who did not submit the declaration within the specified period, who submitted it in violation of the deadline, etc. In addition, the declaration system needs the unification of data and transition to the unified declaration system.</p> <p>Public servants and public officials and their family members must submit a declaration of assets, income, expenses and interests. It is necessary to expand the scope of the declarant officials, including the public servants involved in the functions involving corruption risks that deal with inspection, control, procurement, licenses, permits. There is a need to include in the declaration system the management staff of commercial and non-commercial organizations and foundations with state participation, which are outside of the public service, but provide public services. The current legislation stipulates that from 2024, the leading officials of the mentioned organizations must submit a situational declaration, at the request of the CPC. Meanwhile, situational declarations do not include information about interests and are presented in the format of a declaration of assumption of office, in which there is no information about property transactions carried out during the year.</p>
Source(s) of information	<ul style="list-style-type: none"> - https://www.arlis.am/DocumentView.aspx?DocID=175828 - https://registry.cpcarmenia.am/ - http://cpcarmenia.am/files/legislation/895.pdf - http://cpcarmenia.am/files/legislation/995.pdf - http://cpcarmenia.am/files/legislation/1390.pdf - http://cpcarmenia.am/files/legislation/1211.pdf

	<ul style="list-style-type: none"> - https://hetq.am/hy/article/113463?fbclid=IwAR0uOoZxBZ5TMqbTVdv9rb1J5ZHb8dBWPTbV0zzVLeMR4KQd38kVyaL14YU - https://infocom.am/hy/article/102475?fbclid=IwAR1cpIEfnTUoN-cbamTU3doziWrN8G0cz96kbpATHEZQZ_i6uSwePs9zRIs
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Indicator N 13.17	
Indicator question(s)	Does publicly available evidence suggest that sufficient resources are allocated to the implementation of an ethics infrastructure? Have there been other noteworthy changes to public sector ethics framework, based on publicly available evidence?
Response	<p>Articles 44-46 of the Law Public Service define the requirements for the establishment of ethics commissions of public servants and the integrity officers. The Law stipulates that one ethics commission is formed for each type of public service, and an institution of integrity officer must be established in the staff of each state and local self-government body.</p> <p>No significant changes took place in the formation of institutional structures or infrastructures of integrity institutions during the last 2 years.</p> <p><i>As evidenced in the CSO monitoring reports, “the comparison and analysis of the legislative regulations for the creation of ethics commissions in the field of the public service of Armenia shows that, according to the Law on Public Service, ethics commissions for individual types of state service, as well as community service for violations of incompatibility requirements, other restrictions, rules of conduct, as well as for the prevention and elimination of conflict of interest situations, are not legally formed. In particular, ethics commissions do not operate for community councils, and the disciplinary commissions formed for community servants, investigators, police officers, military and national security officers do not implement rules of conduct, incompatibility requirements, other restrictions, and functions aimed at preventing and dealing with conflict of interest situations”.</i></p> <p>The final assessment and monitoring report of the Anti-Corruption Strategy of Armenia and its Action Plan for 2019-2022 has also referred to the results of the evaluation of the activity of integrity infrastructures in the field of public administration of Armenia, under the 11th measure of which it was planned to provide the ethics commissions and integrity officers with the necessary methodological materials for their activities and tools, as well as to develop and implement training courses for members of ethics commissions integrity officers. According to the evaluation results of the mentioned report, the implementation of the measure was evaluated with "Not implemented". Thus, the necessity of implementation of this measure was also emphasized in the Anti-Corruption Strategy and its Action Plan for 2023-2026.</p> <p>However, there are some developments regarding the implementation of methodological materials by CPC. Thus, in 2022 CPC adopted the Standard rules of conduct for public servants, and in November 2023 - the Commentary on the</p>

	Standard rules of conduct was adopted. Moreover, in December 2023, CPC adopted the Procedures for receiving and handing over gifts, which are effective from January 1, 2024.
Source(s) of information	<ul style="list-style-type: none"> - https://www.arlis.am/DocumentView.aspx?DocID=175828 - https://www.moj.am/storage/files/pages/pg_7967694028641_AC_M-A_Report_final_2023-compressed_1_.pdf - https://moj.am/storage/uploads/1871.1.pdf - http://cpcarmenia.am/files/legislation/706.pdf - http://cpcarmenia.am/hy/news/item/2023/11/16/1/?fbclid=IwZXh0bgNhZW0CMTAAR1puLMLRzToQdFVk90Mqea6QjR6kw4-dt4ZV9R1e6XsRCBWe2m-dl2uINQ_aem_AXUkx88B683jLrusiLlzePEamzic2PJ2XqbgOp_YMKhsK6lZhicj8yr3w2uSSJ5VLlvrTbLr0YLG0nYbA-FcBTId - http://cpcarmenia.am/files/legislation/1211.pdf - https://transparency.am/hy/publication/pdf/256/9410 - https://transparency.am/hy/publication/pdf/244/1351

14. Fiscal transparency

Indicator N	14.1
Indicator question(s)	Is there legislation or policy in place requiring a high degree of fiscal transparency?
Scoring	 0.75: The legal framework requires a fairly high degree of fiscal transparency and the publication of 7 of the key budget documents.
Response	<p>The 8 key budget documents defined by leading international financial governmental and non-governmental organizations, such as IMF, The World Bank, OECD, IBP and others, are the pre-budget statement, executive's budget proposal, enacted budget, citizen's budget, in-year reports (quarterly budget execution reports), mid-year review, year-end report and audit report.</p> <p>The Law on the Budgetary System of the Republic of Armenia, the key legal act regulating the budgetary process in Armenia, requires producing and publishing the mid-term expenditure program (considered as equivalent to pre-budget statement), executive's budget proposal, enacted budget, in-year reports (quarterly reports on budget execution), and year-end report (annual report on budget execution). The institution in charge of producing and publishing the mentioned budget documents is the RA Ministry of Finance. Additionally, the Ministry produces and publishes the Citizen's Budget, which is stipulated by a stand-alone legal act adopted every year in mid-January, the Decision of Prime-Minister on the start of the budgetary process, as prescribed by the above-mentioned RA Law on the Budgetary System. Finally, the Audit Chamber produces the audit report (the audit of the budget execution during the budget year).</p> <p>The Mid-year Review document is not produced in Armenia.</p>

Source(s) of information	<ul style="list-style-type: none"> - https://www.arlis.am/DocumentView.aspx?DocID=175826 - https://www.arlis.am/DocumentView.aspx?DocID=159682 - https://www.arlis.am/DocumentView.aspx?DocID=173600 - https://internationalbudget.org/open-budget-survey/country-results/2021/armenia
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Indicator N 14.2	
Indicator question(s)	What is the country's score and rank in the most recent Open Budget Survey, conducted by the International Budget Partnership (http://www.internationalbudget.org/open-budget-survey/)?
Response	Armenia is involved in the Open Budget Survey since 2021. According to the most recent 2023 survey Armenia's scores (on a scale from 0 to 100) are Transparency - 60, Budget Oversight - 59, Public Participation - 11.
Source(s) of information	<ul style="list-style-type: none"> - https://internationalbudget.org/open-budget-survey/country-results/2021/armenia

Indicator N 14.3	
Indicator question(s)	Are key budget-related documents published in practice?
Response	In practice, 7 (out of 8) key budget documents that are produced in Armenia are published.
Source(s) of information	<ul style="list-style-type: none"> - https://minfin.am/hy/ - https://minfin.am/hy/page/petakan_byuje_2023t - https://minfin.am/hy/page/petakan_byuj/ - https://minfin.am/hy/page/petakan_byuje_2023t - https://minfin.am/hy/page/2018_2019 - https://minfin.am/website/images/website/Citizen_budget_2023.docx.pdf - https://minfin.am/hy/page/petakan_byujei_hashvetvutyun/ - https://www.e-draft.am/projects/4797 - https://armsai.am/hy/budget-conclusions - https://internationalbudget.org/open-budget-survey/country-results/2021/armenia

15. Public procurement and government contracting


Indicator N 15.1	
Indicator question(s)	Does the law clearly define up to what threshold(s) single-sourced purchases of goods, services and public works are allowed?
Scoring	● 1: Thresholds concerning the single-sourcing of goods, services and public works are clearly defined by law
Response	Article 23 of the Law on Procurement defines the conditions, under which single-sourcing of goods, services and works is allowed. Point 4 of Part 1 of the named Article provides that single-sourcing is allowed, if the price of the procuring item does not exceed 1 procurement basic unit. Point 21 of Part 1 of Article 2 (Main concepts used in the Law) of the Law on Procurement provides the procurement basic unit is equal to 1,000,000 Armenian Drams (AMD), which is about 2,470 USD as of December 30, 2023 currency exchange rate (1 USD = 404.79 AMD).
Source(s) of information	- https://www.arlis.am/DocumentView.aspx?DocID=165080

Indicator N 15.2	
Indicator question(s)	What are exceptions in the legal framework for public procurement that allow for single-sourced contracting above these thresholds?
Scoring	● 0.5: The law provides exceptions that may be vulnerable to misuse.
Response	<p>The threshold for single-source contracting mentioned in the response to the indicator question 15.1, actually, is not the only exception for conducting this procedure of contracting. Article 23 of the Law on Procurement defines other exceptions for conducting single-source contracting. Specifically</p> <ol style="list-style-type: none"> 1. the procuring good, service or work is possible to acquire only from one person (legal or natural), which is due to its copyright and related rights, special or exclusive right; 2. as a result of emergency or other unforeseen situation, an urgent purchase requirement has arisen and, due to the emergency or other unforeseen situation, the use of other forms of purchase is impossible in terms of time, provided that such a requirement could not be objectively foreseen; 3. the procuring entity, making a purchase of goods from any person, decides to make an additional purchase of goods necessary for the performance of

	<p>the original contract from the same person based on circumstances not included in the original contract, but objectively unforeseen, provided that:</p> <ol style="list-style-type: none"> the additional goods contract cannot be technically or economically separated from the original contract without significant hardship to the procuring entity, and its price does not exceed 10 percent of the total price of the original contract. At the same time, an additional purchase from the same person may be made once using this point, and the price of the additional products cannot be set higher than stipulated in the contract. <p>4. the purchase is carried out outside the territory of the Republic of Armenia.</p> <p>In practice, both media reports and monitoring of procurement procedures reveal a rather large proportion of single-source contracting. Analysis of this trend shows that the main reason for this is the misuse of clause 1 of the mentioned above Article 23 of Law on Procurement. Also, there is widespread practice of splitting the purchase item into pieces (lots) with each lot having a price lower than the basic unit of procurement (1 mln AMD).</p>
Source(s) of information	- https://www.arlis.am/DocumentView.aspx?DocID=165080

Indicator N 15.3	
Indicator question(s)	Does the legal framework require that information on public procurement above certain thresholds be published?
Scoring	<p>0.5: The legal framework requires tender announcements and contract award information (including information on the procuring entity, the supplier, the number of bidders, the good/service procured, the value of the contract) to be released.</p>
Response	<p>The Procurement Law defines what information shall be published in the Procurement Bulletin and there is no threshold requirement for the publication of any piece of such information, except for the protocol of the procurement procedure (see Part 1 of Article 9 of the Law) and announcement on the conclusion of the contract (see Part 1 of Article 11 of the Law). The protocols of the procurement procedure and announcements on the conclusion of the contract are required to be published only for the procurement procedures, whose prices exceed one basic procurement unit.</p> <p>The full texts of procurement contracts are not required to be published by the Law on Procurement in the (electronic) Bulletin of Procurement. Tender announcements are required to be published according to Part 1 of Article 27 of the Law on Procurement, and contract award information - according to Part</p>

	<p>1 of Article 10 of the Law. In practice, the mentioned legal requirements are followed.</p> <p>It is worth mentioning that the full texts of contracts in the cases when procurement has been conducted electronically are available on the ARMEPS Platform of Electronic Procurement on the Procurement Plans and Contracts Management.</p>
Source(s) of information	<ul style="list-style-type: none"> - https://www.arlis.am/DocumentView.aspx?DocID=165080 - https://procurement.minfin.am/ https://procurement.minfin.am/hy/page/bac_mrcuyti_haytararutyun_ev_hraver/ - https://procurement.minfin.am/hy/page/paymanagir_knqelu_masin_haytararutyun/ - https://armeps.am/ppcm/public/reports?lang=hy - https://armeps.am/ppcm/public/contracts

Indicator N 15.4	
Indicator question(s)	Are bidders required to disclose their beneficial owners?
Scoring	 0.75: Not all the bidders have to disclose beneficial ownership.
Response	<p>According to clause b) of Point 2 of Part 2 of Article 28 of the Law on Procurement, the bidder is required to disclose its beneficial owner in the submitted bid, which is published in the Bulletin of Procurement. Yet, this requirement is explicitly set only for the bidders in open tenders. For the persons involved in other types (procedures) of procurement (price quotation, electronic auction and single-sourcing) there is no such a requirement. In practice, beneficial owners are disclosed also during price quotation and electronic auction types of procurement. The only exception is single-sourcing type of procurement, where the contractor's beneficial owners are not disclosed by law. However, in practice beneficial owners are disclosed, as can be seen from the Procurement Bulletin.</p> <p>At the same time, the practice reveals that there is no proper verification of the submitted information.</p>
Source(s) of information	<ul style="list-style-type: none"> - https://www.arlis.am/DocumentView.aspx?DocID=165080 - https://procurement.minfin.am/ - https://procurement.minfin.am/hy/page/irakan_shaharuneri_tvyalner/


Indicator N	15.5
Indicator question(s)	Are there legal provisions, regulations or policies in place for bidders to file complaints in case they suspect irregularities at any stage of the procurement process?
Response	<p>Yes, there are such mechanisms. Before June 1, 2022 the procurement appeals system in Armenia consisted of both judicial and extrajudicial components. After the amendments made in the Law on Procurement in 2022, the extra-judicial system of appeals was abolished. The whole appeals process is regulated through civil law. Information about the appeals is provided in the Bulletin of Procurement.</p> <p>The right to appeal and relevant regulations are provided by Article 46 of the Law on Procurement. According to it, every interested person has the right to appeal (bring complaint) actions (inaction) of the procuring entity or the bidding commission. Also, any person can appeal, but only prior to the deadline of bid submission, characteristics of the procurement item or requirements set in the pre-qualification notice or invitation announcement. One deficiency of the system is that appeals shall be handled only through civil law regulations provided by Armenian Civil Code, whereas there is plenty of evidence that handling of many complaints requires application of criminal or administrative law.</p> <p>CSO reports show that after the abolition of the extrajudicial component, the number of appeals declined substantially (almost two times), the percentage of satisfied (in favor of suppliers) appeals declined from 52.5% to 37.5%, which questions the accessibility of the judicial system for procurement appeals. Another finding of the study was that the major part of the appeals (77% in 2021 and 55% in 2022) relate to the bid evaluation stage of the procurement process. This means that the mentioned stage remains the most problematic stage of the procurement process. Finally, the monitoring revealed that there was a sharp decline (from 44.1% in 2021 to 20.5%) of pending litigation cases. This can be explained by the introduction of a special procedure of proceedings for procurement disputes in the Civil Procedure Code (entered into force on June 1, 2022, along with the abolition of the extrajudicial component of the procurement appeals system), which speeded up the process of litigation of procurement disputes.</p>
Source(s) of information	<ul style="list-style-type: none"> - https://www.arlis.am/DocumentView.aspx?DocID=165080 - https://procurement.minfin.am/ - https://procurement.minfin.am/hy/page/datakan_kargov_boxoqarkumner_/ - https://transparency.am/hy/publication/pdf/357/10897

Indicator N	15.6
Indicator question(s)	Which information and documents related to public procurement and other relevant government contracts (such as privatizations, licenses etc.) are published proactively and are available in full text? Are any of these documents published online through a central website or database?
Response	<p>The Law on Procurement defines which information and documents related to public procurement shall be proactively published in the Bulletin of Procurement. It includes the following:</p> <ol style="list-style-type: none"> 1. All legislation (codes, laws, decrees, orders, etc.) related to public procurement (see Article 4 of the law); 2. Announcement on the absence of conflict of interest submitted by the person (or his/her representative), who expressed his/her willingness to participate in the process of public oversight of the procurement contract management and implementation (see Part 2 of Article 5.1 of the law); 3. Summary sheet of the discussion of negative position (see Part 3 of Article 5.1 of the law); 4. Announcement of persons with no right to participation of public control (see Part 6 of Article 5.1 of the law); 5. Annual report on procurement statistics (see Part 5 of Article 9 of the law); 6. Statement on the decision to conclude procurement contract (see Part 1 of Article 10 of the law); 7. Statement on the signed procurement contracts (see Part 1 of Article 11 of the law) - only the statement on those contracts, whose price exceed basic procurement unit; 8. Procurement plans (see Part 3 of Article 15 of the law); 9. Announcement and invitation of an open tender (see Part 1 of Article 27 of the law); 10. Announcement and invitation at the request for quotation (see Part 3 of Article 22 of the law - the requirement is not explicitly mentioned, but the provision of the mentioned Part implies its publication); 11. Prequalification announcements (see Part 2 of Article 24 of the law); 12. Notices about the contents of inquiries and clarifications on prequalification announcements and invitations (see Part 3 of Article 24 of the law); 13. Notices on the changes in announcements and invitations of prequalification procedure (see Parts 4 and 5 of Article 24 of the law); 14. Notices about the contents of inquiries and clarifications on open tender announcements and invitations (see Part 2 of Article 29 of the law); 15. Notices on the changes in announcements and invitations of open tender (see Parts 4 of Article 29 of the law); 16. Announcements on the Absence of Conflict of Interest of the Members of Evaluation Commissions (see Parts 7 of Article 33 of the law); 17. Minutes of the Tender Evaluation Commission Meetings on Bids Opening (see Parts 8 of Article 33 of the law); 18. Minutes of the Tender Evaluation Commission Meetings on Bids Evaluation (see Parts 9 of Article 34 of the law);


	<p>19. Announcement on Failed Procurement Procedure (see Parts 3 of Article 37 of the law);</p> <p>20. Announcement and Invitation of Electronic Auction (see Parts 1 of Article 40 of the law);</p> <p>21. Changes in the Announcement and Invitation of Electronic Auction (see Parts 4 of Article 40 of the law);</p> <p>22. Notices on the changes in announcements and invitations of electronic auction (see Parts 6 of Article 40 of the law);</p> <p>23. Documentation of procurement procedures of public organizations (see Parts 1 of Article 52 of the law).</p> <p>Besides that, the Bulletin of Procurement contains also other very important information related to procurement, whose publication is not prescribed by the Law on Procurement. Among them</p> <ul style="list-style-type: none"> a. list of participants who are not eligible to participate in the procurement process (this is not directly mentioned in Part 2 of Article 6 of the Law); b. list of bidders ineligible to participate in the procurement process of member states of the Eurasian Economic Union; c. notifications on unilateral termination of contracts; d. announcements on real shareholders of the participant (this announcement is part of the bid submission invitation (see Part 2 of Article 28 of the Law), thus, as the publication of invitation is required, the publication of this announcement is consequently also required, though it is published separately from the invitation (see also response to question on Indicator 15.4); e. amendments to the contracts (together with announcements on making those amendments); and f. information about the procedures of qualification of procurement coordinators and their regular mandatory trainings. <p>Besides that, the Platform for Electronic Public Procurement publishes also the texts of the procurement contracts conducted electronically and their acceptance acts, as well as detailed reports on all electronically conducted procurement procedures.</p> <p>All this information is released in a regular and timely manner.</p>
Source(s) of information	<ul style="list-style-type: none"> - https://www.arlis.am/DocumentView.aspx?DocID=165080 - https://procurement.minfin.am/ - https://armeps.am/ppcm/public/reports#/home

Indicator N	15.7
Indicator question(s)	To what extent does the country use electronic procurement that is open, provides the public with access to procurement information and opportunities to engage in the procurement process?
Response	<p>Electronic procurement (e-procurement) system currently is rather functional and used widely in Armenia. At the same time, there are some deficiencies of that system.</p> <p>First, not all procuring entities defined by the Law on Procurement conduct e-procurement. The Law does not require use of electronic procurement for all procuring entities defined by the Law. Government Decree N 386-N from April 6, 2017, which provides the procedure of conducting electronic procurement, lists those procuring entities, which shall conduct their procurement using electronic procurement. Procuring entities not included in that list are not obliged to conduct their procurement electronically. From the Platform for Electronic Public Procurement it is seen that procuring entities not included in the mentioned list, as a matter of fact, do not procure electronically.</p> <p>Second, there is no legislative requirement for applying machine-readable format, open data and open code in electronic procurement and currently these standards are applied in Platform to a very limited extent. Thus, it is fair to assert that the Open Contracting Data Standard is not adopted and Open Contracting Principles are implemented to a limited extent and not in a systematic manner in Armenia.</p> <p>Finally, armeps/ppcm platform does not include modules allowing analysis of deficiencies and corruption risks, which is currently widely applied in many platforms (e.g. PROZORRO platform in Ukraine).</p> <p>Considering this, as well as what has been mentioned in other responses to this Indicator, it could be argued that there are hardly any aspects of the Armenian public procurement system that could be offered to replicate elsewhere. To some extent, perhaps, only the large volume of procurement-related data that is published in the Bulletin of Procurement can be considered as an interesting example that could be replicated elsewhere. Regarding the opportunities for civil society and citizens to provide input to public procurement process or participation of relevant stakeholders during the pre-tendering phase, there is no evidence of their enhancement and increase in scope, and there is strong need to analyze this situation to reveal the root causes of low participation and indifference to these aspects both among stakeholders and civil society.</p>
Source(s) of information	<ul style="list-style-type: none"> - https://www.arlis.am/DocumentView.aspx?DocID=163153 - https://procurement.minfin.am/ - https://armeps.am/ppcm/public/reports#/home

16. Whistle-blowing and reporting mechanisms

Indicator N	16.1
Indicator question(s)	Is there a legal framework to protect whistle-blowers from the public and the private sector who report reasonable belief of wrongdoing?
Scoring	 1: The law provides protection for whistleblowers from both, public and private sector
Response	<p>The RA Law on the Whistleblowing System was adopted on June 9, 2017. Its scope covers both public and private sector whistleblowing cases. Although these amendments were accepted by the RA Parliament on December 21, 2022 and entered into force in January 2023.</p> <p>As reported in the OECD Baseline Report of the Fifth Round of Monitoring of Anti-Corruption Reforms in Armenia, <i>“Amendments enacted in January 2023 extended the Law’s definitions of whistleblower and whistleblowing to all organizations, including in the private sector. However, it appears that Article 6 of the Law on the Whistleblowing System restricts internal whistleblowing only to public sector employees, which deprives private sector employees of the possibility to use the internal reporting channels. This means that private sector employees may not be sufficiently covered by the whistleblowing protection legislation, even considering the amendments enacted in 2023. To be compliant with this element, Armenia also needs to ensure that not only the Law but also other related legislation (notably the procedures and templates approved by the Government decisions nos. 272 and 439 of 2018) apply to the private sector whistleblowers.”</i></p> <p>The Law considers as a whistleblower all the physical and legal entities which report on the issues stipulated by the Law. No exemption is stipulated for public sector employees in the defence and security sectors.</p>
Source(s) of information	<ul style="list-style-type: none"> - https://www.arlis.am/DocumentView.aspx?DocID=114364 - https://doi.org/10.1787/fb158bf9-en (page 58)

Indicator N 16.2	
Indicator question(s)	Does the law provide for broad definitions of whistle-blowing and whistle-blower?
Scoring	<p>0.75: The law contains a broad definition of whistle-blowing and whistle-blower that is largely in line with TI's principles.</p>
Response	<p>According to Article 2 of the Law on Whistleblowing system: <i>"whistleblower is a natural or legal person, who reports, in good faith and as provided for by this Law, information — regarding a case of corruption or a violation in respect of conflict of interests, or rules of ethics or incompatibility requirements, or other restrictions or declaration, or other harm to public interests or the threat thereof — related to the official, body, organization or employee of the organization, with whom he or she is or was in employment or civil law, or administrative law or other relations, or to whom he or she has applied for the purpose of rendering services, or who has been mistakenly perceived as a whistleblower. The person shall be considered to be mistakenly perceived as a whistleblower, where he or she has been perceived, without whistleblowing, as a whistleblower by other persons, or against whom harmful actions have been applied"</i>.</p> <p>Thus, the definition of whistleblowing is quite broad and includes: corruption cases; conflict of interests, breaches of ethics or incompatibility requirements or other limitations; violations of declarations; or harm to other public interests or the threat of harm. The definition of whistleblower includes not only physical persons but also legal persons. Moreover, persons who are considered as whistleblowers by mistake are also given protection by the Law. However, the definition of a whistleblower in the Law is limited to the expression <i>"with an official, body, organization or employee of an organization with whom he/she is or has been in employment or civil law or administrative law related or other relations"</i>, whilst according to international standards, it would have been beneficial to include explicitly some other categories of persons such as interns, job candidates, and individuals who provide supporting disclosure information; and those who help or attempt to help the whistleblower.</p>
Source(s) of information	- https://www.arlis.am/DocumentView.aspx?DocID=114364

Indicator N	16.3
Indicator question(s)	Does the law provide sufficient protection for whistle-blowers?
Scoring	 0.75: The law provides good protection for whistleblowers, but there are some important weaknesses
Response	<p>Article 10 part 3.2 provides for protective measures of the whistleblowers from harmful actions or their consequences at the workplace, for example, the relevant body within its jurisdiction:</p> <ol style="list-style-type: none"> 1. ensures confidentiality of information; 2. creates sufficient conditions for the unhindered performance of his official duties by the whistleblower; 3. in case of unnecessary and illegal interventions in the activities of the whistleblower, takes appropriate measures to eliminate them; 4. implements the protection of the whistleblower's labor rights by the means and procedure defined by the Labor Code of the Republic of Armenia; 5. takes necessary measures to protect the whistleblower arising from the situation, including moving the whistleblower to another office, ensuring that the whistleblower is not artificially burdened with instructions, etc. <p>The definition of harmful action is provided by Article 2, part 1, subpoint 6, according to which: <i>“an action or omission, which causes harm to a whistleblower or a person affiliated thereto for whistleblowing, by terminating his or her employment contract or demoting him or her, or reducing his or her staff, or failing to assign him or her work-related tasks, or artificially overloading him or her with instructions or tasks, or unduly and unlawfully interfering with his or her work-related activities, or refusing to use incentives with regard to him or her, or reducing his or her salary or bonuses, or damaging his or her property, or instituting disciplinary proceedings against him or her, or imposing any other sanction on him or her, which will deteriorate his or her property status or will not satisfy his or her property and other advancement expectations, or applying other measures of influence aimed at keeping away from whistleblowing or related thereto”</i>.</p> <p>The RA Criminal Code provides sanctions for threats to homicide, damage of property or health of a whistleblower or a related person (Article 501), as well as for illegal disclosure of whistleblower data (Article 502). Also, sanctions are imposed in the RA Administrative Code of Violations. Article 41.5 of the Code stipulates liability for not registering the whistleblower's report, not initiating proceedings on the fact of whistleblowing, not securing secrecy of proceedings, not providing an opportunity for a whistleblower to provide explanations, documents and applications, not informing the whistle-blower on the process of proceedings and undertaken measures, not undertaking measures to investigate and verify a whistleblower's report, not undertaking measures to protect a whistleblower from damaging activities, not undertaking measures to stop harming activities or the results of those activities. As reported in the OECD Baseline Report of the Fifth Round of Monitoring of Anti-Corruption</p>

	<p>Reforms in Armenia, <i>“The LSW provides for the whistleblower’s identity protection, ... by prohibiting disclosing or sharing personal data without the person’s consent. The prohibition to disclose the whistleblower’s identity is reinforced by the administrative and criminal sanctions for illegal publication or other disclosure of the whistleblower’s information ... To receive “special protection,” a whistleblower may apply to the competent authority, which is obliged to promptly decide on the application and, in case of a positive decision, send it to the police to carry out the protection measures to the extent that they are applicable mutatis mutandis as prescribed by the Criminal Procedure Code ... The Criminal Procedure Code (Article 73) also allows the Human Rights Defender to request “the body implementing the proceedings” to apply special protection measures to the whistleblower and related persons, on their own initiative or based on the person’s application. This provision, however, refers to “the body implementing the proceedings,” which means an investigative authority conducting a preliminary investigation in a criminal case. This limits the special protection (at least when requested by the Human Rights Defender) to situations when the whistleblowing report concerns a crime and there is an ongoing criminal proceeding.”</i></p> <p>Thus, in cases of whistleblowing by a job candidate or a volunteer as well as in cases of whistleblowing in a private sector there is no enough protection remedies if the case does not involve a criminal act, however even in such case there are no enough mechanisms for whistleblowers to apply for special protective remedies by themselves and if applicable as such, which is at the discretion of an investigative body.</p>
Source(s) of information	<ul style="list-style-type: none"> - https://www.arlis.am/DocumentView.aspx?DocID=114364 - https://www.arlis.am/DocumentView.aspx?DocID=153080 - https://www.arlis.am/documentview.aspx?docid=178188 - https://doi.org/10.1787/fb158bf9-en (page 60)

Indicator N	16.4
Indicator question(s)	Does the law provide for adequate and diverse disclosure procedures?
Scoring	● 1: The law provides for strong disclosure procedures
Response	<p>There are four reporting procedures, stipulated by the Law: internal whistleblowing, external whistleblowing, whistleblowing to the public (latter entered into force from 2023) and anonymous whistleblowing. In regard to internal and external whistleblowing, Article 5 of the RA Law on the Whistleblowing System stipulates the sample format for the registration of reports, stipulated by the Government of Armenia. The Government has stipulated the sample format of registration and the procedure for protecting whistleblowers. However, the Law on the Whistleblowing System also stipulates that each competent body shall independently set both procedure of the registration of reports and procedures for providing protective measures</p>

for whistleblowers, by taking into consideration the requirements set by the decree of the Government.

According to Article 7 of the Law: *“Where the whistleblower has not agreed on the disclosure of his or her personal data, the body which has received the report submitted by the whistleblower and is not competent to institute proceedings, shall be obliged to obtain the initial consent of a whistleblower, before forwarding the report according to subordination, unless otherwise provided by law. In case of absence of the consent of a whistleblower, the report shall be forwarded according to subordination, without disclosing the personal data of a whistleblower”.*

In the case of “Internal whistleblowing”, the head of the competent authority or the person authorised by him or her shall ensure non-disclosure of personal data of a whistleblower, unless otherwise provided for by Law. The internal whistleblowing starts by reporting to the immediate supervisor of the whistleblower, the superior official of him/her, or to the authorized person appointed by the head of the competent (relevant) authority. If the report was submitted to these people, then he/she shall immediately pass the report to the head of the competent (relevant) authority or to a person authorized by him/her. The head of the competent authority or his/her authorized person shall, within one working day, register the report and in case of the existence of grounds, within the framework of its competence, start proceedings within 3 working days. The maximum period of proceedings initiated on the basis of internal whistleblowing is 30 days. As a result of the initiated proceedings, a corresponding act is adopted, about which the whistleblower is notified within three days from the moment of adoption of the act.

In the case of “External whistleblowing” the competent authority shall ensure non-disclosure of personal data of a whistle-blower, unless otherwise provided by the Law. External whistleblowing begins with the whistleblower submitting a report to the competent authority. If the report concerns an employee of the competent body, the notification is made to the head of the competent body. If the report concerns the head of the competent body, it is submitted to the head of the superior body of the competent body. In the absence of a higher body of the competent body, the report is submitted to the ethics commission of the public servant of the relevant body (if available), and in the case of high-ranking officials, to the Corruption Prevention Commission. The competent authority ensures the reporting of the report immediately, but not later than within one working day; initiates proceedings within three working days from the moment of registration of the report if there are grounds within its jurisdiction; ensures the confidentiality of the proceedings. The maximum term of proceedings initiated on the basis of external whistleblowing is 30 days. As a result of the initiated proceedings, a corresponding act is adopted, about which the whistleblower is notified within three days from the moment of adoption of the act.

In case of "Whistleblowing to public" the whistleblower may make the report known to the public through mass media, if his report has not been processed in accordance with the law and within the time frame by other channels of reporting. Mass media that received the report must ensure non-disclosure of personal data of the whistleblower, unless otherwise provided by law. The

	<p>authorized body ensures reporting of the report immediately, but not later than within two working days; initiates proceedings within three working days from the moment of registration of the report if there are grounds within its jurisdiction; ensures the confidentiality of the proceedings, etc. The maximum term of proceedings initiated on the basis of external whistleblowing is 30 days. As a result of the initiated proceedings, a corresponding act is adopted, about which the whistleblower is notified within three days from the moment of adoption of the act.</p> <p>The whistleblower can anonymously blow the whistle only by using the unified electronic platform (azdararir.am) to which the Prosecutor's office has access. The anonymity of the whistle-blower is guaranteed by anonymizing the IP address of the whistle-blower. The platform is run by the government's authorized body, the RA Ministry of Justice.</p> <p>The legislation does not cover the issue of urgent whistleblowing.</p> <p>It is worth mentioning that the development of the platform needs to match the regulations of the RA Criminal Procedure Code. This includes a variety of provisions, such as the procedural time limits, appeals against inaction, actions and decisions, providing the whistleblowers with a protection similar to that provided to persons reporting on crimes. Also, in case of attaching any sort of Word, PDF or Image through the anonymous platform, these documents identify (IP) address and can be theoretically found and even the name of the user of the computer, if the user uses his/her real names and not nicknames for entering their own computer.</p> <p>Despite some positive developments in the Law, there are some gaps burdening the effective use of the whistleblowing mechanisms. Thus, as mentioned in the OECD Baseline Report of the Fifth Round of Monitoring of Anti-Corruption Reforms in Armenia, <i>"Public disclosure before using first internal or external channels is not allowed, including cases when corruption-related wrongdoing presents an imminent or manifest danger to the public or where there is a risk of retaliation or a low chance of the breach being addressed by reporting through external channels. The Law mentions the availability of internal and external channels and does not restrict the alternative use of one or both ... For the future, it is advisable to confirm this interpretation in the official guidelines or through an explicit provision in the law."</i></p>
Source(s) of information	<ul style="list-style-type: none"> - https://www.arlis.am/DocumentView.aspx?docid=172131 - https://azdararir.am/en/ - https://doi.org/10.1787/fb158bf9-en (page 63)

Indicator N	16.5
Indicator question(s)	Does the law provide for adequate remedies for whistle-blowers?
Scoring	<p>0.75: The law provides several remedies, including two out of the following: compensation rights, the reversal of the burden of proof, and the right to a new supervisor or department.</p>
Response	<p>According to the amended Law, entered into force in 2023, a new provision has been added in article 10 of the Law stipulating that the whistleblower has the right to receive confidential advice and legal assistance from the Human Rights Defender, however this does not entail the legal assistance in the scope of judicial or other proceedings. This implies just the assistance of the Human Rights Defender which is provided to all citizens in the frame of its competences.</p> <p>A whistleblower can also receive free state legal aid from the Office of Public Defender working within the framework of Chamber of Attorneys, if s/he falls within one of the categories to whom can be provided free legal aid (e.g. unemployed, 1st or 2nd rate disable and etc.), but there is no specific category enabling them to receive free legal aid in case of whistleblowing.</p> <p>According to the Law and the Government decision N 1148-N, the compensation can be provided in extremely restricted cases in the scope of the protection of the labor rights of the whistleblower /only in case of no possibility of reinstatement/.</p> <p>The Civil code does not provide for moral damage compensation in case of violation of rights by non-state authorities.</p> <p>Also, both within the framework of “Internal whistleblowing” and “External whistleblowing” the authority which received the report has an obligation to <i>“undertake, within his or her competences, measures to protect whistleblowers from harmful actions, as well as to eliminate the harmful actions and the consequences thereof”</i>. However, there are no practical steps enshrined further on the means of protection, if the reporting occurs outside the work, for example, if the whistleblower is a former employee or a candidate during the recruitment, etc.</p> <p>In addition, according to the amended Law, a new provision has been added stipulating that the defendant bears the burden to prove the legality of the action or inaction taken against the whistleblower.</p> <p>The amended Law, in particular Article 12, stipulates that the defendant (employer) bears the responsibility of proving the legality of the action or inaction taken against the whistleblower. This provision applies only to the judicial proceedings.</p>

Source(s) of information	<ul style="list-style-type: none"> - https://www.arlis.am/DocumentView.aspx?docid=172131 - https://www.arlis.am/DocumentView.aspx?DocID=121888
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Indicator N	16.6
Indicator question(s)	Is there an independent authority responsible for the oversight and enforcement of whistle-blowing legislation?
Scoring	<p>● 0.5: There is an independent authority, but its mandate to oversee and enforce whistleblowing legislation is limited</p>
Response	<p>In practice there is no independent whistleblowing authority responsible for oversight and enforcement of the legislation.</p> <p>According to the amendments on the Constitutional Law on Human Rights Defender from December 7, 2022, the Human Rights Defender carries out monitoring and data collection in the field of whistleblower protection, as well as monitors the preservation of the rights and freedoms of whistleblowers by state and local self-government bodies and officials, organizations, promotes the restoration of the rights and freedoms of whistleblowers. In addition, the Human Rights Defender has been entrusted with powers to monitor the implementation of whistleblower protection, collect data on whistleblower protection and other powers.</p> <p>Also, in order to have a complete picture of the activity of the whistleblowing system and taking into account the fact that internal and external whistleblowing activities are carried out by different state bodies and their results are not summarized, it has been established that the Human Rights Defender is a competent body that will gather state bodies statistics obtained by and which will be subject to publication. The details of the regulation are enshrined in the Government decision N 1148 of July 6, 2023. According to the latter, the competent body is obliged to send the statistics managed by it in the form of annual statistical reports to the Defender of Human Rights by March 10 of each year. The competent body is obliged to post the summarized statistical data in accordance with the form of this application on its official website (in the absence of official websites of local self-government bodies, on the official website of the regional governor's office) by April 1 of each year.</p> <p>The competent authority publishes the comparative analysis with the statistical report of the previous year along with the statistical report of each year.</p> <p>However, as the Government decision entered into force quite recently, the first cycle of statistical reporting is not yet established.</p> <p>Moreover, there is no dedicated unit within the Human Rights Defender Office in charge of the whistleblowing system as such. Thus even if it can be deemed that the Human Rights Defender Office can serve as an independent body, it is</p>

	<p>not stipulated by legislation as such and the functions are not empowered by the practical steps towards achieving that goal. GRECO in its Fifth Evaluation Round Report 2024 on Armenia mentioned that <i>“On 8 September 2023, the Ombudsperson appointed a staff member as a contact officer for whistleblowing. The GET has however serious misgivings as to this is enough to effectively fulfill the responsibilities of the Ombudsperson regarding whistleblowing. GRECO recommends ensuring that the role of the Ombudsperson on whistleblower protection be made fully operational in practice.”</i></p> <p>The OECD Baseline Report of the Fifth Round of Monitoring of Anti-Corruption Reforms in Armenia concludes that <i>“as the Human Rights Defender performed other functions and there was no dedicated unit or staff within the Defender’s office, the monitoring team considers that there is no dedicated agency, unit or staff responsible for the whistleblower protection framework in Armenia, according to this benchmark.”</i></p>
Source(s) of information	<ul style="list-style-type: none"> - https://www.arlis.am/documentview.aspx?docid=172136 - https://www.arlis.am/documentview.aspx?docid=172109 - https://www.arlis.am/DocumentView.aspx?docid=180199 - https://doi.org/10.1787/fb158bf9-en (page 66) - https://rm.coe.int/fifth-evaluation-round-preventing-corruption-and-promoting-integrity-i/1680af5d35

Indicator N 16.7	
Indicator question(s)	Where an independent authority to oversee and enforce whistle-blowing legislation exists, does it have sufficient powers and resources to operate effectively?
Response	<p>According to the amendments to the Law on Human Rights Defender from December 7, 2022, entered into force from January 2023,</p> <p>The Human Rights Defender is authorized to:</p> <ol style="list-style-type: none"> 1. monitor the implementation of protective and rehabilitation measures, 2. monitoring and evaluating the effectiveness of whistleblower protection mechanisms, 3. to issue public reports on the implementation of whistleblower protection, 4. to exercise other powers defined by this law. <p>As noted in the OECD Baseline Report of the Fifth Round of Monitoring of Anti-Corruption Reforms in Armenia <i>“The Law on the Human Rights Defender does not explicitly stipulate the right to receive and act on complaints about inadequate follow-up to reports received through internal or external channels or violations of other requirements of whistleblower protection legislation. The new Article 30.2 added in December 2022 provides that the Defender “contributes to the restoration of whistleblowers' rights and freedoms.” The Defender can “monitor the implementation of protective and rehabilitation</i></p>

	<i>measures,” but it is not clear if this is a supervisory power or whether it concerns only the collection of information and does not allow reacting to cases of noncompliance with the legislative requirements.”</i>
Source(s) of information	<ul style="list-style-type: none"> - https://www.arlis.am/documentview.aspx?docid=172136 - https://www.arlis.am/documentview.aspx?docid=172109 - https://doi.org/10.1787/fb158bf9-en (page 66)

Indicator N	16.8
Indicator question(s)	Is there a law/policy that establishes a dedicated reporting mechanism for witnesses and victims of corruption (such as a hotline or a secure and anonymous electronic post box)? Does the law provide the body charged with operating it with sufficient independence and powers to investigate the reports it receives?
Scoring	<p>● 1: The law/policy creates a dedicated reporting mechanism for witnesses and victims of corruption. The body charged with operating it is provided with sufficient independence and powers to investigate the reports it receives.</p>
Response	<p>According to Article 8 of the Law on Whistleblowing System, the whistleblower can anonymously report information about a corruption incident or conflict of interest or code of conduct or incompatibility requirements or other restrictions or violations related to reporting through the unified electronic reporting platform. The Ministry of Justice as an authorized body in charge of the maintenance of the unified electronic platform (azdararir.am) , guarantees the protection of the whistleblower by ensuring his anonymity. The whistleblower's anonymity is guaranteed through the unified electronic platform by encrypting his/her Internet Protocol Address. The reports made through unified electronic platform are received by the General Prosecutor's Office of the Republic of Armenia. Overall, the unified electronic platform should have the ability to collect the necessary information and facts related to anonymous reporting through feedback.</p> <p>Moreover, according to Article 9 of the same Law, The General Prosecutor's Office of the Republic of Armenia, within the framework of its competence, ensures the registration and review of every report entered into the unified electronic platform, takes measures within the framework of its competences and, if necessary, adopts a relevant act.</p> <p>The Corruption Prevention Commission ensures the registration and review of the relevant reports entered into the unified electronic platform, but within their competencies (conflict of interests, etc.), takes measures within the framework of its competences and, if necessary, adopts a relevant act.</p> <p>A report containing features of a crime and submitted on a unified electronic platform is subject to verification in accordance with the procedure established by the Law of the Republic of Armenia "On Operative-Investigative Activity", if</p>

	<p>the information presented in the report is sufficiently substantiated, refers to a specific official or body and contains data that can reasonably be checked. In order to verify the report, the General Prosecutor's Office of the Republic of Armenia forwards it to the body carrying out operational and investigative activities, in the case of the whistleblowers, it is the Anti-Corruption Committee.</p> <p>Additionally, Article 50 of the Criminal Procedure Code stipulates that the victim of a crime has the right to request and receive special protection from the body conducting the proceedings in the event of a threat to his life, health and legal interests, as well as that of his family member or other close person. The decision to recognize as a victim is made by the investigator or the court. The right to receive special protection is also stipulated for the witness of the crime according to Article 58 of the Criminal Procedure Code.</p> <p>The special protective measures to be applied during the proceedings are:</p> <ol style="list-style-type: none"> 1. restriction of approaching or communicating with the protected person; 2. confidentiality of data revealing the identity of the protected person; 3. control over the protected person, his apartment and property; 4. provision of an individual protection measure to the protected person; 5. transportation of the protected person to another place of residence; 6. replacement of documents confirming the identity of the protected person or changing the appearance of the protected person; 7. changing the protected person's work, service or place of study; 8. removal from the courtroom or holding a closed court session; 9. interrogation of the person being defended in the court in a special order. <p>In case of necessity to apply a special protective measure, the body conducting the proceedings, based on the written application of the relevant person or on its own initiative, makes a decision to apply a special protective measure.</p> <p>Although the Law does not specify categories of crimes for which a person can get protection, the analysis of the articles mentioned reflect that the protection is applied also for corruption crimes. In this case the main law-enforcement body responsible for application of special protection measures is the newly established independent special investigative body - the Anti-Corruption Committee of the Republic of Armenia, operating with independence and operational guarantees established in the Law on Anti-Corruption Committee.</p>
Source(s) of information	<ul style="list-style-type: none"> - https://www.arlis.am/documentview.aspx?docid=154763 - https://www.arlis.am/documentview.aspx?docID=151799 - https://www.arlis.am/DocumentView.aspx?DocID=172131 - https://azdararir.am/am/

Indicator N	16.9
Indicator question(s)	Does such a dedicated reporting mechanism for witnesses and victims of corruption exist in practice?
Response	<p>Although, there is a low rate of submissions through the anonymous reporting platform azdararir.am established in accordance with the Law on Whistleblowing System of the Republic of Armenia, however in practice it works and reports can be submitted through the web site while ensuring the anonymity of the whistleblower. questions, of which 9 - scored</p> <p>Additionally, Article 76 of the Criminal Procedure Code stipulates mechanisms for protection of secrecy of data confirming the identity of the witnesses and victims, as well as that of their family members or other close persons. Thus, the confidentiality of data revealing the identity of the protected person is carried out by:</p> <ol style="list-style-type: none"> 1. blocking information about the person in the proceedings materials and other documents or media containing information, as well as in the minutes of proceedings or court proceedings, by replacing the last name, first name, patronymic of the protected person with pseudonyms in the protocol data available in the proceedings materials by the decision of the body implementing the proceedings and not specifying the place of residence. 2. placing a temporary ban on providing information about the protected person. <p>The decision of the body conducting the proceedings to block the information and the materials related to it are separated from other materials of the proceedings and kept with the body conducting the proceedings. The decision separated from the materials of the main proceedings and the materials related to it are available only to the body conducting the proceedings and the supervising prosecutor.</p> <p>The victims and witnesses cannot report anonymously under the RA Criminal Procedure Code. Moreover, criminal proceedings cannot be initiated if the information about the crime was received from a source not provided for by Article 173 of the Criminal Procedure Code, including an unknown or undisclosed source.</p>
Source(s) of information	<ul style="list-style-type: none"> - https://www.arlis.am/documentview.aspx?docid=154763 - https://azdararir.am/en/

Indicator N 16.10	
Indicator question(s)	Is data and information regarding the operation and performance of such reporting mechanisms (in compliance with relevant privacy and data protection laws) published?
Response	There is data published on azdararir.am anonymous reporting/whistleblowing platform, however, the data and statistics of the reporting published is not sufficient to monitor its performance as a reporting mechanism. It is worth noting that the published data is in compliance with privacy and protection laws.
Source(s) of information	- https://azdararir.am/en/statistics

Indicator N 16.11	
Indicator question(s)	Is there evidence that relevant state bodies have taken active steps to promote public awareness of this reporting mechanism?
Response	<p>As a report of TI Armenia notes: <i>“In the absence of reports and applications on whistleblowing by whistleblowing officers in government agencies and LSG bodies, as well as in the absence of methodological and consulting assistance to whistleblowing officers on the organisation and implementation of internal and external whistleblowing processes, the institution of whistleblowing is of a formal nature and is practically not operated.”</i></p> <p>Also, as mentioned in the OECD Baseline Report of the Fifth Round of Monitoring of Anti-Corruption Reforms in Armenia, <i>“There is a very low awareness and trust of public officials in the internal and external reporting channels, which is partly explained by the cultural objections to reporting misconduct. The perception is that the reporting channels are not developed, and what channels are available is not well-known to officials. Reportedly, there is also a low trust in the online platform as there are doubts that the reports are reviewed by the Prosecutor General’s Office and do not end up with the organisations where whistleblowers work.”</i></p> <p>Nevertheless, the Ministry of Justice following the low performance indicators of the whistleblowing system during the past three years developed a nationwide awareness program about this anonymous whistleblowing system azdararir.am, which was launched at the end of November 2023 and involves a number of international partners and local NGOs.</p>

Source(s) of information	<ul style="list-style-type: none"> - https://doi.org/10.1787/fb158bf9-en (page 68) - https://transparency.am/files/publications/1638267826-0-573771.pdf?v=4 (pages 7-8) - https://aac.am/en/6711.html
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Indicator N	16.12
Indicator question(s)	Have there been prominent cases in the past two years where wrongdoing and corruption were unveiled by a whistle-blower or through a reporting mechanism?
Response	There were no prominent cases of whistleblowing during the last two years. In general, the culture of whistleblowing in Armenia is not developed enough due to cultural and moral views of the population, mostly considering shameful the act of whistleblowing.
Source(s) of information	N/A

Target 16.10: Ensure public access to information and protect fundamental freedoms, in accordance with national legislation and international agreements

Indicator 16.10.1: Number of verified cases of killing, kidnapping, enforced disappearance, arbitrary detention and torture of journalists, associated media personnel, trade unionists and human rights advocates in the previous 12 months

Indicator 16.10.2: Number of countries that adopt and implement constitutional, statutory and/or policy guarantees for public access to information

17. Protection of fundamental freedoms

Indicator N	17.1
Indicator question(s)	What is the country's score and rating in Freedom House's Freedom in the World Rating (https://freedomhouse.org/report-types/freedom-world)?
Response	According to Freedom House's Freedom in the World Rating for 2024, Armenia is considered "partly free," scoring 54 out of 100 points. Armenia received 23 points for Political Rights and 31 for Civil Rights. The scoring is based on an

	<p>average of the Political Liberties, Civil Liberties, and Freedom categories. Since 2013, the “partly free” rating has remained unchanged.</p> <p>The analysis of Armenia’s scoring in the last four years shows a gradual improvement of its “partly free” status. Thus, in 2020 Armenia scored 51, reflecting certain constraints on political rights and civil liberties. Both 2021 and 2022 years scored 53, indicating minor enhancements in some aspects of governance and civil freedoms. In 2023 and 2024 the score remained 54, showing continued yet modest progress towards greater freedom. Thus, this trend illustrates a slow but positive trajectory in Armenia's efforts to improve its democratic governance and respect for civil liberties.</p>
Source(s) of information	- https://freedomhouse.org/country/armenia/freedom-world/2024

Indicator N 17.2	
Indicator question(s)	What is the country’s rank and score in the most recent World Press Freedom Index, issued by Reporters Without Borders (https://rsf.org/en/ranking)?
Response	Armenia ranks 43th position in the 2024 World Press Freedom Index released by Reporters Without Borders. In the last three years, Armenia’s position in this index undergone significant changes: in 2020 the score was 28.60, in 2021 - 28.83, in 2022 – 68.97 and in 2023 - 71.6.
Source(s) of information	- https://rsf.org/en/country/armenia

Indicator N 17.3	
Indicator question(s)	Does the legal framework contain any provisions that threaten or undermine the ability of journalists, bloggers, researchers, human rights advocates and other civil society actors to exercise their fundamental rights, to uncover and report on all forms of corruption, and to hold leaders accountable?
Response	The Law on Mass Media, stipulates that media practitioners and journalists act freely on the basis of principles of equality, lawfulness, freedom of expression and pluralism. The Law also prohibits censorship, coercion, hindrance to professional activities, and discrimination. The restrictions are mainly established for dissemination of information that is considered secret

	<p>information, or information advocating criminally punishable acts, as well as information violating the right to privacy of one's personal or family life.</p> <p>In 2022, a legislative package amending the Law on Mass Media and relevant legislation has been adopted. According to the amended Law, mass media will be liable in cases of citing information from 'non-identified' sources. In addition, the mass media with an online domain is obliged to publish its annual financial report on its website, including information on funding by the type of funding sources.</p> <p>Several legislative initiatives have taken place in 2023. In March 2023, the National Assembly adopted two amendments to the Law on Audiovisual Media (relating to broadcasting and licensing provisions of audiovisual programmes included in the public multiplex). According to CSO Meter, <i>"though the amendments were more of a technical character and did not place any restrictions on journalists or media companies, media organisations noted that they were not consulted on them. They also pointed out that there are more urgent issues that need to be discussed and amended in the relevant Law, such as ensuring proper transparency of the evaluation of applications in licensing tenders, strengthening the requirements for decision justifications, and revising the approach towards self-regulation within private television companies, etc."</i></p> <p>As reported by the Committee to Protect Freedom of Expression on the Status with Freedom of Expression in Armenia and Violations of Media Rights in 2023, <i>"...on March 1, the National Assembly adopted an extensive package of bills proposed by the RA Government, based on the new Law on State Secrets. Among many other controversial amendments, the package also included an amendment to the Law on Freedom of Information. According to it, inquiries for the provision of official data are subject to rejection if they contain "service information of limited distribution." With this wording, wide opportunities are created for arbitrariness, because any document available in state bodies can fall under this. Journalistic organizations issued statements regarding these processes, demanding public and expert discussions on problematic legislative amendments, because such regressive initiatives can negatively affect the freedom of information, accountability of the authorities to the public, and contribute to the increase of corruption risks."</i></p> <p>The law entered into force in January 2024, however the clause on the "service information of limited distribution" became functional in March 2023.</p>
Source(s) of information	<ul style="list-style-type: none"> - https://csometer.info/sites/default/files/2024-01/Armenia%202023%20CSO%20Meter%20Country%20Report%20ENG__0.pdf (page 23) - https://khosq.am/en/reports/annual-report-of-cpfe-on-situation-with-freedom-of-expression-and-violations-of-rights-of-journalists-and-media-in-armenia-2023/ https://www.arlis.am/DocumentView.aspx?DocID=140685

Indicator N	17.4
Indicator question(s)	Are any policies or practices in place that undermine the ability of journalists, bloggers, researchers, human rights advocates and other civil society actors to exercise their fundamental rights, to uncover and report on all forms of corruption, and to hold leaders accountable?
Response	<p>In April 2022, a Memorandum of Cooperation was signed between eleven media organisations, the relevant parliamentary committee and the Ministry of Justice. According to the Memorandum, the government representatives committed to consult with the relevant stakeholders when developing media-related legislation.</p> <p>Despite the Memorandum, the authorities have not yet given up the malicious practice of adopting legislative amendments without consultations with specialized NGOs or the receipt of international expert opinions. Thus, at the end of 2022, the Ministry of Justice published a draft on making amendments and supplements to the Law on the Legal Regime of the Martial Law. This amendment proposed to limit the freedom of expression of opinion, the content broadcasted on television and disseminated through the Internet, to block Internet applications and websites, social media platforms across the territory of the Republic of Armenia during the martial law. Journalistic organizations issued a joint statement in this regard, expressing a concern that the government published such a document in a country which states that democracy is its national brand.</p> <p>As reported by the Committee to Protect Freedom of Expression on Status with Freedom of Expression in Armenia and Violations of Media Rights in 2023 <i>“both physical violence against media representatives and various other pressures in the form of threats, expression of hatred, and impolite treatment were exercised. During the year, the CPFE outlined an alarming picture in terms of restrictions on the freedom of information: the facts of unjustified rejection of the inquiries of media representatives addressed to the state bodies or of providing them with incomplete, blurred answers, a number of regressive legislative initiatives of the authorities, with which an attempt was made to create legal bases for limited provision official data. A certain increase in the number of new lawsuits against mass media and journalists was recorded compared to 2022.”</i></p> <p>There are multiple strategic lawsuits against public participation (SLAPP cases) against CSOs, activists and mass media initiated by businesses, including those where the Armenian government is a shareholder. These SLAPPs are aimed to silence the criticism towards controversial mining practices, sometimes linked with corruption risks. Twenty-eight litigation cases are mostly on defamation and cumulatively demand compensation of about AMD 38 mln (about 100,000 USD). The cases remain unresolved for years. As mentioned in the “CSO Meter-Armenia” report, <i>“There are no legal provisions on strategic lawsuits against public participation (SLAPPs). However, in recent years, mining companies have initiated dozens of lawsuits against environmental activists on the basis of libel and insult accusations in an attempt, CSOs believe, to silence</i></p>

	<p><i>their criticism and activities. These court cases often take years, with back-and-forth proceedings and appeals, and drain the time and financial resources of the activists. The cases also have the effect of discouraging citizens who might otherwise have been activists from participating.”</i></p> <p>In another case, in 2022 Armenian parliament adopted a legislative package that significantly undermined the freedom of assembly. In 2022, the Armenian parliament passed an amendment to the Mining Code, defining civil disobedience and protests disrupting the mining process as a force majeure. This change permitted the extension of mining rights during such disruptions and even applied this clause retroactively. This amendment was criticized by the civil society actors as it undermined the citizens’ ability and motivation to exercise their fundamental rights to uncover problems related to mining through demonstrating collective dissent, thus infringing their constitutional rights to assembly and expression. Despite the criticism, the Mining Code has been amended. This issue was also emphasized in the “CSO Meter-Armenia” report, according to which <i>“CSOs produced a statement mentioning that defining civil disobedience as a force majeure serves the interests of mining companies (particularly the company exploiting Amulsar mine, which was the focus of a long-term struggle with ecologists) and deprives the local population of any mechanisms to oppose decisions that are harmful for their community. After continuous statements by CSOs, the Ministry of Territorial Administration and Infrastructure published an invitation for in-person discussion with only one day’s notice on its Facebook page. Despite further discussions and statements from CSOs, the Parliament adopted the amendments to the Code on the Subsoil with the disputed provision included.”</i></p>
Source(s) of information	<ul style="list-style-type: none"> - https://www.arlis.am/DocumentView.aspx?docid=164453 - https://www.moj.am/storage/files/news/news_5121033488291_Scan_2_.pdf - www.datalex.am - https://www.e-draft.am/projects/5186/about?fbclid=IwAR0wPx9kMPcbAqeBm-RwZFybNLXMTel80otheTB5aal2KAGDAXecotIR7Ic - https://bankwatch.org/blog/slappd-the-armenian-activists-fighting-a-mining-multinational-s-lawsuits - https://mdi.am/en/archives/1631 - https://csometer.info/sites/default/files/2023-10/2022%20Armenia%20CSO%20Meter%20Country%20Report%20ENG_0.pdf - https://csometer.info/sites/default/files/2023-10/2022%20Armenia%20CSO%20Meter%20Country%20Report%20ENG_0.pdf - https://khosq.am/en/reports/annual-report-of-cpfe-on-situation-with-freedom-of-expression-and-violations-of-rights-of-journalists-and-media-in-armenia-2023/ - https://khosq.am/en/2023/01/12/statement-100/ - https://transparency.am/hy/media/statements/article/4553 - https://transparency.am/hy/media/statements/article/4596 - https://hetq.am/en/article/164467

Indicator N 17.5	
Indicator question(s)	Have there been documented cases of killings, kidnappings, enforced disappearances, arbitrary detentions, torture or attacks against journalists, associated media personnel, trade unionists, human rights and civil society advocates or other people who investigated, uncovered and advocated against corruption in the previous two years?
Response	<p>The Committee to Protect Freedom of Expression in its report on Expression on Status with Freedom of Expression in Armenia and Violations of Media Rights in 2023 reveals that <i>"The number of cases of physical violence against mass media representatives is 6, various other pressures amount to 60, while violations of the right to receive and disseminate information amount to 134. In the last two cases, there was an increase compared to the previous year. The number of new lawsuits filed against the media outlets and journalists is 36, out of which 34 are for defamation and insult, and 2 are based on copyright infringement. By the way, the majority of them – 23, are represented by state bodies, officials or the power in office."</i></p> <p>Moreover, the Committee to Protect Freedom of Expression reports that <i>"politicians and officials often aim to put additional pressure on the media, to "get back at them", demanding extremely high monetary compensations and also filing a motion to apply an injunction and put a freezing order on the property and bank accounts of the defendants in the amount of the claim"</i>.</p>
Source(s) of information	- https://khosq.am/en/reports/annual-report-of-cpfe-on-situation-with-freedom-of-expression-and-violations-of-rights-of-journalists-and-media-in-armenia-2023/


Indicator N 17.6	
Indicator question(s)	Have there been cases of attacks against NGOs, journalists, and others advocating or reporting on corruption adequately investigated and resolved in the past two years? Were perpetrators identified and held accountable?
Response	<p>Amnesty International in its 2024 report referred to the pressure, attacks and threats against media outlets and NGOs in Armenia and assessed the investigations of these cases as ineffective. In particular, this report mentioned that at least two journalists reported being subjected to an intense campaign of online harassment and threats, including by some public officials, after their critical questioning of the prime minister about events in Nagorno-Karabakh at a press conference on 25 July, 2023. As reported, by the end of the year, the investigation was ongoing.</p>


Source(s) of information	<ul style="list-style-type: none"> - https://www.amnesty.org/en/location/europe-and-central-asia/armenia/report-armenia/ - https://khosq.am/en/reports/annual-report-of-cpfe-on-situation-with-freedom-of-expression-and-violations-of-rights-of-journalists-and-media-in-armenia-2023/
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Indicator N	17.7
Indicator question(s)	Have there been documented cases of government censorship, including of online communication, or of undue political interference that limits people's ability to inform and express themselves online in the past two years?
Response	<p>In 2021 the parliament passed a law, tripling the ceilings of the monetary compensation for insult and defamation, as provided for Article 1087.1 of the RA Civil Code. 34 lawsuits for defamation and insult were filed against journalists and media outlets in 2023.</p> <p>A prominent case taken place in 2023 was a lawsuit by Yerevan Deputy Mayor Tigran Avinyan (currently Mayor) against a media outlet 168 Hours LLC (168.am) and its journalist Davit Sargsyan, demanding the highest compensation set in the law for affecting his honour, dignity and business reputation. The courts accepted the lawsuit and placed a lien on the property and bank accounts belonging to the journalist and the media in the amount of 9 million AMD, without informing defendants and a possibility to provide objections. This motion was interpreted by media organisations as lacking proportionality and rational for its necessity, with an intention to punish and exert pressure on the journalist and the media. The lien was removed after the Deputy Mayor's petition to the court.</p> <p>Moreover, the so-called "grave insult" – obscenity – was criminalized by the Law on Making Amendments and Supplements to the RA Criminal Code. Public and state figures as well as a number of other groups were covered by stronger protection, because a stricter penalty was defined than in the case of an insult against an ordinary citizen. The amendments were criticized by CSOs and experts, mentioning that this initiative contradicts the PACE Resolution 1577 on defamation. In their assessment, <i>"this is a hastily made decision in an atmosphere of secrecy, which has not been discussed with the professional community. In terms of content, this is a step back from 2010 legislative amendments, when slander and insult were decriminalized"</i>. In 2022, the amendments to the Criminal Code and Criminal Procedure Code adopted in July 2021 and criminalising grave insult were annulled since July 2022, when the new Criminal Code entered into force.</p> <p>Amnesty International in its 2024 report stated that <i>"The media environment remained largely free and pluralistic, but was deeply polarized over the issue of Nagorno-Karabakh and conflict with Azerbaijan. International observers also reported an unprecedented level of disinformation and hate speech. In March, the European Commission against Racism and Intolerance (ECRI) welcomed the decriminalization in July 2022 of the provision which punished insulting</i></p>

	<i>government officials and public figures ... The government's attempts to restrict free expression online were deterred after draft amendments proposed in December 2022 were put on hold following international criticism. The amendments would have given the government the power to censor online content, block websites and curb internet access under martial law."</i>
Source(s) of information	<ul style="list-style-type: none"> - https://www.amnesty.org/en/location/europe-and-central-asia/armenia/report-armenia/ - https://khosq.am/en/reports/annual-report-of-cpfe-on-situation-with-freedom-of-expression-and-violations-of-rights-of-journalists-and-media-in-armenia-2023/ - https://csometer.info/sites/default/files/2024-01/Armenia%202023%20CSO%20Meter%20Country%20Report%20ENG__0.pdf - https://csometer.info/updates/armenian-parliament-adopts-bill-criminalising-swearing

18. Access to information

Indicator N	18.1
Indicator question(s)	Does the legal framework (including jurisprudence) recognize a fundamental right of access to information?
Scoring	 1: There is a full constitutional recognition of a public right of access to information
Response	<p>Access to information is guaranteed by the Constitution. The Law on Freedom of Information stipulates relations regulating freedom of information, defines the authority of information managers in the field of information provision, as well as the procedure, forms and conditions for obtaining information.</p> <p>In May 2022, Armenia ratified the Council of Europe Convention on Access to Official Documents, which sets a strict framework for limitations on the right to information access and provides minimum standards to be applied in the processing of requests for access to official documents.</p> <p>Noteworthy that Armenian legislation on freedom of information has been generally compliant with the Convention requirements. Nevertheless, the ratification of the Convention is expected to lead to full enforcement of the legislative provisions on the implementation and oversight of the access to information.</p>
Source(s) of information	<ul style="list-style-type: none"> - https://www.arlis.am/documentview.aspx?docID=102510 - https://www.arlis.am/documentview.aspx?docid=175858

Indicator N 18.2	
Indicator question(s)	Does the right of access to information apply to all materials held by or on behalf of public authorities in any format, regardless of who produced it?
Scoring	 1: The right applies to all materials held by or on behalf of public authorities, with no exceptions.
Response	According to the Law on Freedom of Information, the right to freedom of information applies to all materials held by public authorities. The definition of information by the Law includes information on a person, object, fact, circumstance, event, happening, or phenomenon is data collected and formed in accordance with the procedure stipulated by the legislation, irrespective of how such information is possessed or in what material medium (text, electronic document, audio recording, video recording, photo tape, sketch, scheme, note, or map).
Source(s) of information	- https://www.arlis.am/documentview.aspx?docid=175858


Indicator N 18.3	
Indicator question(s)	To which branches and bodies does the right of access apply?
Scoring	 1: The right of access applies, with no bodies excluded, to 1) executive branch; 2) the legislature; 3) the judicial branch; 4) state-owned enterprises; 5) other public authorities including constitutional, statutory and oversight bodies (such as an election commission or an information commission); and 6) private bodies that perform a public function or that receive significant public funding.
Response	Article 3 of the Law on the Freedom of Information stipulates that information is disposed by information-holding state and local self-government bodies, state institutions, organizations funded from the state budget, and organizations of public significance and their officials.
Source(s) of information	- https://www.arlis.am/documentview.aspx?docid=175858


Indicator N 18.4	
Indicator question(s)	Are there clear and reasonable maximum timelines for responding to a request, regardless of the manner of satisfying the request?
Scoring	● 1: Timeframe is 10 working days (or 15 days, or two weeks) or less
Response	<p>According to Article 9 of the Law, the answer to the written request is given in the following terms:</p> <ol style="list-style-type: none"> 1. if the information specified in the written request is not published, then a copy of it is given to the applicant within 5 days after receiving the request; 2. if the information specified in the written request is published, then the applicant is given information about the means, place and time of publication within 5 days after receiving the request; 3. if it is necessary to perform additional work in order to provide the information specified in the written request, then this information is given to the applicant within 30 days after receiving the application, about which the applicant is informed in written form within 5 days after receiving the request, indicating the reasons for the delay and the deadline for providing the information. <p>The same Article stipulates that the answer to the oral inquiry is given orally, immediately after hearing the inquiry or as soon as possible. If the applicant does not state his name and surname in an oral request, and (or) the oral request does not meet the requirements, the information holder may not respond to the oral request.</p>
Source(s) of information	- https://www.arlis.am/documentview.aspx?docid=175858


Indicator N 18.5	
Indicator question(s)	Are exceptions to the right of access consistent with international standards?
Scoring	● 0.75: 7 or 8 points (3 exceptions deducted from 10, either (a) fall outside of RTI's 10 permissible exceptions, and/or (b) is more broadly framed).
Response	<p>Restrictions on information provision are exhaustively listed in Article 8 of the Law on Freedom of Information. Access to information may be rejected if it:</p> <ol style="list-style-type: none"> 1. contains state, banking, commercial secret or service information of limited distribution;

	<ul style="list-style-type: none"> 2. violates the confidentiality of a person's private and family life, including the privacy of correspondence, telephone conversations, postal, telegraphic and other communications; 3. contains data of criminal proceedings that is not subject to disclosure; 4. reveals data that requires restricted access due to professional activities (medical, notary, and attorney secrets); or 5. violates copyright and/or related rights.
Source(s) of information	- https://www.arlis.am/documentview.aspx?docid=175858

Indicator N 18.6	
Indicator question(s)	Is a harm test applied to all exceptions, so that disclosure may only be refused when it poses a risk of actual harm to a protected interest?
Scoring	● 0.75: Harm test is applied to all but 1 exception.
Response	<p>Article 8 of the Law on Freedom of Information stipulates the restrictions on freedom of information. Access to information may be refused if it:</p> <ul style="list-style-type: none"> a. contains state, official, bank or trade secret; b. infringes the privacy of a person and his family, including the privacy of correspondence, telephone conversations, post, telegraph and other transmissions; c. contains data not subject to publication of criminal proceedings; d. discloses data that require accessibility limitation, conditioned by professional activity (medical, notary, attorney secrets); and e. infringes copyright and associated rights. <p>Thus, only 1 out of 5 bases of restriction applies to the professional area of the information holder, rather than a specific harm. Specifically, this law permits withholding information if it: (d) discloses data that require accessibility limitation, conditioned by professional activity (medical, notary, attorney secrets). This exception helps protect sensitive professional information from public disclosure.</p>
Source(s) of information	<ul style="list-style-type: none"> - https://www.arlis.am/documentview.aspx?docID=1372 - https://www.rti-rating.org/country-detail/?country=Armenia

Indicator N 18.7	
Indicator question(s)	Is there a mandatory public interest override so that information must be disclosed where this is in the overall public interest, even if this may harm a protected interest? Are there 'hard' overrides (which apply absolutely), for example for information about human rights, corruption or crimes against humanity?
Scoring	 0.25: The public interest test only applies to some exceptions
Response	<p>The Law on the Freedom of Information stipulates a number of specific public interests, but there is no general override. According to Article 7 of the Law, the holder of information shall immediately publish or, in any other accessible manner, inform the public of such information held by it, the publication of which can prevent a danger to:</p> <ol style="list-style-type: none"> 1. state and public security, 2. the public order, 3. public health and morals, 4. the rights and freedoms of others, 5. the environment, and 6. the property of persons.
Source(s) of information	- https://www.arlis.am/documentview.aspx?docid=175858

Indicator N 18.8	
Indicator question(s)	Is there an independent Information Commission, or a similar oversight body, with whom requestors have the right to lodge an external appeal?
Scoring	 0: No independent oversight body exists
Response	There is no independent Information Commission, or a similar oversight body in Armenia. Article 11 of the Law on Freedom of Information stipulates that the refusal to provide information may be appealed to an authorized public administration body or to the court.
Source(s) of information	- https://www.arlis.am/documentview.aspx?docid=175858

Indicator N	18.9
Indicator question(s)	Does the law/policy on access to information contain minimum standards on mandatory proactive (automatic, without having to be requested) publication of information?
Scoring	 1: If the law on access to information (or another relevant law) contains requirements on the mandatory automatic publication of certain information
Response	<p>The Law on the Freedom of Information, Article 7 stipulates that the holder of information shall publish the following information on its activities and changes therein at least once a year:</p> <ul style="list-style-type: none"> • work and services carried out (to be carried out) for the public; • the budget; • the forms of written requests and advisory instructions on how to fill them out; • staffing lists and names, surnames, education, profession, positions, work telephone numbers, and e-mail addresses of the respective officials; • the hiring procedure and vacancies; • the impact on the environment; • the programs of public activities; • the procedure, date, time, and place of service provision for citizens; • the work and service pricing procedure and prices/tariffs; • the list of information held and the procedure of dealing with such information; • statistics and summaries on requests received, including the grounds for refusal; • sources for receiving and processing the information stipulated by this Paragraph; and • information on the person who has the power to clarify the information stipulated by this Paragraph. <p>Paragraph 4 of the same Article requires that changes in the mentioned information shall be published within a 10-day period of making them.</p> <p>According to the Law on Local Self-Government, starting from January 2022, all communities (municipalities) are obliged to have their websites with necessary information published as specified by the Law. Previously, this provision applied only to the communities that have 3,000 and more population. Moreover, in 2022, the first precedent of court decision on proactive publication of information took place due to a CSO's strategic litigation initiative: the court fully satisfied the Freedom of Information Center's claim against seven municipalities, obliging them to publish on their official websites all the information that was subject to mandatory publication as defined by the Law on Freedom of Information.</p>

Source(s) of information	<ul style="list-style-type: none"> - https://www.arlis.am/documentview.aspx?docid=175858 - https://www.arlis.am/documentview.aspx?docid=139078 - https://csometer.info/sites/default/files/2024-01/Armenia%202023%20CSO%20Meter%20Country%20Report%20ENG__0.pdf - http://www.foi.am/hy/news/item/2266/
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Indicator N	18.10
Indicator question(s)	What is the country's score in the Right-To-Information Rating (http://www.rti-rating.org/country-data/)?
Response	Armenia's right-to-information rating from 2011 is 102 out of possible 150, and it holds the 37 th place among 140 countries.
Source(s) of information	- https://www.rti-rating.org/country-detail/?country=Armenia

Indicator N	18.11
Indicator question(s)	What are shortcomings of the access to information regime?
Response	<p>The Law on the Freedom of Information does create a specific presumption in favour of access to all information held by public authorities, subject only to limited exceptions, consistent with international standards (Article 6, part 1).</p> <p>Everyone (including non-citizens and legal entities) has the right to file requests for information. Article 6 of the Law stipulates that each person has the right to address an inquiry to information holder to get acquainted with and/or get the information sought by him as defined by the law. Foreign citizens can enjoy the rights and freedoms foreseen by the following law as defined by the Republic of Armenia Law and/or in cases defined by international treaties.</p> <p>Article 3 of the Law enshrines that the requesters have a right to access both information and records/documents (i.e. a right both to ask for information and to apply for specific documents).</p> <p>The Law allows for partial access (a document can be redacted and then be partially released). Article 8 of the Law stipulates that if a part of the information required contains data, the disclosure of which is subject to denial, then information is provided concerning the other part.</p>

	<p>The Law does not offer an internal appeal mechanism. Thus, there are no effective appeals mechanisms established.</p> <p>However, according to practical implementation of the legal regulations, the "CSO Meter Armenia 2023" report revealed that: <i>"Despite ratification of the Council of Europe Convention on Access to Official Documents in 2022, in practice, the access to information has not been improved. As in previous years, state bodies and municipalities do not often publish complete and timely information, while the published information is often in non-machine-readable PDF formats and does not comply with the open data and accessibility principles. Moreover, CSOs notice increasing deterioration in the access to information, as responses to enquiries are more often delayed, rejected, or sometimes even not provided at all. They also note that in some cases state bodies notice about a 30-day delay in response but then reject the enquiry or respond that this information is not available. In 2023, the Committee of Protection of Freedom of Expression reported 134 cases of violations of the right to information Access (for comparison, there were 115 violations for the period of 2022). In 17 of these cases, CSOs and media organisations submitted court applications to obtain a proper response."</i></p>
Source(s) of information	<ul style="list-style-type: none"> - https://www.arlis.am/documentview.aspx?docid=175858 - https://www.rti-rating.org/country-detail/?country=Armenia - https://csometer.info/sites/default/files/2024-01/Armenia%202023%20CSO%20Meter%20Country%20Report%20ENG__0.pdf - https://khosq.am/en/reports/annual-report-of-cpfe-on-situation-with-freedom-of-expression-and-violations-of-rights-of-journalists-and-media-in-armenia-2023/

Indicator N 18.12	
Indicator question(s)	Are there any factors that, in practice, make it unnecessarily burdensome and difficult to request or gain access to information?
Response	<p>In Armenia there is no independent body responsible for monitoring or supervising access to official documents.</p> <p>The fee charged for obtaining information includes only the technical costs of providing such information. No charges are established for printing or copying information less than 10 pages, providing information by e-mail, or responding to written inquiries. There is a Unified Platform for Electronic Inquiries (www.e-request.am) under the RA Government, created for submitting and tracking online applications, and requests or complaints to state authorities.</p> <p>In case of acquiring information on legal entities one should pay 3,000 Armenian drams to obtain such information from e-register.am. There is an exemption for mass media representatives.</p>

	<p>According to the "CSO Meter Armenia 2023" report, "CSOs expect that the access of information might become even more problematic taking into account the legislative changes adopted in March 2023. On March 1, 2023, the parliament adopted a new Law on State Secrecy, that will replace the law on State and State Service Secrecy starting January 2024. The new draft was initiated by the government in 2022 and strongly criticised by CSOs. The most problematic provisions mentioned by CSOs include introducing the concept of 'official information of limited distribution' that is not classified as secret but should be restricted as its dissemination can harm the country's "protection, foreign relations, political and economic interests, protection of the legal system." Together with the new law, a respective provision was introduced in the Law on Freedom of Information, including 'official information of limited distribution' in the list of the grounds for restricting access to information. The latter provision is already in force starting April 2023. CSOs are concerned that the state bodies will have a large discretion on identifying which information can be classified as 'official information of limited distribution' and reject enquiries to a larger extent."</p> <p>On December 19, 2023 the Ministry of High-Tech Industry put up for discussion on the official e-draft.am website the draft Law on amendments to the Law on Freedom of Information (inter alia proposing to change the name to Law on Freedom of Information and Public Data and introducing a draft Law on Cybersecurity). The authors expected that it will contribute to the implementation of the unified information policy, as well as the formation, development and modernization of the state information system. Meanwhile, the document received sharp criticism from independent experts as a step backwards compared to the existing law in terms of the intended restrictions. Though some of these provisions address the current legislative gaps, overregulation of the field might negatively affect the access to information in practice.</p>
Source(s) of information	<ul style="list-style-type: none"> - https://www.arlis.am/documentview.aspx?docid=175858 - https://www.arlis.am/documentview.aspx?docid=156928 - https://csometer.info/sites/default/files/2024-01/Armenia%202023%20CSO%20Meter%20Country%20Report%20ENG__0.pdf - https://khosq.am/en/reports/annual-report-of-cpfe-on-situation-with-freedom-of-expression-and-violations-of-rights-of-journalists-and-media-in-armenia-2023 - https://csometer.info/updates/armenia-draft-law-access-information-criticised-csos

Indicator N	18.13
Indicator question(s)	How many requests for information were made to public authorities each year in the previous two years?
Response	In Armenia there is neither official statistics available on inquiries and complaints, nor there is any public information on the number of complaints

	<p>related to delayed or incomplete responses, or on steps taken for corrective actions.</p> <p>According to a report on freedom of access to information committed by the Freedom of Information Center of Armenia for 2022, 90% of responses out of 117 inquiries sent to state bodies and municipalities did not fully comply with the legal requirements, including 3% of no response, 8% of delayed responses, and 32% of incomplete responses.</p>
Source(s) of information	<ul style="list-style-type: none"> - http://www.foi.am/u_files/file/DOCs%202022/%D5%8F%D5%A5%D5%B2%D5%A5%D5%AF%D5%A1%D5%BF%D5%BE%D5%B8%D6%82%D5%A9%D5%B5%D5%A1%D5%B6%20%D5%A1%D5%A6%D5%A1%D5%BF%D5%B8%D6%82%D5%A9%D5%B5%D5%B8%D6%82%D5%B6%D5%A8%20%D5%80%D5%80-%D5%B8%D6%82%D5%B4_%D4%BB%D4%B1%D4%BF_2022.pdf (page 36)

Indicator N 18.14	
Indicator question(s)	Have there been any developments in the past two years that suggest an improvement or deterioration in the framework for public access to information and/or its implementation?
Response	<p>Changes in the legislation concerning freedom of information during last years led to some improvements in the framework for public access to information and its implementation. Thus, in May 2022, Armenia ratified the Council of Europe Convention on Access to Official Documents, which sets a strict framework for limitations on the right to information access and provides minimum standards to be applied in the processing of requests for access to official documents. The Convention provides additional measures to fully enforce the legislative provisions on the implementation and oversight of the access to information, e.g. establishment of an independent body responsible for monitoring or supervising access to official documents.</p> <p>Also, some of the commitments in the new OGP Action Plan for 2022-2024 entail setting up a mechanism for self-assessment in the area of freedom of information, which will include a unified system of collecting freedom of information statistics by the government. Thus, Armenia's OGP 5th Action Plan for 2022-2024 "Commitment 2: Legislative framework for data policy" entails development of the framework for the publicly accessible information and cybersecurity to protect critical information infrastructures. Under "Commitment 3: Self-Assessment system in the field of freedom of information" the government intends to set up a mechanism, which will include a unified system of collecting freedom of information statistics by the government.</p> <p>The Public Administration Reform Strategy for 2022-2024 adopted by the Government in May 2022 (in August 2023 modified and changed to a Strategy for 2023-2025) also entails steps on provision of institutional and legal</p>

	<p>foundations contributing to the full realization of the right to freedom of information.</p> <p>The sanctions for failure to provide responses to inquiries have also been increased in 2022. In September 2022, the parliament adopted amendments to the Code on Administrative Offense, which sets higher fines for information holders that illegitimately do not provide information. The amended sanctions for failure to provide information are following: from 30,000 to 70,000 AMD instead of 10,000-50,000 AMD, while the same violation repeated within a year is subject to fine of 100,000-150,000 AMD instead of 50,000-100,000 AMD.</p> <p>Nevertheless, there were several legislative amendments during 2023 considered problematic by journalistic organizations and relevant CSOs. Statements were issued regarding the processes, demanding public and expert discussions on problematic legislative amendments, because such regressive initiatives can negatively affect the freedom of information, accountability of the authorities to the public, and contribute to the increase of corruption risks. Thus, on March 1, the National Assembly adopted an extensive package of bills proposed by the RA Government, based on the new Law on State Secrets. Among many other controversial amendments, the package also included an amendment to the Law on Freedom of Information. According to it, inquiries for the provision of official data are subject to rejection if they contain “service information of limited distribution”.</p> <p>In another case, the Ministry of Justice of the Republic of Armenia discussed a draft law on making amendments and addenda to the Law of the Republic of Armenia on the Legal Regime of Martial Law, which, under the conditions of that regime, implied unjustified strict restrictions on Internet access and mass media activities. The Human Rights Defender published a statement stating that the amendments could impose serious restrictions on human rights, particularly on freedom of expression and access to information. After criticism from the expert community, this initiative was frozen.</p> <p>The draft of the RA Law on Environmental Information presented to the National Assembly on January 16 and the related package of bills on Making Amendments to the RA Law on Freedom of Information and on Making Addenda to the RA Criminal Code received the same, highly critical attitude and was eventually withdrawn.</p> <p>Worth to mention, that NGO reports show that in the case of challenging the refusal to provide information in court, the examination of some court cases lasted for years. In this context, it is evident that such a practice, without essential legislative guidelines, undermines the substance of the right to freedom of information and deprives individuals from seeking effective legal remedy in case of violation of the right to freedom of information. Thus, the timely provision of information is crucial for the effective exercise of the right to access to information.</p>
Source(s) of information	<ul style="list-style-type: none"> - https://www.arlis.am/DocumentView.aspx?DocID=169335 - https://www.arlis.am/DocumentView.aspx?docID=162791 - https://www.arlis.am/documentview.aspx?docid=169101 - https://www.e-draft.am/en/projects/5186/about

	<ul style="list-style-type: none"> - https://ombuds.am/am/site/ViewNews/2461 - https://www.opengovpartnership.org/members/armenia/ - https://ldpf.am/uploads/files/c6e6d078c1c6e6d948c317374cdade30.pdf - https://www.youtube.com/watch?v=46iQV4rpmzM
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19. Open government data

Indicator N	19.1
Indicator question(s)	What is the country's rank and score in the most recent edition of the Open Data Barometer, produced by the World Wide Web Foundation (http://opendatabarometer.org/data-explorer)?
Response	Armenia is not included in the 2013-2015 list of the Open Data Barometer.
Source(s) of information	- http://opendatabarometer.org/data-explorer

Indicator N	19.2
Indicator question(s)	What is the country's score in the most recent available Open Data Index, produced by Open Knowledge International (http://index.okfn.org/place)?
Response	Armenia is not included in the Open Data Index produced by Open Knowledge International.
Source(s) of information	- http://index.okfn.org/place

Indicator N	19.3
Indicator question(s)	Are there noteworthy efforts or initiatives of public bodies to automatically publish information and documents online (especially in machine-readable formats and in line with open data standards) that are relevant to deterring or detecting corruption?
Response	Noteworthy initiatives of public bodies to automatically publish information and documents online that are relevant to deterring or detecting corruption include the following:

1. Transparency of state funding of CSOs has been considered problematic for a long time in Armenia. This issue has also been covered in OGP 2018-2020 Action Plan. Within the OGP Initiative, Armenian government has committed to improve state funding procedures to ensure better transparency and competitiveness of state grants. In 2021, the Armenian government adopted amendments to the procedure on allocation of state grants and subsidies to legal entities. The amendments regulate the grant announcement process and organisation of activities of the grant selection committee in more detail, including provisions on conflict of interest issues, transparency in the selection process, and setting the selection criteria. The amendments include a provision on carrying out competitions, contracting, and reporting through an electronic system. Since September 2021, the Electronic Public Procurement System at www.armeps.am has been used for publishing information about grant budgets and grant contracts. However, the platform lacks open data format, was primarily designed for procurement transactions and is not user-friendly for CSOs and other stakeholders.
2. In 2019-2022, the Republic of Armenia has made great progress in ensuring the transparency of beneficial owners of companies and creating a centralized public register. 2019-2021 the legal regulations for identifying the beneficial owners of the companies that have the right to subsoil use or apply for the right in the metal mining industry of Armenia were defined by the legislation, by which the information about the beneficial owners of the mining sector organizations was collected by the State Register of Legal Entities and a request was submitted for publication by the electronic register. From 2021, the electronic system of declaration of beneficial owners was launched, as well as the scope of legal entities with the obligation to submit a declaration on beneficial owners was expanded. In addition to legal entities operating in the metal mining and energy sectors, a declaration obligation has been established for legal entities operating in the regulated sphere of public services, as well as providing audiovisual and media services. Starting from January 1, 2023, the obligation was established for all legal entities. The form of the declaration on the beneficial owners of legal entities, the scope of the data to be declared was also approved.
3. In November 2019, the Commission on Ethics of High-Ranking Officials of Armenia was replaced with the Corruption Prevention Commission. Public officials stipulated in the Law on Public Service, are required to lodge declarations on asset, income, interests and expenses, which are subsequently published on the cpcarmenia.am website of the Corruption Prevention Commission of the Republic of Armenia. According to the OECD Pilot 5th Round of Monitoring Under the OECD Istanbul Anti-Corruption Action Plan on Armenia *"No statistics is yet available on implementation of COI rules and other restrictions. According to civil society representatives, information about implementation of individual recommendations/instructions issued by the CPC regarding COI resolutions is not sufficiently accessible, and the track record of implementation of sanctions is low, in part because the CPC and other integrity functions do not compile sufficient enforcement data"*. The

	<p>Report made reference to the procedure for verification and analysis of declarations, noting as a drawback that the operating declaration system does not provide for the possibility of automated analysis.</p> <p>Moreover, Armenia's OGP 5th Action Plan for 2022-2024 "Commitment 1: Data policy legislation," aligned with the Public Administration Reform Strategy, calls for a comprehensive data policy and an institutional data management system. It also corresponds with the objectives of the Government Program 2021–2026, focused on enhancing administrative information systems and the capabilities of official statistics through a unified data policy. The commitment will contribute to government transparency by setting clear regulations for the publication of state-held information and ensuring government compliance to open data principles.</p> <p>The Public Administration Reform Strategy for 2022-2024 (in August 2023 modified and changed to a Strategy for 2023-2025) is set to revise and update its freedom of information rules to support an open data approach to handling information requests, avoiding excessive identification requirements. Its freedom of information rules promote an open data approach to handling information requests, while eliminating unreasonable identification demands. Updated regulations intend to clearly define how and where complaints can be lodged if information is not received or other issues arise, allowing for resolution before resorting to legal action. Additionally, the pricing policy fee structure for accessing information will be adjusted to balance the cost against the value of the information provided.</p>
Source(s) of information	<ul style="list-style-type: none"> - https://www.arlis.am/DocumentView.aspx?docid=49783 - https://www.arlis.am/DocumentView.aspx?DocID=155465 - https://www.arlis.am/DocumentView.aspx?docID=162791 - https://www.gov.am/files/docs/4737.pdf - https://bo.e-register.am/am/auth - http://cpcarmenia.am/en/ - https://www.opengovpartnership.org/members/armenia/commitments/AM0046/ - https://www.opengovpartnership.org/members/armenia/commitments/AM0035/ - https://doi.org/10.1787/e56cafa9-en

Indicator N 19.4	
Indicator question(s)	Are there noteworthy civil society projects or initiatives that use open government data and/or, other publicly available data sources to strengthen government accountability and help deter and/or detect corruption?
Response	CSOs and media in Armenia are actively utilizing various data sets such as elections data, public procurement records, official declarations, and beneficial ownership information in their research efforts. These data sources are crucial for investigating and analyzing trends, ensuring transparency, and holding public officials and entities accountable. This practice helps to

	strengthen governance by promoting an informed citizenry and enhancing the ability of journalists and CSOs to scrutinize public processes and power structures.
Source(s) of information	<ul style="list-style-type: none"> - www.transparency.am - www.hetq.am - https://www.civilnet.am/en/

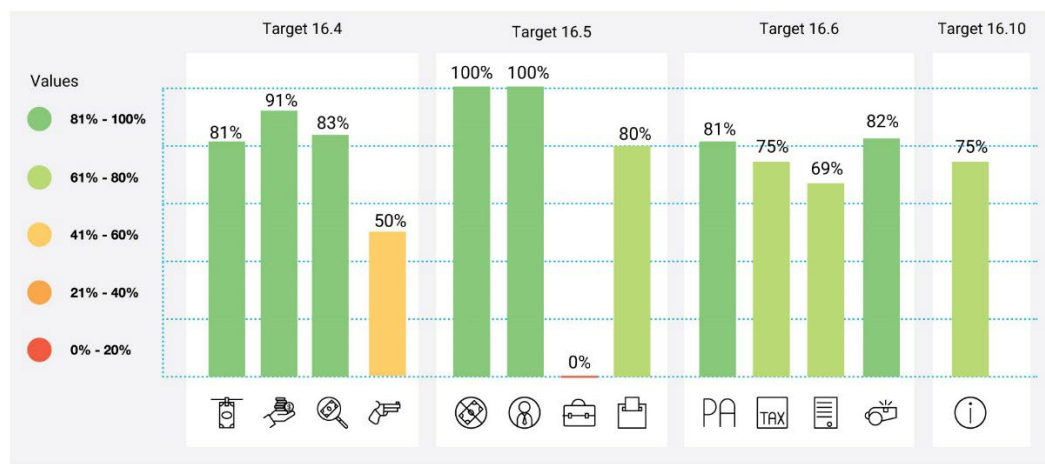
APPENDIX 2. SCORE GRAPHICS

LEGAL SYSTEM SCORECARD ARMENIA*

2019-2023

SDG AGGREGATE VALUE

Target 16.4 Score	82%
Target 16.5 Score	85%
Target 16.6 Score	79%
Target 16.10 Score	75%



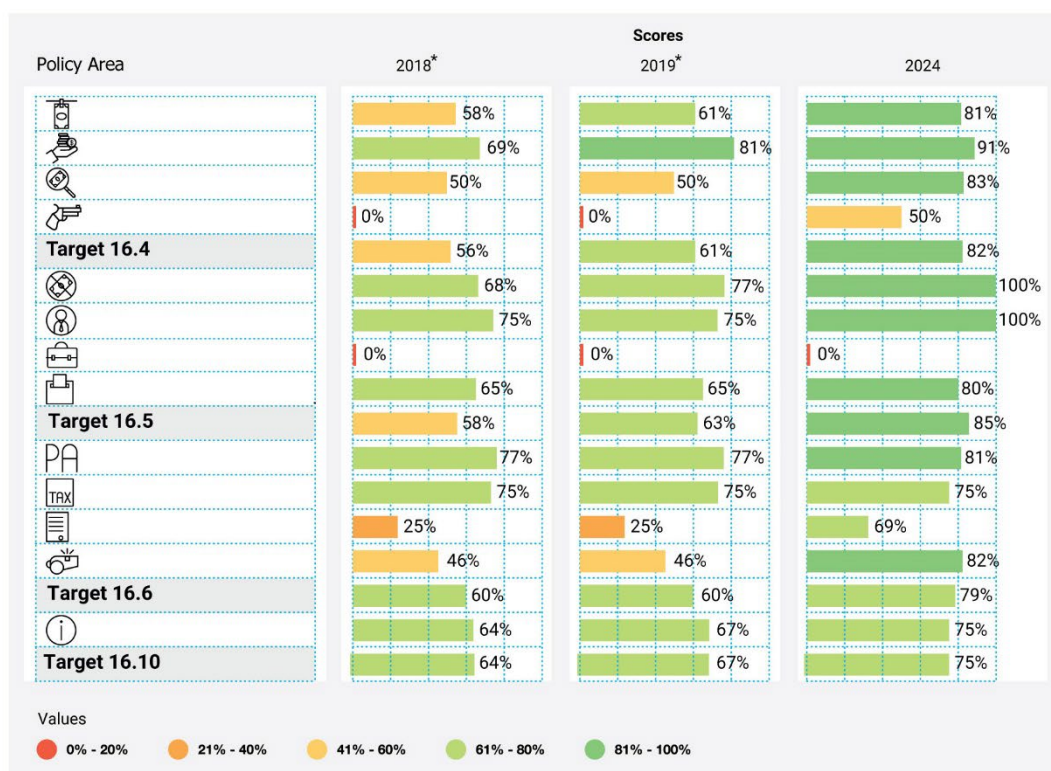
POLICY AREA

Target 16.4	Target 16.5	Target 16.6	Target 16.10
<ul style="list-style-type: none"> Anti-Money Laundering Beneficial Ownership Asset Recovery Arms Trafficking 	<ul style="list-style-type: none"> Anti-Corruption Framework and Institutions Private sector Transparency in Lobbying Transparency in Party & Election Campaign Finance 	<ul style="list-style-type: none"> Transparency and Integrity in Public Administration Fiscal Transparency Integrity in Public Procurement Whistleblowing 	<ul style="list-style-type: none"> Access to Information

* This scorecard is simply intended to assess whether a given country's legislative and institutional anti-corruption framework is in line with international best practice. It does not assess compliance with the legislative framework or the effectiveness of its implementation.

LEGAL SYSTEM DEVELOPMENT TRENDS ARMENIA

2018-2023



POLICY AREA



* <https://transparency.am/hy/publication/193>
<https://transparency.am/hy/publication/195>