

INFORMATION
of the Government of the Republic of Armenia
on good practices in preventing corruption and the open data sources

Ministry of Justice of Armenia

1. The asset and income declaration system has been basically improved. Starting from 2020 the officials are obliged to submit also interest declaration. Moreover, a new draft was adopted by the Parliament based on which the content of the declaration has been revised, the obligation of submitting declaration of expenditures as well as the institute of ad-hoc declaration will be introduced.

The declarations will be submitted electronically, which will be publicly available, data subject to publication will be expanded, non-personally identifiable information will be publicly available.

2. The anti-corruption strategy for upcoming years touches the importance of not only preventing, but also detecting the corruption through effective use of innovative tools. The fight against corruption is useless without active civic participation. In this regard, in recent years the transparency of the legislative process has been evidently increased due to the publication of draft legal acts on the website e-draft.am¹. This e-tool ensures wider public participation in the law-making process at the same time reducing corruption risks. Draft normative legal acts developed by the state bodies are posted on the unified platform and a time period of at least 15 days is given to public and civil society to present their suggestions and comments, as well as to vote for the drafts. The platform gives an opportunity to get acquainted with the submitted projects, search for projects and follow them, get acquainted with the submitted proposals and with the project proposal summary. Public authorities are obliged to discuss all suggestions posted on this platform, they have to justify the draft proposals or otherwise make respective changes.

The Unified Electronic Register of Licenses² of the Republic of Armenia is a unified platform for issuing licenses and authorizing types of activities subject to notification issued by authorized state bodies. The purpose of the registry is reducing administrative and corruption risks, ensuring the availability and quality of services for citizens, as well as saving time and material resources. As a result, the unified electronic register regulates the procedure for registering decisions on issuing licenses, automatic provision of series and license numbers, publications, the procedure for providing information on licenses, validation, a list of state bodies using the registry for free, and questions about the amount of payment for the online information provided about other persons from the registry.

The other example of innovative solution in the fight against corruption is the unified electronic platform for whistle-blowing³. Thus, according to the Law of the Republic of Armenia “On the whistle-blowing system”, a whistle-blower may anonymously report information about a corruption incident. Through the unified electronic platform, the Republic of Armenia guarantees the protection of the whistle-blower by ensuring his or her anonymity. In this sense, it should be mentioned that anonymous whistle-blowing is considered as a prerequisite of whistle-blowers’ protection. The platform ensures whistle-blowers’ trust in the protection of their personal data, taking into consideration the fact that it is unknown to both third parties and competent state bodies.

In this sense, the anonymity of a whistle-blower is guaranteed by coding his or her Internet Protocol Address. Those visiting the platform are provided with the opportunity to choose their preferred option between whistle-blowing anonymously and by way of submitting data, fill in the data corresponding to the method of whistle-blowing selected in the relevant fields, attach the electronic materials related to the report, confirm the report upon verification of the data filled out and submit

¹ <https://www.e-draft.am/projects/2115/about>

² <https://www.e-license.am/am/>

³ <https://www.azdararir.am/am/>

it to the system's reports management module. In case of existence of grounds for verifying the report, the Prosecutor General's Office forwards the document version of the report to the law-enforcement body implementing operational intelligence activities. In addition, the report is subject to verification as prescribed by the Law of the Republic of Armenia "On operational intelligence activities", when the information presented in the report is sufficiently substantiated, it concerns a particular official or body and contains data that may be verified. It should be also noted that the statistics and the follow up of the reports is publicly available.

Activities aimed at modernizing these electronic platforms have been carried out, as they are main and important tools to prevent and detect corruption.

3. One of the important tools for increasing transparency in the private sector is revealing beneficial owners of the legal persons having received state registration and introducing a general and publicly accessible platform for information thereon, thus ensuring publicity of the data on beneficial owners. Relevant software aimed at creating a register for beneficial owners within the framework of the state register of legal persons is in process of development. The public information on beneficial owners of legal persons available on the electronic platform will be used by the competent state bodies and civil society as an instrument for supervision, for the purpose of excluding implementation of entrepreneurial activities by persons having political influence and ensuring transparency of the state procurement process.

Prosecutor General's Office of Armenia

The Prosecutor General's Office (hereinafter referred to as "the Office") of the Republic of Armenia presents its compliments to the Secretariat to the Conference of the States Parties to the United Nations Convention against Corruption and has the honour to present the following information as regards the efforts aimed at preventing corruption as well as the list of open data initiatives.

At the outset, the Office invites the attention of the Secretariat that in 2019 Anti-Corruption Strategy and its Implementation Working Plan of the Republic of Armenia was adopted by a Government Decree. The following institutional reforms, inter alia, were stipulated by the Strategy:

- Formation of the Corruption Prevention Commission and ensuring the regular operation thereof;
- Formation of the Anti-Corruption Committee: an anti-corruption law enforcement body vested with the functions of revealing and investigating corruption related crimes;
- Establishment of specialized anti-corruption courts;
- Establishment of a department in the Office carrying out supervision over the investigation of corruption crimes (the relevant department has already been created by the decree of the Prosecutor General of the Republic of Armenia dated 25 September 2019);

Other measures are also stipulated by the Working Plan, from which the following should be mentioned:

- Formation of mechanisms for carrying out oversight over observance of the rules of integrity of persons subject to appointment to state positions, those of judges and judge candidates, prosecutors and candidates of prosecutors and of investigators;
- Improving the system of declaration of property, incomes and interests;
- Improvement of the institute of gifts related to the exercise of official duties of persons holding public positions and of public servants etc.

The Office would also like to mention that the draft law "On confiscation of Ill-Earned Assets" will soon be adopted by the Parliament and after its adoption and formation of the relevant subdivision within the Prosecutor's Office of the Republic of Armenia will be vested with a very important toolkit for the recovery of illegal assets, which may have been inevitably earned, inter alia, as a result of corruption related crimes.

It is also worth mentioning that in 2019 the system of whistle-blowing has successfully been put into operation. Through this system 188 reports were received in the Office all of which related to the corruption. 5 criminal cases were instituted upon these reports.

In 2019 1399 criminal proceedings related to corruption cases were instituted and charges were brought against 1018 persons. For bribery 133 criminal proceedings were instituted and charges were brought against 115 people.

Now the Office develops a methodology for investigation of individual corruption-related crimes including illicit enrichment.

As regards the open data concerning corruption related crimes it should be mentioned that in the official webpage of the Prosecutor's Office of the Republic of Armenia⁴ there is a special section (available only in Armenian language) dedicated to the fight against corruption. In this section the following information is accessible

- Relevant documents, including international conventions, domestic laws, government decrees, orders of the Prosecutor General etc.;
- Statements regarding the results of the investigation of corruption-related crimes;
- Information relating cooperation with international partners and civil sector.

Corruption Prevention Commission

Since its formation, the Corruption Prevention Commission (hereinafter referred to as the Commission) has initiated discussions on the accessibility of data collected by the Commission with a number of international partners, media and civil society representatives.

In the outcomes of the mentioned discussions, the Commission has detected the currently existing problems, which hinder the efficient analysis of data subject to declarations, as well as has registered the measures, which should be taken to ensure the accessibility of large scope of data and its efficiency.

As part of these measures is already under operation and the other measures are included in the short term action plan of the Commission.

The intended measures and their current status are mentioned below:

1. The Commission has reviewed the list of data subject to declaration in asset, income and interests declarations, as prescribed by the Law on Public Service, as well as has elaborated a new list of data subject to publication, which has been submitted to the Government of Armenia for approval. The issues raised during the above-mentioned discussions by maintaining the principal of the protection of private data were reflected in the draft decree, the scope of the information subject to publication was enlarged.
2. In line with the Law on Corruption Prevention Commission, the Commission, among other principles, carries out its functions based on the principle of transparency. For maintaining the mentioned principle, the law defines, that the sittings of the Commission should be conducted in open format (with some exclusion). For maintaining the mentioned requirement, the Commission invites media representatives for covering the sessions, as well as carries out measures to ensure the live broadcasting of the sessions by its own financial resources. It is notable, that the Commission consistently publishes the adopted decisions and conclusions on its official website and its official Facebook page.
3. The Commission has undertaken the commitment to constantly publish the list of the declarant officials, who do not present the asset, income and interests declarations within the deadlines prescribed by the relevant law. The list of the declarant officials, who did not carry out their

⁴ Available at <http://www.prosecutor.am/>

declaration obligations for the second half of 2019, has already been published on the official website and the official Facebook page of the Commission.

4. The Commission has initiated the modernization of the electronic declaration system, within the scope of which, elaboration of more efficient publication mechanisms for unified declaration system is intended. A periodically updated and unified platform is intended to establish, which will be downloadable, and it will be possible to attach other programs to it and to analyze (open API). The Commission intends to operate the platform in early 2021.