

# THEMATIC COMPILATION OF RELEVANT INFORMATION SUBMITTED BY ARMENIA

## ARTICLE 13 UNCAC

### PARTICIPATION OF SOCIETY

#### ARMENIA (SEVENTH MEETING)

1. *Each State Party shall take appropriate measures, within its means and in accordance with the fundamental principles of its domestic law, to promote the active participation of individuals and groups outside the public sector, such as civil society, non-governmental organizations and community-based organizations, in the prevention of and the fight against corruption and to raise public awareness regarding the existence, causes and gravity of and the threat posed by corruption. This participation should be strengthened by such measures as:*

*(a) Enhancing the transparency of and promoting the contribution of the public to decision-making processes;*

During the last years the participation of public in decision making process of Government has been enhanced.

The Ministry of Justice, as the other state bodies, has cooperated with NGOs, within the scope of OGP actions. The Ministry of Justice elaborated a draft Governmental decision on “Model rules of procedure of the Public Councils adjunct to Ministers of the Republic of Armenia”. The decision was discussed during the first sitting of the Anticorruption Council and was approved by the Government. According to the decision, public councils shall operate adjunct to all ministers. The Councils consist of representatives of civil society and are aimed to promote the transparency and accountability of activities of public bodies, as well as to enhance the participation of civil society members in the activities and decision making process of public bodies.

At the same time The Public Council of Armenia also operates<sup>1</sup>. The Public Council was established on July 12 of 2008. The Public Council has a status of consulting body. It was created taking the wishes of various social groups into account as to improve the internal political situation and to promote consolidation of civil society in the country. Recognition of the important role of the Public Council in the public life of the country has led to amendments in the regulations of the National Assembly and the Government thereby enabling the Public Council to take part in the work of those bodies and to present its position. Guided by its charter, Public Council formed 12 committees, those on the other hand elected the Chair persons of their committees, and the latter were submitted to the approval of the president of Armenia and became board members of the Public Council. The Public Council also has its website.

The Ministry of Justice and Delegation of European Union to Armenia periodically organize donor coordination meetings with the participation of state bodies, nongovernmental organizations and international organizations (on 25 May, 2015 and 25 November, 2015). These meetings serve as an effective ground for government-society-international bodies cooperation, exchange of information and ideas.

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<sup>1</sup> See the website of the RA Public Council: <http://www.publiccouncil.am/en/>

After adoption of the Anticorruption Strategy active collaboration is conducted between Government and civil society. The representatives of Government particularly meet the representatives of civil society and discuss anticorruption issues. The representatives of various NGOs are appointed as members of different working groups (for example, working group established for conducting analysis on appropriateness of criminalizing illicit enrichment, or working group for conducting a study on the institutional system for fight against corruption).

Even though the NGOs currently do not participate in the Council, the NGOs still have opportunity to participate in the sittings of Council and make inquiries. Particularly, NGOs involved in anticorruption activities have been invited to participate in the sittings of the Council. During the first sitting of Council the Freedom of Information and Yerevan Press Club presented the results of researches conducted in the area of freedom of information and engagement of civil society in the fight against corruption, also Transparency International anticorruption center and Yerevan Press Club posed their questions<sup>2</sup>. The representatives of NGOs presented several important issues, which were discussed and as a result, solutions were provided.

The Government of Armenia held plenty of consultations about the Draft of anti-corruption strategy with participation of different stakeholders. On 29, July, a workshop on “Business sector against the existing challenges in the fight against corruption” was organized by the Ministry of Justice, European Union and Transparency International NGO with EU financing. During the workshop issues concerning the draft of the anticorruption strategy were discussed. The Draft of anti-corruption strategy was discussed in detail with different representatives of International organizations and was elaborated in line with the Kuala Lumpur Statement on Anti-Corruption Strategies. The draft of the Strategy was published in the official website of the Ministry of Justice to get opinion from every interested person; besides it was officially sent to the representatives of non-governmental organizations and civil society for getting their opinions. In the result of the proposals of the state bodies, international organizations and NGOs huge number of changes have been made in the draft. For example, by the proposal of NGOs (Anticorruption coalition, Transparency International, Armenian Young Lawyers Association, Protection of Rights Without Borders and Freedom of Information), some important measures, such as increasing the number of anti-corruption sectoral programs in case of necessity, revision of the existing anticorruption institutional framework, research on necessity of criminalization of the illicit enrichment, have been previewed in the draft action plan of the anticorruption strategy.

Many surveys were conducted by NGOs, results of which were presented in the First Sitting of the Anticorruption Council. Particularly, representatives of “Freedom of Information” NGO presented an analysis on issues of freedom of information in Armenia, “Yerevan Press Club” presented report on the engagement of civil society into the fight against corruption. All given surveys and reports have been comprehensively discussed.

The results of the researches conducted by NGOs were used while elaborating anticorruption strategy. Some NGOs presented their suggestions concerning fight against corruption during the First Sitting of Anticorruption Council. As a result the Prime Minister made appropriate orders directed to implementation of NGOs’ suggestions.

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<sup>2</sup> [http://gov.am/u\\_files/file/xorhurdner/korupcia/Korupcia28\\_07\\_15-new.pdf](http://gov.am/u_files/file/xorhurdner/korupcia/Korupcia28_07_15-new.pdf)

The representatives of the Ministry of Justice willingly participate and share information in various events, researches and discussions organized by NGOs.

It should be also mentioned that NGOs often apply to the State bodies to get information which is used for their surveys. For example, Transparency International in the scope of conducting a survey on the usefulness of the “National Integrity System Assessment in Armenia, 2014” has presented a questionnaire to the Ministry of Justice. The information provided by the Ministry of Justice was used during the survey.

It is important to mention that “Open Society Foundations– Armenia” NGO and Council of Europe have conducted anticorruption risk assessment in the Education sphere, besides Transparency International has done research on Corruption in the Military Background During recent years. All results of the surveys, researches and risk assessments were submitted to the Ministry of Justice and to the other stakeholders. The submitted information is being used during the elaboration of policy.

With the partnership of the Ministry of Justice, The Young Lawyers Association and Freedom of Information Center of Armenia with the support of The OSCE Office in Yerevan and EU on 23, September, it was announced about the creation of the “Government- civil society” Anticorruption platform.

The Ministry of Justice and the EU Delegation periodically organize donor coordination meetings to discuss anticorruption issues with all stakeholders. The workshops took place on 25 May and 25 November, 2015. Representatives from the Government, the office of the Ombudsman, and The Commission on Ethics of High-Ranking Officials presented the Republic of Armenia developments in the field of Anti-Corruption. Interested donor organizations as well as civil society organizations also attended and presented their actions in this field<sup>3</sup>.

At the same time the Action plan for Anticorruption Strategy (point 41) foresees a measure for cooperating with specialised civil society organisations aimed at reducing corruption risks through submitting recommendations and joint analyses conducted with the use of potential and knowledge of the civil society to carry out effective monitoring for the purpose of improving the quality of services provided to the society and reducing corruption risks in the sector, as well as submitting recommendations and draft legal acts, in cooperation with civil society organisations, on introducing a monitoring system for implementation of state programmes and provision of public services •

**Article 13, subparagraph 1(b)**

*(b) Ensuring that the public has effective access to information;*

Article 7. of the Law on Freedom of Information state the steps aimed at ensuring information access and publicity. Particularly, it states:

*“1. Information holder works out and publicizes the procedures according to which information is provided on its part, as defined by legislation, which he places in his office space, conspicuous for everyone.*

*2. Information holder urgently publicizes or via other accessible means informs the public about the information that he has, the publication of which can prevent dangers*

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<sup>3</sup> See official facebook page of European Union in Armenia

[https://www.facebook.com/media/set/?set=a.849309095123021.1073742038.302970569756879&type=3&\\_mref=message\\_bubble](https://www.facebook.com/media/set/?set=a.849309095123021.1073742038.302970569756879&type=3&_mref=message_bubble)

*facing state and public security, public order, public health and morals, others' rights and freedoms, environment, person's property.*

*3. If it is not otherwise foreseen by the Constitution and/or the Law, information holder at least once a year publicize the following information related to his activity and or changes to it,*

*a) activities and services provided (to be provided) to public;*

*b) budget;*

*c) forms for written enquiries and the instructions for filling those in;*

*d) lists of personnel, as well as name, last name, education, profession, position, salary rate, business phone numbers and e-mails of officers;*

*e) recruitment procedures and vacancies;*

*f) influence on environment;*

*g) public events' program;*

*h) procedures, day, time and place for accepting citizens;*

*i) policy of cost creation and costs in the sphere of work and services;*

*j) list of held (maintained) information and the procedures of providing it;*

*j 1. statistical and complete data on inquiries received, including grounds for refusal to provide information;*

*j 2. sources of elaboration or obtainment of information mentioned in this clause;*

*j 3. information on person entitled to clarify the information defined in this clause.*

4. Changes made to information mentioned in the 2nd clause of the proceeding Article are publicized within 10 days.

5. Information mentioned in the 2nd and 3rd clauses of the proceeding Article is publicized via means accessible for public, and in cases when the information holder has an internet page, also via that page.

6. Organization of public importance can decline to publicize the information mentioned in 3b, 3c and 3e sub clauses of the proceeding Article or changes to that information.”

In the same time, law states that Information holders are state bodies, local self-government bodies, state offices, state budget sponsored organizations as well as organizations of public importance and their officials.

The Law on Freedom of Information also includes provisions regulating the conditions of providing information, grounds and procedure to decline information request, responsibilities of information holders in the sphere of insuring free access to information: In this regard all state bodies have appointed officials responsible for the freedom of information and they have prepared special sections in their official websites about the official who is responsible for the freedom of information and contact information about the official.

Officials responsible for coordination of implementation of the anti-corruption programmes are appointed in the republican executive bodies at least at the level of the chief of staff or deputy head of the body.

Having in the regard the significant role of freedom of Information in the field of prevention and detection of corruption, the Government of RA is working on the improvement of relevant legislation. Particularly, the Ministry of Justice and Freedom of Information NGO worked on elaboration of normative acts regulating information provision sector. Accordingly, on 15 October 2015, RA Government adopted the Decision N1204-N “On defining the order for registration, classification and maintenance

of information created or received by the information holders, as well as the order for provision of information or its copy by state and municipal bodies, state institutions and organizations”. The act provides the rules of provision of information by public bodies and eliminates possible failures and floes in provision of information, as well as regulates the electronic information requesting and answering relations.

It should be mentioned that the RA Law “On Freedom of Information” was analyzed and reviewed by GIZ international experts, on July, 2015. The results of the review were presented to the Ministry of Justice of the RA. Taking into consideration the presented results appropriate works are carried out by the Ministry of Justice.

The website of RA Government has a special unit for the Anticorruption Council, where the activities, minutes of meetings and annual reports of the Council are being published.

### **Article 13, subparagraph 1(c)**

*(c) Undertaking public information activities that contribute to non-tolerance of corruption, as well as public education programmes, including school and university curricula;*

The Government of Armenia undertakes many measures to encourage non tolerance towards corruption. Particularly, the Government cooperates with NGOs and media organizations to enhance the awareness of public. As it was mentioned above, special trainings are being organized for media representatives to enhance their knowledge and abilities in anticorruption sphere. Periodical media (TV and news) reports are being made about corruption, Media representatives are being invited to all events related to fight against corruption. The activities of all anticorruption bodies are being explicitly presented to public via various tools. All state bodies have websites where the news are being published. The Government website has a special part devoted to the Anticorruption Council, where its functions, decisions and minutes of meetings are being published.

Special anticorruption courses are being thought at high school level and Universities. The TUMO center for creative technologies is developing a game, with the support of EU, which will promote intolerance towards corruption of players (target group).

*Realization of courses on anti-corruption topics at various levels of education*

Back in 2010 in the framework of the sub-project “Education against Corruption” of the “Project of Mobilization of Anti-Corruption Action” funded by the USAID the NGO “Future Is Yours” developed a methodological handbook for public school teachers, also for headmasters. The teachers educating the “Social Science” discipline in secondary schools have passed three-days training. Currently the abovementioned handbook is introduced in the secondary schools and the students of Social Science at high schools study topics relating to the fight against corruption.

In primary schools a manual on “Trafficking / Exploitation of people” is introduced. It contains trafficking / exploitation of people related topics, as well as topics on the fight against corruption.

With assistance of Armenian Center for Democratic Education-CIVITAS NGO ([www.civitasarmenia.am](http://www.civitasarmenia.am)) a community training program “Citizen Project” was implemented. Teachers of secondary schools from different regions of Armenia educating “Social Science” subject have passed training on identification of existing

problems in communities within the framework of this project. Teachers in their turn have conducted classes among students/pupils with appropriate electronic materials. Among issues students have also discussed corruption related issues, presented their proposals for problem solving.

With the support of “People in Need” NGO there was implemented a “Trainings through Films” project. Within the framework of this project the primary and high school teachers have used interesting films during their teaching of topics on corruption. This methodological material was included in the training module of “Social Science” subject for teachers.

In secondary schools there are dispute clubs where students discuss different topics, included also corruption relates ones. A “School clubs for legal awareness” handbook was developed and introduced which is used for selecting discussion topics among high school students and for the development of relevant skills.

The pupil of primary schools get acquainted with corruption related topics during the “Rights and responsibilities” classes of the “Me and the world” subject.

The “Corruption and its prevention” topic is taught in Primary/Craft and vocational schools through reserve hours of curriculum, some provisions are included in the “Basics of Law” course.

Topics on corruption and its prevention are included in the courses of “Basics of Economics”, “Basics of Law” and “Basics of Political Science” specialization of bachelor’s degree programs at universities.

In 2011 the NGO “Future is yours” with financial support from USAID (<http://ftr.am/index.php?id=programs>) within the “Education is a corruption prevention means” sub-program published a “Guideline for organizing anti-corruption courses and measures” booklet for professional/vocational schools. The mentioned booklet currently is used by primary and secondary vocational schools as well as by high educational institutions of Yerevan and RA regions for the purpose of anti-corruption measures – for organizing discussions and inter-university meetings, for stage performances, for development of internet sites. The booklet is posted in the libraries of educational institutions.

The standards and projects, methodological materials, packages of training materials for teacher of different disciplines (included on the “Social Science” subject) of secondary schools are posted on the “General education” section of [www.aniedu.am](http://www.aniedu.am) web page of the National Institute of Education of the RA MES.

On the other “Recourses database” web site <http://lib.amedu.am> of the National Center of educational technologies the electronic version of textbooks of all disciplines educated in secondary schools (included also for the Social Science subject) are posted. Manuals, databases, methodological materials, standards and programs, supplementary materials for different general education materials are also posted on the web site. The web page is quite significant and it is available for students and for professors/teachers.

A scientific portal [www.das.am](http://www.das.am) operates, it has a “Lsaran/Auditorium” section where articles of young professionals of different science and culture sectors are published. In this web page the readers may get acquainted with the “Lessons” of experienced representatives from the history, culture, economics, politology, journalism and other areas. Students’ articles also are posted on the web site. The web page is under revision now.



A “Dasaran.am” educational program ([www.dasaran.am](http://www.dasaran.am)) functions launched since 2009. The purpose of this program is to support the improvement of the quality of education through application of information technologies targeting parents, students and the school staff. In the “Encyclopedia” section the students may enrich their knowledge, get acquainted with information materials on sports, culture, history, society, law and others. In the encyclopedia section the student may edit any article, share with friends with their knowledge through posted materials by themselves. This site serves for the vocational students as well.

- **Transparency, accountability and public awareness of education sector**

An information page functions on anti-corruption measures implemented in education sector which contains 2011-2014 comprehensive programs against corruption in education and science sectors, as well as reports on these programs. Annual programs of anti-corruption measures and reports on the activities within these programs approved and published by management boards of RA universities. Some universities have posted these reports on their web pages.

A section “Reports” functions on the RA MES official web site which contains progress and annual reports on activities of RA MES, also reports on activities of National Institute of Education of the RA MES, National Center of Educational Technologies (KTAK) and on Textbook Revolving Fund.

At the same time the publicity of reports on the results of investigation and inspections of educational institutions are assured. The reports (semi-annual and annual) on inspection and investigation at educational institutions are published on the RA MES official [www.edu.am](http://www.edu.am) web site and “Education” weekly magazine.

During the Y 2014 the official web site [www.edu.am](http://www.edu.am) was one among most visited sites of governing bodies.

There is a “Public discussion” section in the [www.edu.am](http://www.edu.am) official site of the MES and on the educational portal [www.armedu.am](http://www.armedu.am) which provides a capacity to the public to participate in activities of drafting legislative acts. All draft legislative documents developed by the education sector are posted in this section for public discussion.

A “Feedback communication” section functions, it assures direct communication between citizen and responsible persons of the sector.

A RA Ministry of Education and Science’s blog [www.armeniaedu.blogspot.com](http://www.armeniaedu.blogspot.com) operates since 2011 and all alarms reflected through this blog subsequently processed.

A RA Ministry of Education and Science’s “Study in Armenia” foreign language site operates.

In the “Education” weekly magazine and RA Ministry of Education and Science’s official web site [www.edu.am](http://www.edu.am) an examination questions, a time-table of trainings for receiving a permission (license) for the management of the general educational institution are published. A “vacancy positions” section is developed on the [www.edu.am](http://www.edu.am) site, where announcements on general school directors’ positions are posted.

All aspects of graduation and unified exams, as well as university entrance competitive exams are largely covered by mass media means.

A national rating process of RA general schools and universities is started since 2014. The system of rating of general schools is reflected on the <http://schoolrate.armedu.am> site and the “System of national accreditation of Universities” functions on the

<http://ranking.amedu.am> site. The beneficiaries may select indicators and receive scores for the school rating per their preferred indicators in this system.

- **Improvement of Information System for the Management of Education**

The Management Information System of Education is extended and currently it contains also the professional education sector (before 2015 the system included the secondary/general education system only). To use the implemented system effectively training courses were conducted for the representatives of primary (vocational) and intermediate, high professional educational institutions.

A „Professional education and training” portal ([www.vetarmenia.am](http://www.vetarmenia.am)) was launched as an electronic instrument for maintaining the education networks. The platform provides a summary information on primary (craft) and vocational professional education. News, announcements, legislative and normative documents, national educational standards and modular programs, educational-methodological materials and useful literature is posted on this platform.

- **Participatory monitoring of the education sector**

In 2014 the results of “Survey of participation of Armenia’s state universities’ students in the Bologna process” and “Survey of RA state universities’ students’ social support needs” were published which highlighted/covered by three dozens of media outlets. The results of mentioned surveys are posted in [www.edu.am](http://www.edu.am) website. The survey was conducted by the "IPSC" Institute of Political and Sociological Consulting.

In the website of National Center of Educational Technologies - [www.ktak.am](http://www.ktak.am) are published the results of the “Sociological survey in the frames of higher education institutes’ ranking system (methodology, indicators, the counting mechanism)”. All state and private universities have been included in the survey.

A one-year project “Assessment of corruption risks in the general education sector” in the framework of the “Demanding society for responsible management” project of the NGO Transparency International anti-Corruption Center (TIACC) was launched since October of 2015. The purpose of this project is to investigate, raise and assess existing corruption risks of the quality of teaching in general schools including in education and textbook development and publishing areas.

"IPSC" Institute of Political and Sociological Consulting conducted a sociological study on subject "The survey of students' lifestyle and the Bologna Process evaluation", the results of which were presented in October 2015. In this survey there are also questions regarding corruption risks / phenomena.

On the initiative of the UN International Labor Organization (ILO) in November 2015 a study was carried out by the "IPSC" Institute of Political and Sociological Consulting ([www.ipsc.am](http://www.ipsc.am)) regarding "Assessment of needs of State average vocational education institutions’ management boards" which aims to promote the development of vocational education and training and increase the efficiency of education management in Armenia.

A study on "Combating corruption and rooting decent behavior in Armenian educational system” by an international expert team through the initiative of “Open Society Foundations” Armenian office was carried out and basis for latter had served methodology adopted by Economic Cooperation and Development Organization and implemented in several other countries. The study was presented on 27 November 2015 during the conference on topic “Combating corruption and rooting decent/integrity behavior in Armenian educational system” with the participation of civil society and



education specialists. The format of future cooperation of the Ministry of Education of RA and this organization aimed to identify corruption risks and factors in education field is in the discussing stage now.

Since February 2015 in the field of higher education a two-year project “Strengthening decent/integrity behavior and combating corruption in Armenia’s higher education system” is being implemented which aims to the improvement of the legislative and institutional frameworks. In the frames of this program in 2015 experts of Council of Europe prepared the "Analysis of risk factors affecting decent behavior of Armenia's higher education system" expert report. The authors followed the approaches that they had applied to the other activities of the Council of Europe. With this approach are brought arguments that long-term strengthening of decent behavior in the educational sector should be based on fundamental positive principles of ethics and on full commitment of to the ethical behavior both in professional and social life. The program’s target will be 26 state institutions of higher education.

**Article 13, subparagraph 1(d)**

*(d) Respecting, promoting and protecting the freedom to seek, receive, publish and disseminate*

*information concerning corruption. That freedom may be subject to certain restrictions, but these shall only be such as are provided for by law and are necessary:*

*(i) For respect of the rights or reputations of others;*

*(ii) For the protection of national security or ordre public or of public health or morals.*

The details of fight against corruption, including the activities of Anticorruption Council and comprehensive description of Anticorruption Strategy, rights and duties of population while facing a corruption have been repeatedly presented to public through various methods, including media reports. The Ministry of Justice, along with Eurasia Partnership Foundation has recorded a media program titled “Corruption and Combating Corruption in Armenia”<sup>4</sup>. The Ministry of Justice and GIZ work on join project aimed at creation of short video-clips of various contents, which shall be presented by media to spread anticorruption messages. The anticorruption strategy and issues have also been discussed with journalists and business representatives during seminars organized for especially these professionals.

During the first sitting of the Anti-corruption Council the Chairperson indicated that in the process of the fight against corruption the most important component is the existence of the political will and the Armenian Government have that will for making the results of the fight against corruption visible and tangible.<sup>5</sup>

On April 14, 2015, the Ministry of Justice sent a request (numbered 01/4516-15) to the Government of Armenia, asking to order all governmental bodies to provide information about undertaken programs on corruption prevention. In the same time, Ministry of Justice suggested to order all state agencies to conduct anticorruption informative programs. All governmental bodies have provided relevant information related to the undertaken programs on corruption prevention.

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<sup>4</sup>See official website of Eurasia Partnership Foundation: <http://am.epfarmenia.am/unticorruption-in-armenia/>

<sup>5</sup> [http://gov.am/u\\_files/file/xorhurdner/korupcia/Korupcia28\\_07\\_15-new.pdf](http://gov.am/u_files/file/xorhurdner/korupcia/Korupcia28_07_15-new.pdf)

Anti-Corruption School for Young Leaders worked for three months in Armenia and was initiated by the “The Armenian Young Lawyers Association” NGO organized the Anti-Corruption School for Young Leaders in the framework of the U.S. Alumni Outreach Grants Program with financial support of the US Embassy in Armenia.

The TUMO center for creative technologies is developing a game, with the support of EU, which will promote intolerance towards corruption of players (target group).

In The same time, GIZ organized a competition for media representatives covering anticorruption sphere.

### **Article 13, paragraph 2**

*Each State Party shall take appropriate measures to ensure that the relevant anti-corruption bodies referred to in this Convention are known to the public and shall provide access to such bodies, where appropriate, for the reporting, including anonymously, of any incidents that may be considered to constitute an offence established in accordance with this Convention.*

The media is widely involved into the anticorruption struggle. All the anticorruption activities are being reported by the media. Information responsible officers are appointed at all public bodies. The information responsible officers actively cooperate with media in order to disseminate information.

All the public bodies have electronic websites where information relating to the activities of these bodies is being published. The main information (including the contact information) about these bodies is being published in their websites. These measures ensure the awareness of society about the anticorruption bodies, their functions and the paths for applying these bodies.

The Ministry of Justice, along with Eurasia Partnership Foundation has recorded a media program titled “Corruption and Combating Corruption in Armenia”<sup>6</sup>. The Ministry of Justice and GIZ work on join project aimed at creation of short video-clips of various contents, which shall be presented by media to spread anticorruption messages. The anticorruption strategy and issues have also been discussed with journalists and business representatives during seminars organized for especially these professionals. These training are aimed to enhance anticorruption awareness of media representatives and accordingly, to ensure the awareness of public.

The anti-corruption programs monitoring division of the staff of the Government of the Republic of Armenia serves as a permanent secretariat for the Anticorruption Council.

The Action plan for Anticorruption Strategy has a special unit aimed at establishing participatory governance. The Action plan includes such measures, as regulating the procedure and formats for organizing and conducting public hearings and discussions at legislative level, publishing the information concerning discussions on the mentioned issues (point 39), discussing issues on prevention and fight against corruption during the sittings of the Public Council of the Republic of Armenia, discussing the issues on prevention and fight against corruption during the sittings of the Public Council of the Republic of Armenia, and ensuring public awareness on the existence, reasons, gravity of corruption and harm caused by it is raised.

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<sup>6</sup> See official website of Eurasia Partnership Foundation: <http://am.epfarmenia.am/anticorruption-in-armenia/>

It should be also noted the draft decision of RA Government aimed at creation of an online platform for publishing projects of normative acts developed by public bodies and their discussion has been elaborated by RA Ministry of Justice and currently is being amended based on received suggestions and comments.

The law enforcement bodies have wide mechanisms for cooperation with society.

Particularly, the investigative committee has created a website<sup>7</sup> which allows wide range of public to get information about:

- The functions and powers of the Investigative Committee
- The rights and responsibilities of the parties of criminal procedure
- The processes of the criminal, including corruption, cases being within the procedural authority of the Investigative Committee.

The existing mechanisms allow the public to be informed about the results of preliminary investigation of criminal cases, as well as allows the participants of the proceeding be aware about their rights and duties and the powers of the Investigative Committee. This is an effective mechanism to prevent any possible abuse of power by the authorities.

In order to make the cooperation and communication with society better, three additional communication mechanisms were created. Particularly, a separate online request pat is available in the website of the Committee, where a person can write a question. The result will be posted in the website.

Another mechanism is the e-mail communication ability.

People can also write to the internal security department of the Investigative Committee regarding abuse of power or law violation issues of Committee members

These contacting options increase the transparency of the activities of the Investigative Committee.

The process of obtaining information is written in the official website of the Investigative Committee and includes oral and written response versions. However, the inquiries received by the department of information and public relations does not respond to anonymous and unsigned inquiries received through mail.

Prioritizing the transparency of the activities of Investigative Committee, The Committee undertakes informative campaigns and periodically publishes informative notes concerning process and results of various criminal cases, including the proceedings of corruption cases.

While determining the scope of open information, the principles of confidentiality of investigation process and thorough and objective examination of the case are being considered. The presumption of innocence and protection of personal data is also considered. The information about public officials is being published more detailed taking into account the right of society to be informed about the activities of the officials holding high positions.

The information about activities of Investigative Committee, including criminal case procedures is being published in media reports, in websites, as well as is spread via oral channels. The page of the Investigative Committee in [www.facebook.com](http://www.facebook.com) social website is also a reliable source of information.

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<sup>7</sup> See the official website of the Investigative Committee: <http://investigative.am/home.html>

The General Prosecutor's office also highly values the role of cooperation with civil society. Since 24 October, 2014 the new website of the General Prosecution was launched ([www.prosecutor.am](http://www.prosecutor.am)). The website includes various chapters which include information regarding the laws about prosecution, the rules for obtaining information and acceptance of citizens, as well as the public officials responsible for provision of information.

A separate part is devoted to the corruption crimes and includes the list of corruption crimes established by the General Prosecutor's Order N 82, dated 19 November, 2008, as well as statistics on corruption crimes (on semi-annual and annual basis) semi-annual and annual basis.

The General prosecution also notifies the public about serious corruption crimes cases and the results of their prosecution. The General Prosecution also organized various events with representation of civil society, NGOs, international organizations. The list of mass media channels being monitored has been enlarged in order to implement effective research and reporting on corruption crimes.

Provided by law the Special Investigation Service is an independent state body that carries out preliminary investigation of criminal cases in regard to leading officials of legislative, executive and judicial authorities of the Republic of Armenia, persons carrying out special state service connected with their official position or complicity or the crimes committed by them, as well as by criminal cases on infringement of public relations protecting electoral rights.

In other words, the special investigation service is specialized institution conducting preliminary investigation related to the complicity of officials and to the crimes of corruption.

In order to provide citizens with operative and unimpeded access for reporting on crimes and cases of corruption, the Republic of Armenia Special Investigation Service launched the official webpage [www.ccc.am](http://www.ccc.am) by the means of which, as well as by the Service email any individual and legal person can provide any information.

Provided by the Article 176, paragraph 2 of the Republic of Armenia Criminal Procedure Code statements about crimes sent through mass media are reasons for initiation of criminal prosecution. The Special Investigation Service periodically monitors electronic media publications and if necessary, by the means of legal procedures, reacts to the cases of corruption.

Provided by the Article 177, paragraph 7 of the Republic of Armenia Criminal Procedure Code a letter, a statement or other anonymous message about crime, unsigned or with false signature or written on behalf of fictitious person cannot be reason for initiation of criminal prosecution.

Nevertheless, in practice such statements can be a basis for talking operational investigative measures in order to verify the veracity of information provided.

In Special Investigation Service the coverage of criminal cases' investigation results is being publicized within the frames of permissible limits provided by law. State competent authorities and media are periodically provided with informative statements and publications referring to ongoing investigation of criminal cases having social resonance. The publications by social organizations and media are promptly and properly reacted to. In regard to coverage of various criminal cases press releases are being announced in three languages (Armenian, Russian and English) which promotes public

access for measures and bodies combating corruption, as well as the use of information and communication technologies to prevent corruption.

The General Prosecutor's office highly values the role of cooperation with civil society. Since 24 October, 2014 the new website of the General Prosecution was launched ([www.prosecutor.am](http://www.prosecutor.am)). The website includes various chapters which include information regarding the laws about prosecution, the rules for obtaining information and acceptance of citizens, as well as the public officials responsible for provision of information.

A separate part is devoted to the corruption crimes and includes the list of corruption crimes established by the General Prosecutor's Order N 82, dated 19 November, 2008, as well as statistics on corruption crimes (on semi-annual and annual basis) semi-annual and annual basis.

The General prosecution also notifies the public about serious corruption crimes cases and the results of their prosecution. The General Prosecution also organized various events with representation of civil society, NGOs, international organizations. The list of mass media channels being monitored has been enlarged in order to implement effective research and reporting on corruption crimes.

**Examples of sport crime cases:**

The international ranking football arbiter Mr. A.A. and his second assistance H.A, being informed that they will serve the football game "Inter Tarku" vs "Vikingur Gota" of 11 July, 2013, in the "Veritas" sport filed of Tarki city of Finland, organized in the scope of the first qualifying round of the European Football League Championship, took bribe from G.H. on July of the same year, before leaving for Finland. G.P. and E.S intermediated for the bribery. The reason of bribe was to create favourable conditions for one of the teams for bookmaking purposes.

On 7 August, 2013, Criminal case N 69107713 was initiated by RA Police for violation of Article 201 parts 1 and 7, and A.A. and H. A were arrested the same day.

The investigation revealed that getting information that Mr. A.A. and his second assistance H.A, being informed that they will serve the football game "Inter Tarku" vs "Vikingur Gota" of 11 July, 2013, in the "Veritas" sport filed of Tarki city of Finland, organized in the scope of the first qualifying round of the European Football League Championship, G.H., E.S. and G.P offered them bribe in amount of about 40000 USD, having intention to make a bet on a football game in a bookmaking company and get favorable results. Mr. A. A. and Mr. H.A. agreed on taking the bribe and promised to ensure favorable result of the game.

Some hours prior the game the parties agreed to make a bet on "one goal for each side" option. Therefore, in order to give opportunity each team to score one goal A.A. declared totally unfounded 11-meter penalty kicks in 77<sup>th</sup> and 79<sup>th</sup> minutes of the game.

So, A.A. and H.A committed criminal offences envisaged by the Article 201 Part 1 of RA Criminal Code.

On 10 August, 2013 A.A and H.A were accused for committing crime provided by Article 203 part 3 of Criminal Code and were detained as a precautionary measure. A.A. and H. A asked to imply RA National Assembly's Decision of 3 October, 2013 on declaring amnesty. Accordingly, the investigation against them was stopped and the precautionary measure was eliminated.

Based on the same Amnesty act, the investigation was stopped against G.H., E.S. and G.P.

On 7 november, 2013 a decision to discontinue the proceedings was adopted.

On December 21, 2015 criminal case N58218215 was initiated in the National Security Service of RA for violation of Article 201 part 1 and 3 of RA Criminal Code.

Particularly, The manager of “Ulis” football club – Mr. A.A. informed an employee of “Toto” bookmaking company - Mr. E.P that he will previously know the result of the games “Ulis Yerevan” vs. “Ararat” taking place on 28 November, 2015, as well as the results of the game “Ulis Yerevan 2” vs. “Ararat 2” taking place on November 30, 2015. They agreed on making bets and earning illegal money on it.

The illegal income received from 1000-3000 USD betting E.P gave to A.A who distributed it among the informed football players and the assistant trainer R.A for receiving favourable results.

Investigation is being conducted for final disclosure of this case.

There are no any trainings directed to enhancement of exclusively the sport crime investigation skills.

However, the permanent qualification enhancement and professional training courses for prosecutors organized by the Academy o Justice included lectures or seminars on combating corruption, identification of corruption crimes, judicial practice.

The prosecutors actively participate in the seminar discussions, consultations, similar other events including aimed at international practice exchange and cooperation.

The representatives of the Department against Corruption and economic crimes and other departments during 2015 participated in various events on combating corruption. For example, the representatives participated in Transparency international’s event on launching the National Integrity System Assessment Report, or the 69<sup>th</sup> plenary meeting of GRECO, and in some other events.

There is no a special unit prosecuting particularly sport crimes in the structure of RA prosecution. However, the Departments against Corruption and economic crimes and Department on cases being investigated in National Security bodies, related to illegal circulation of drugs and cybercrimes, conduct supervision on investigation process of these crimes.

Therefore, based on the General Prosecutor’s order N82 of November 19, 2008, the crimes envisaged by the Article 201 of the Criminal Code of the Republic of Armenia has been considered to be a corruption crime.

And the supervision on the investigation process of this crime conducts the department against corruption and economic crimes of the General Prosecution of RA. If the sport crime has any details of money laundering or organized crime, or it is being investigated by the National Security service attached to RA Government, the prosecution is carried out by the Department on cases being investigated in National Security bodies, related to illegal circulation of drugs and cybercrimes.



## **THEMATIC COMPILATION OF RELEVANT INFORMATION SUBMITTED**

### **BY ARMENIA**

#### **ARTICLE 13 UNCAC PARTICIPATION OF SOCIETY**

##### **ARMENIA (SECOND MEETING)**

Mission's activities and to monitor compliance with legislation on competition, a civil council has been established under the Commission. The council comprises representatives of businesses and of civil society organizations engaged in protecting consumer interests. The council was established to engage the general public in examining competition-related problems.

The main reasons for violation of legislation on competition continue to be ignorance of relevant laws, a low level of competition culture in Armenian society, weak regulation with regard to competition rules and the lack of effective regulatory mechanisms relating to competition. The Commission is therefore intensifying its work to promote competition, specifically by organizing seminars; publishing bulletins, in print and electronic form, containing comprehensive information on its operational activities; and maintaining a website ([www.competition.am](http://www.competition.am)), which is viewed by a large number of users. In addition, a hotline has been set up, offering a feedback mechanism for the business community and the general public as a whole, and an intensive programme to develop activities with the mass media is being implemented.

The procedure for evaluating the impact of the provisions of draft anti-corruption laws and regulations was established on 22 October 2009 through Decision No. 1205-H of the Government of Armenia. In accordance with the Legislation and Regulation Act, draft laws and regulations undergo a compulsory assessment of their anti-corruption impact. The primary aim of reviewing the impact that the provisions of draft laws and regulations will have on corruption is to improve the quality and effectiveness of the provisions of laws and regulations, thus allowing the impact of legal provisions to be gauged in advance.

The main tasks in evaluating the anti-corruption impact of the provisions of draft laws and regulations are: (1) To identify factors which facilitate and (or) encourage corruption (henceforth: corruption factors) in draft laws and regulations; (2) To promote efforts to eradicate or minimize corruption factors in draft legislation.

The evaluation is being conducted by the Ministry of Justice. In accordance with article 27.1 of the Legislation and Regulation Act, the body drawing up the draft law or regulation must both present the draft to those assessing the anti-corruption impact of the draft provisions and organize a public debate on the document. The aim of the public debate is to inform individuals and legal entities about the draft law or regulation and to conduct an opinion survey, leading to a final redrafting if necessary. Public debates on the draft law on the State budget of Armenia are to begin three days after the submission of the draft law to the National Assembly. Public debates take place following the publication of the draft law or regulation and other materials, as required by a government decision, on the website of the body responsible for drafting the law. Public meetings may also be organized at the instigation of the drafting body, either with interested parties or in open hearings, debates and public opinion surveys, and also through the media.

The public debate lasts 15 days. The procedure for public debates was established through Decision No. 296-H of the Government of Armenia on 25 March 2010. In particular, this Decision establishes

the procedure for the public debate of draft laws and regulations, the procedure for informing interested individuals and legal entities, and also the procedure for canvassing public opinion and summarizing the outcome of the public debate.

Improving oversight and internal control mechanisms is of key importance in reducing the corruption risk in the penal correction system. In the Republic of Armenia, correctional units and institutions are currently subject to judicial, ministerial and public monitoring and to State and international oversight (through the Human Rights Defender and the European Committee for the Prevention of Torture).

Both judicial oversight, conducted through judicial examination of prisoner's complaints relating to the administrative acts of correctional institutions or units, and periodic public and ministerial monitoring of the penal correction system are crucial in reducing the corruption risk. Public oversight of the penal correction system is conducted by a group of public observers organized by the Ministry of Justice. The public observers have free access to correctional institutions without any requirement to obtain special permission. The group of public observers has the right to submit its analysis, findings and proposals on the conditions within correctional institutions and to submit proposals on improving the legislation governing penal correction to the Ministry of Justice and the general public.

The group's aims, working procedures and membership are also established by decree of the Minister of Justice. Between seven and 21 observers may be deployed to form the group, for a period of five years. Thus, the group's mandate, structure, membership and working procedures enable it to be an effective force against corruption. The group submits three forms of report — ongoing, yearly and periodical — to the Minister of Justice for comment. Reports by the group serve as an oversight mechanism for identifying problems and offering relevant proposals, the publishing of which in a readily accessible form contributes significantly to the transparency of the group of public observers' oversight activities in the eyes of the general public.

For the group of public observers' activities to be productive, it is also important for civil society to be active and to have the opportunity to conduct observation missions. The observers are not remunerated for their work, which is an important safeguard of their independence from the State system, although occasionally this deters would-be observers.