



ANNEX C1: Twinning Fiche

Project title: Fostering integrity and preventing corruption in the public sector in Armenia.

Beneficiary administration: Corruption Prevention Commission and Ministry of Justice.

Twining Reference: AM 19 ENI JH 01 21

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EU funded project

TWINNING TOOL

1. Basic Information

1.1 Programme: ENI 2019 C(2019)8734/Annual Action Programme for Armenia; Financing Agreement: ‘CEPA Reform Facility’ ENI/2019/042-040 (direct management)**For UK applicants:** Please be aware that following the entry into force of the EU-UK Withdrawal Agreement¹ on 1 February 2020 and in particular Articles 127(6), 137 and 138, the references to natural or legal persons residing or established in a Member State of the European Union and to goods originating from an eligible country, as defined under Regulation (EU) No 236/2014² and Annex IV of the ACP-EU Partnership Agreement³, are to be understood as including natural or legal persons residing or established in, and to goods originating from, the United Kingdom⁴. Those persons and goods are therefore eligible under this call.

1.2 Twinning Sector: Justice and Home Affairs JHA.

1.3 EU funded budget: € 1,000,000

1.4. Sustainable Development Goals (SDGs):

SDG implementation review on Armenia from July 2018, states that enhancement of democracy, free economic competition, fight against corruption, rule of law and human rights are high priorities of the new Government. This project is going to address corruption prevention, hence is expected to have positive effects on the SDG implementation process in Armenia, particularly SDG 16: Peace, Justice and Strong Institutions.

2. Objectives

2.1 Overall Objective:

To foster integrity and prevent corruption in public sector in Armenia.

2.2 Specific objectives:

- Develop and assist in the implementation of anticorruption (integrity) education and public awareness programmes and related institutional capacities to enable the corruption prevention environment.
- Advance implementation of Anti-Corruption Strategy, in particular by enhancing the monitoring capacity of Anti-Corruption Policy Development and Monitoring department of the Ministry of Justice.

2.3 The elements targeted in strategic documents, i.e. National Development Plan/Cooperation agreement/Association Agreement/Sector reform strategy and related Action Plans

Contribution to CEPA, SSF, Anti-Corruption Strategy and related Action Plans:

The EU-Armenia Comprehensive and Enhanced Partnership Agreement (**CEPA**) was signed on November 24th, 2017 for providing cooperation in the areas of mutual interest, in particular in political, economic and sectoral fields. The agreement highlights the need to ensure

¹ Agreement on the withdrawal of the United Kingdom of Great Britain and Northern Ireland from the European Union and the European Atomic Energy Community.

² Regulation (EU) No 236/2014 of the European Parliament and of the Council of 11 March 2014 laying down common rules and procedures for the implementation of the Union's instruments for financing external action.

³ Annex IV to the ACP-EU Partnership Agreement, as revised by Decision 1/2014 of the ACP-EU Council of Ministers (OJ L196/40, 3.7.2014)

⁴ Including the Overseas Countries and Territories having special relations with the United Kingdom, as laid down in Part Four and Annex II of the TFEU.

effectiveness in the fight against corruption, in particular with a view to enhancing international cooperation in combating corruption, and ensuring effective implementation of relevant international legal instruments, such as the UN Convention Against Corruption of 2003, the recommendations of the Group of States against corruption (GRECO) and the OECD, transparency with regard to asset declaration, the protection of whistle-blowers, and the disclosure of information on final beneficiaries of legal entities. The EU and Armenia agreed to fully cooperate in regards to the effective functioning of institutions in the areas of law enforcement, the fight against corruption and the administration of justice.

Armenia is part of the Eastern Partnership and of the European Neighbourhood policy. At the fifth Eastern Partnership summit held in Brussels on November 24th, 2017, the parties expressed their interest to intensify their cooperation through a declaration called “**the 20 deliverables for 2020**”, which includes Strategic Planning. One of the cross-cutting deliverables is “Strengthen the rule of law and anticorruption mechanisms”.

The programme is also in line with **the Single Support Framework (SSF) 2017-2020 for Armenia**, which sets out four priority areas of support: (1) Economic Development and Market Opportunities, (2) Strengthening Institutions and Good Governance, (3) Connectivity, energy efficiency, environment and climate change, and (4) Mobility and People-to-people Contacts. This twinning project is directly contributing towards the second objective through addressing the corruption in the public sector.

Anti-Corruption Strategy of Armenia

The latest Government adopted Anti-Corruption Strategy⁵ of the Republic of Armenia is for the years 2019-2022, which was adopted on 3 October 2019 (Government decision No: 1332-N). The strategy put forward the essence of anti-corruption policies the Government plans to implement and the institutional system needed to sustain those policies. The strategy defines the separated model of anticorruption body in the form of Corruption Prevention Commission and Anti-Corruption Committee, and these bodies are expected to develop effective forms of cooperation. It is also planned to redesign the law enforcement system in order to make it more professional, merit-based and effective.

The strategy includes analysis of the current state of the anti-corruption policy, as well as the assessment of the implementation of the previous strategy and its action plan. The three main directions outlined in the fight against corruption are: (1) prevention of corruption; (2) disclosure of corruption-related crimes (investigation); (3) anti-corruption education and awareness-raising (public outreach). The sub-directions for prevention of corruption are: (a) overcoming administrative corruption; (b) strengthening integrity within the public administration system; (c) declaring; (d) assessing the anti-corruption regulatory impact and increasing transparency in the private sector. The strategy also outlines the coordination, monitoring, control and public communication with regard to the implementation of the Anti-Corruption strategy and its implementation action plan.

Strategic Programme for Legal and Judicial Reforms

The 2012-2016 Strategic Programme for Legal and Judicial Reforms (Annex I to ToRs) and Action Plan (JRSAP 2012-2016) were prepared with the support of EU-funded technical assistance, and approved under RA President Decree N-NK-96-A on June 30, 2012.

The new 2019-2023 Strategy⁶ for Judicial and Legal Reforms, also supported by the technical assistance funded by the EU and approved by the Government on 10 October 2019 with the decree No: 1441, stipulates the following strategic goals: strengthening the rule of law by

⁵ http://moj.am/storage/files/pages/pg_7105326429694_Razmavarutyun.pdf

⁶ <http://moj.am/storage/uploads/Razmavarutyun19-23.pdf>

enforcement of the toolkit for the transitional justice, conducting constitutional reforms, reforming the electoral legislation, ensuring independence and impartiality of the judiciary, improving the mechanisms for public accountability of the judiciary, a judicial system free of corruption and patronage, increasing efficiency of functioning of courts, establishing a uniform platform of services provided by the state authorities and the local self-government bodies, setting up an e-justice platform and ensuring accessibility of electronic databases and updating thereof, reforming the law-enforcement system, reforming the criminal and criminal procedure legislation, reforming the civil and civil procedure legislation, raising effectiveness of the administrative justice and administrative proceedings, reforms in the field of bankruptcy, developing alternative methods of dispute settlement, raising efficiency of the notary system, raising efficiency of the system of advocacy, and reforms within the compulsory enforcement system.

3. Description

3.1 Background and justification:

A report by OECD, adopted at the ACN meeting on 4 July 2018 at the OECD in Paris, has highlighted the main aspects of the reform progress in Armenia the field of anti-corruption policy. It pointed out that Armenia “*adopted a comprehensive legal framework for civil service and for public service integrity, including regulations on ethics and conflict of interests. It criminalized trading in influence and illicit enrichment, introduced the laws on whistle-blower protection and the Commission for the Prevention of Corruption, as well as enhanced the legal provisions on asset declarations and public procurement. Armenia also introduced various e-governance tools and services, the system for publication and verification of asset declarations and expanded e-procurement. [...]. These efforts however had only limited impact so far and corruption remained a significant problem in critical areas of public administration, such as the judiciary, tax and customs, health, education, military, and law enforcement*”.⁷

Adoption of the Law on Corruption Prevention Commission (CPC) on 9 June 2017 was one of the RA international commitments in the fight against corruption, as defined under United Nations Conventions against Corruption (UNCAC) and further elaborated in a number of documents, such as Jakarta Statement on Principles for Anti-Corruption Agencies⁸ (Jakarta Statement), and Kuala Lumpur Statement on Anti-Corruption Strategies⁹ (Kuala Lumpur Statement). The requirements of the said sources mostly refer to the establishment of an independent, effective, politically neutral, accountable and transparent preventive body and to the adoption of clear, transparent and sustainably monitored anti-corruption strategy.

Armenia’s international commitments in the fight against corruption originate from four frameworks: GRECO, OECD’s Istanbul Anti-Corruption Action Plan, UN Convention against Corruption (UNCAC), and MONEYVAL. The Ministry of Justice acts as a focal point for all these frameworks and is responsible for policy development, including drafting anti-corruption strategy and its action plans.

⁷ <https://www.oecd.org/corruption/acn/OECD-ACN-Armenia-4th-Round-Monitoring-Report-July-2018-ENG.pdf>

⁸ Developed and adopted by current and former heads of anti-corruption agencies (ACAs), anti-corruption practitioners and experts from around the world gathered in Jakarta at the invitation of the Corruption Eradication Commission (KPK) Indonesia, the United Nations Development Program (UNDP) and the United Nations Office on Drugs and Crime (UNODC) to discuss a set of "Principles for Anti-Corruption Agencies" to promote and strengthen the independence and effectiveness of ACAs.

⁹ Developed and adopted by high level representatives of anti-corruption authorities as well as national planning authorities from the South, East and Southeast Asia and anticorruption experts from around the world gathered in Kuala Lumpur at the invitation of the United Nations Office on Drugs and Crime (UNODC) and the United Nations Development Program (UNDP), in partnership with the Government of Malaysia, to discuss a set of Guidelines for Anti-Corruption Strategies.

The institutional framework for ethics and corruption prevention is still in the process of formation. On November 2019, the Corruption Prevention Commission (CPC) was formed, which is an autonomous body in charge of activities with regard corruption prevention, public outreach and education.

The planned changes in the new Anti-Corruption strategy also envision the creation of a single specialised body, named “Anti-Corruption Committee” tasked with the disclosure of corruption-related crimes to consolidate the current, rather diverse institutional setup for corruption prosecution which is split between Special Investigative Service, National Security Service, Investigative Committee and investigators of tax and customs bodies.

The law on the “Anti-Corruption Committee” was drafted and published¹⁰ on e-draft system for public consultations on 24.01.2020 - 14.02.2020 and accepted by the National Assembly on March 24, 2021. Aimed at ensuring centralization and efficiency of corruption crimes’ investigation, the law is to establish a new, specialized, anti-corruption investigative body with guarantees of independence and the authority to carry out operative-investigative measures necessary for the detection of corruption crimes.

The new Anti-Corruption Strategy also foresees the establishment of specialised Anti-Corruption Courts to add stability and integrity to the system within the whole anti-corruption context. To this end, amendments to the constitutional laws on “Judicial Code of the Republic of Armenia” and "Rules of Procedure of the National Assembly" were drafted and the package was published¹¹ on e-draft for public consultations on 31.07.2020 to 15.08.2020 (these drafts passed the first reading in the Parliament). The President appealed to the Constitutional Court to determine the compliance of the above-mentioned Law with the Constitution. The Constitutional Court has time until mid-October 2021 to issues an opinion. These amendments are aimed at establishing a specialized anti-corruption court with at least 25 judges. 20 of those will deal with cases on corruption crimes under Annex 6 of the Criminal Code, and 5 judges will work with cases related to applications and lawsuits in accordance with the Law on “Confiscation of Property of Illegal Origin”. The draft package also proposes to establish a specialized Anti-Corruption Court of Appeal with at least 10 judges. According to the proposed amendments, the criminal chamber of the Court of Cassation will have 8 judges, and the civil-administrative chamber will have 13 judges.

At the same time, the law foresees to introduce additional guarantees for integrity both in the judicial and prosecutorial systems. Aimed at strengthening integrity in the judiciary, it proposes to establish an integrity evaluation requirement not only for candidates for judges, but also for persons on the promotion list to become judges of the Court of Appeal or the Court of Cassation.

The law establishes a requirement for conducting an integrity evaluation for candidates for prosecutors as well. This is expected to help reduce corruption risks in the Prosecutor General’s Office system and strengthen integrity. It should be noted that the integrity evaluation system is already in place in relation to the prosecutors in charge of conducting analyses on civil forfeiture of illegal assets.

3.1.1 The Corruption Prevention Commission (CPC)

The Law on the CPC, adopted on 9th of June 2017, paves the basis for establishment of an independent corruption prevention body – the CPC. The CPC members were selected (voted) by the Parliament during November 2019. After the election of the chairman, one of the five members of the commission resigned (he was the candidate of “My Step” parliamentary coalition), and as of September 2021 the CPC has 5 members.

¹⁰ <https://www.e-draft.am/projects/2256>

¹¹ <https://www.e-draft.am/projects/2644>

The CPC is planned to have a staff of 40 including CPC members (an organigram for the CPC was confirmed by the Government decision on 10th September 2020). Only 23 out of 40 are civil servants and 6 are assistances to CPC members. The new Anti-Corruption Strategy foresees that based on the needs of the CPC, the number of staff positions will progressively increase each year of the strategy implementation. As of September 2020, the staff of the CPC's secretariat still has 40 positions¹² and not all positions are occupied. On December 25 2020 a draft decision on making amendment to the number of staff positions of the CPC has been drafted and published on e-draft¹³. The draft aimed at increasing the number of the CPC staff from 40 to 65.

The "Corruption Prevention Commission" replaced any reference to the Commission on Ethics of High-Ranking Officials after the creation.

3.1.1.1 Appointment of members of CPC

The Law on the CPC, which was adopted on 9 June 2017 initially provided for a contest and nomination of the Commission members by the National Assembly with participation of the main democratic institutions of the country (Constitutional Court, Human Rights Defender's Office, the Chamber of Advocates, opposition parties, etc.). The commissioners would have to be appointed by the Parliament, from a list of persons pre-selected by a competition board (hereinafter "the Board") envisaged in the Law. This pre-selection was meant to guarantee the technical competences and the experience of the applicants to be appointed by the parliament. Moreover, the Head of the CPC should have to be elected from the members of the CPC and by them, which is in line with the Jakarta statement provisions.

The anti-corruption strategy however, saw the incomplete formulation of the mechanisms for the formation procedure as the underlying reason for the significant delay in establishing CPC. Thus, the new strategy recommended to amend the procedure to select the first composition from among the candidates representing different branches of power, nominated in equal numbers, by applying other regulations. The National Assembly adopted the corresponding amendments to the Law on CPC on 13 September 2019. Under the amendments the contest system, which used to be embodied in the Competition Council, was no longer effective, and all the provisions related to contest were repealed. Nevertheless, the CPC would still have 5 members, and the Chair would be elected from among the members. Under the Article 9 and Article 42 of the Law, the first composition of the CPC was appointed by the National Assembly by 30 November 2019 in the following way: 2 members were nominated by the ruling party in the Parliament and the Government – for 6 years, 2 members were nominated by the oppositional party in the Parliament – for 4 years, and 1 member was nominated by the Supreme Judicial Council – for 3 years. After the expiration of the term of each of the first members of the CPC, every replacing member was planned to be appointed by the National Assembly for 6 years. To fill an emerged vacancy, the body that had nominated the member for the first composition of the CPC, would make a new nomination, except for cases when as a result of a failure by the oppositional party in the Parliament to nominate a candidate to fill a vacancy within one month, the ruling party would nominate its own candidate. The vacancies were supposed to be filled within one month. However, last member was appointed in September 2021, through competition.

On 25 March 2020 new amendments took place into the Article 9 of the law on CPC, which stipulated new rules of procedures for the CPC formation: appointment of members.

¹²

https://www.arlis.am/documentview.aspx?docid=142325&fbclid=IwAR1XM8vtkLRrC3Nwvm23FMEiJqWu89_gX4UBuPZJipI75RpH6Vnj1dfI9DQ

¹³ <https://www.e-draft.am/projects/2954/about>

Particularly, according to this amendment, the Speaker of the National Assembly will form a competition council to select candidates for the position of a member of the Committee.

The competition council will be composed of members appointed by the Government, the National Assembly, the Supreme Judicial Council, the Human Rights Defender and the Chamber of Advocates. Each body appoints only one member. The member of the council is appointed by the National Assembly by consensus of the fractions. Every new CPC member's selection assumes formation of a new council, except in cases when the competition is organized to fill more than one vacancy in the CPC, in which case the competition is held by the same competition council.

Later, on 18 September 2020 another amendment was made into the Article 9 of the law, which inter alia, stipulated that the competition council will be composed of members appointed by the Government, the fractions of the National Assembly or the Council of the National Assembly, the Supreme Judicial Council, the Human Rights Defender and the Chamber of Advocates.

3.1.1.2 Functions and powers of the CPC

The Law on the CPC, along with the Law on Public Service, provide a basis for operation of the CPC, including powers for enforcing the receipt of declarations by the public officials, examination and verifications, including through access to different state-run databases (registers of population, companies, securities' register, etc.), as well as case initiation and a power to a) adopt conclusions on the cases regarding the incompatibility requirements and other restrictions, as well as violations of the rules of conduct and regulations on conflict of interest, and b) revise the conclusions of ethics commissions of the relevant bodies (the last two – based on the Law on CPC). Functions are outlined in more detailed under Article 23 and the operational powers under Article 24 of the Law on CPC.

In particular, the Law on CPC as amended on March 23, 2018, provides that CPC shall adopt the framework rules of conduct of the public servants, as well as ensure uniformity of interpretation of the principles of conduct of persons holding public positions and public service positions, as well as of the uniformity of observance of the framework rules of conduct of the public official.

Functions of the CPC were significantly widened by the amendments adopted on 13 September 2019. Under Article 24(19) the CPC will be responsible for issuing reports on implementation of CPC developed anti-corruption programmes and their Action Plans (including sectoral ones).

More importantly, under Article 24(21) the CPC is now entitled to perform evaluation of integrity of candidates for members of the Supreme Judicial Council, candidates for judges of the Constitutional Court, contenders for judge candidates in the cases and in the manner prescribed by law, as well as in other cases prescribed by law – submit consultative conclusions which shall not be subject to publicizing.

In relation to judges, very strong tools are now in the hands of the CPC after the adoption of amendments¹⁴ into the Judicial Code on March 25 2020 (which is a 'Constitutional Law' and it required 3/5 of majority votes in the Parliament). In particular, those amendments provide that: (i) the judges shall submit declarations of assets. Incomes and interests to the CPC, as well as the respective materials justifying changes in the property (Article 69(15-16)); with this amendment the submission of declaration will be listed in the rules of conduct for judges and the failure will result disciplinary liability. (ii) the CPC shall apply to the Supreme Judicial Council moving for bringing judges to disciplinary liability for violation of Article 69(15-16); (iii) the judicial candidates, when filing their applications with the Supreme Judicial Council,

¹⁴ <https://www.arlis.am/DocumentView.aspx?docid=141490>

shall provide a document certifying the fact of having provided the CPC with the declaration required under the RA Law “On Public Service” (Article 98(13.1)); **and finally, under Article 145(3), the CPC will be the only body authorized to initiate disciplinary proceedings against a judge for violation of the above-said provisions under Article 69(15-16) .**

The functions of the CPC were further widened with the amendments into the law on Political Parties on 29 December 2020. Particularly the CPC is now mandated to check the financial flows of parties and require reporting. The form of the annual report of a political party and the procedure for filling will be determined by the CPC. Also heads of permanent bodies to political parties will be required to present property and income declaration to the CPC.

Integrity and ethics

In relation to **integrity and ethics in the public sector bodies**, the Law on Civil Service (chapter 7 Article 36) and the Law on Public Service (chapter 7 Article 46) created the Integrity Affairs Organisers (IAO) who are appointed in each administrative body. Under Article 24, par 1(7) of the Law on CPC as amended on March 23 2018, CPC shall provide the IAOs, as well as the ethics commissions with the professional advice and methodological assistance with regards the incompatibility requirements and other restrictions.

Among the tasks of the integrity affairs organisers are¹⁵:

- Provide public/civil servants with professional consultation regarding incompatibility requirements, other restrictions and the rules of conducts, submit a recommendation on taking steps to settle a situation of conflict of interests;
- identify training needs with regard to integrity affairs and develop training programmes, as well as other programmes to observe integrity requirements;
- conduct studies related to the integrity system upon the request of the general secretary, ethics commission of the relevant body or upon the recommendation of the CPC;
- develop the draft integrity plans for public servants, submit them to the relevant body for approval;
- maintain statistics on cases of violation by public/civil servants of incompatibility requirements, other restrictions, rules of conduct and conflict of interests.

The CPC also has functions analogous to the judges (mentioned above) also with regards the judicial nominees performing integrity evaluations, analyzing involvement in corrupt activities and submitting consultative reports to the Supreme Justice Council of the RA.

On 25 March 2020 amendments¹⁶ package into the Judicial Code was adopted by the Parliament. These amendments include, inter alia, the following reforms are summarised below.

Balanced structure of integrity evaluation of candidacies for judges, judges of the Constitutional Court, members of Supreme Judicial Council was introduced. It is assumed that this approach from one hand will allow to effectively target corruption, sponsorship and nepotism, decisions affected by personal connections, concealment of fundamental human rights violations in the judicial system, and from the other hand, will not disturb the independence and sustainability of the judicial system, because the main body in charge of these process will be the Supreme Judicial Council, which has the constitutional mandate to ensure the independence of the judicial system. For judges of the Constitutional Court this role is on the Constitutional Court itself.

According to the Law on Civil Service, the IAO is tasked inter alia, to set up an **Ethics Commission of Civil Servants** (ECCS) when the IAO is informed of a case to be solved by such commission. The provisions regarding the establishment of Ethics Commission of Public

¹⁵ Article 46 of the Law on Public Service and Article 36 of the Law on Civil Service.

¹⁶ <https://www.arlis.am/DocumentView.aspx?docid=141490>

Servants are provided in separate legislations defining regulations for a particular sector. For instance, such provisions regarding the civil service system are provided in the Article 33 of the Civil Service law

In addition, the powers of the **Ethics Commission of Public Servants** are defined by the law on Public Service (adopted on 23rd March 2018). They are tasked with:

- Examine and address applications on the cases of violations of the incompatibility requirements, other restrictions, rules of conduct and conflict of situational interests of public servants;
- Submit to the competent body or official recommendations for prevention or elimination of incompatibility requirements of public servants, other restrictions, violations of rules of conduct, as well as situations of conflict of interests.

The **incompatibility requirements of public servants** have been defined by Articles 31 and 32 of the Law on Public Service (adopted on 23rd March 2018). Failures to comply with these provisions may lead to disciplinary actions. For public servant¹⁷ not having a superior, the opinion of the CPC will be requested. Similar provisions in field of conflict of interest are provided by Article 33 of the same law. The law also describes all provisions related to declaration of property, income and interests.

The CPC will have no competence over Members of Parliament, judges and prosecutors who will remain to be in the competence of specific bodies like an ad hoc Ethics Committees within the National Assembly (ECNA), ethics commissions operating under the Prosecutor's Office and the General Assembly of Judges. According to the Article 24 (1) of the CPC law, the Commission shall examine and grant applications on the cases of violations by high-ranking officials of incompatibility requirements and other restrictions, as well as by high-ranking officials (except for Deputies, judges and prosecutors) and cases of clash of situational interests. That is to say, the exception does not apply in relation to incompatibility requirements and other restrictions, where the CPC is the only competent body for all groups of positions.

Declaration analysis

One of the most important reforms in terms of the **mandate of the CPC is giving it the authority to conduct analyses of the declarations**. This authority until the Law will take effect had been vested in the Commission on Ethics of High-Ranking Officials (CEHRO) as a result of the amendments to the Law on Public Service. One of the contributing factors is that the legislation regulating the submission of the declarations by the declarant¹⁸, has been amended to foresee a criminal liability for the refusal of submission of the declaration, as well as for submission of false data in declaration.

At the same time, the toolkit of the CPC has been substantially strengthened, as in addition to other new functions, the system of situational declaration¹⁹ was introduced. This will allow the full realization of the goals of declaration system, which is comprehensive and effective oversight over income and property of public servants and persons holding public office, which might have been obtained through illegal activities.

The above mentioned amendments into the CPC law (25 March 2020) provided that the CPC will be vested with some unprecedented powers that will highly increase its analytical capacity. In particular, the amendments provide (Article 25(2)) that when analyzing the declarations [on

¹⁷ According to the Article 33 (7), this applies to persons holding state positions (except for Deputies, judges, members of Supreme Judicial Council, prosecutors, investigators), positions of a head or deputy head of a community with a population of 15 000 or more, head or deputy head of an administrative district of the community of Yerevan, as well as public servants.

¹⁸ Article 205 par 2 part 2 of the Criminal Code

¹⁹ <http://www.irtek.am/views/act.aspx?aid=105587>

assets, incomes, and interests], the CPC shall be entitled to demand and receive (including electronically) from the state and local government bodies declarant related information and documents, including those constituting banking, commercial and insurance secrecy. The corresponding changes are prescribed in the RA Law “On Banking Secrecy”, specifying (Article 13.4) that providing the CPC “with information constituting banking secrecy in relation to the performance of its functions shall not be considered as divulging of banking secrecy.” According to the CPC, for 2021 adoption of a legislative package is considered according to which officials shall submit not only declarations on assets, incomes and interests, but also declarations on expenditures. Moreover, the content of declarations, as well as the grounds for requesting situational declaration will be significantly widened.

To regulate the banking secrecy information transfer, on June 12, 2020 the joint decree No: 04-N was adopted²⁰ by the Central Bank and CPC on “Banking Secrecy Information Transfer Procedure from the Central Bank to the Corruption Prevention Commission”. There is also a plan to build an electronic platform for the transfer of banking secrecy information to the CPC and, to this end, it is also planned to conduct an IT audit to ensure the security of data collection and storage.

If as a result of the examination the CPC finds elements of administrative offence, then it issues a decision on bringing a person to administrative liability. Such a decision is subject to appeal in accordance with the Law on the Foundations of Administration and Administrative Proceedings (par 3), to the administrative court. And if the CPC, upon the examination of the materials, comes to a conclusion that there are *prima facie* elements of a crime then (under par 4) the CPC sends a report to the PG's Office, in which case the appeals may go only against the decisions of the PG's Office in accordance with the Criminal Procedure Code.

The other issue that was addressed by the CPC during 2020 is the methodology on declaration analysis. With the support of international experts – USAID experts, as well as experts from the Council of Europe – a methodology has been developed for risk-based analysis of property, income and interests declarations of public officials. In addition, sampling criteria were developed to select declarations for studying and analysis. These methodologies will be applied for new declarations to be received, as stated by the CPC.

During January-April 2020, the CPC, with the assistance of USAID experts, developed technical specifications for a new e-service system for: a) property, income, and interests declaration, b) electronic service aimed at supporting the integrity evaluation procedure of the candidates to be appointed to state positions. This was submitted to the Office of the Deputy Prime Minister. Once this technical specification document is approved, the development and operation of this system will be supported through the World Bank funded project: “Armenia. Third Public Sector Modernization Programme”, within the Anti-Corruption and Justice section of the programme.

Extension of CPC functions

The new anti-corruption strategy stipulated expanding the scope of activities of CPC defined in the law on Corruption Prevention Commission from 7 June 2017. The new functions were defined through several amendments into the law on Corruption Prevention Commission during 2019-2020, those were adopted on 13 September 2019²¹ and 25 March 2020²². These new functions are the following.

1. Anticorruption regulatory impact assessment of legal acts, including drafts.

²⁰ <https://www.arlis.am/DocumentView.aspx?DocID=143325>

²¹ <https://www.arlis.am/DocumentView.aspx?docid=134857>

²² <https://www.arlis.am/DocumentView.aspx?docid=141497>

2. Monitoring the implementation of anticorruption programmes and measures developed by CPC and thereafter presenting recommendations (proposals) to relevant bodies.
3. Development of anticorruption education programmes and implementation coordination.
4. Development of public awareness programmes in the field of anticorruption and implementation coordination.
5. Development of rules of conduct stemming from the principles of conduct stated in the law on Public Service that are applicable to persons holding state (central government) positions, heads and their deputies of local community governments with 15,000 and more population, heads and their deputies of administrative districts of Yerevan city. Exceptions are parliament members, judges, judges of the Supreme Judicial Council, human rights defender (ombudsman), prosecutors and investigators.
6. Ensuring uniformity in the observance of the rules of gifts conditioned by official duties, including through the maintenance of a unified public register of gifts. This is applicable to persons holding state (central government) positions, heads and their deputies of local community governments with 15,000 and more population, heads and their deputies of administrative districts of Yerevan city.
7. Presenting conclusions of advisory nature on integrity evaluation for candidates for judges, prosecutors, candidates for prosecutors, as well as investigators in cases and in the manner prescribed in the law.
8. Coordination of the work of organizers on matters of integrity.

In addition, on 16 April 2020 another amendment²³ into the CPC law stipulated that in the case defined by the law of the Republic of Armenia on “Confiscation of property of illegal origin” the CPC will study declarations defined in this same law within a month and present the results of analysis to the body that made the request.

The CPC, having these new functions and toolkits, is expected to play an important role in combating illicit enrichment and ensuring compliance with ethical standards. To this end, development of ethical conduct guidelines as well as of legislative proposals strengthening the functional linkage between the CPC and the law enforcement (such as obliging the PG’s Office to provide well-reasoned decisions in replying to CPC referrals) are of utmost importance.

Regarding the ethics (integrity), with the assistance of experts from the Ministry of Justice, as well as USAID and the Council of Europe, the CPC developed an integrity questionnaire and methodology for evaluating integrity for persons (candidates) due to appointment in public office. The questionnaire was adopted by the CPC decision (No: 22-N-02) on 22 May 2020 and published²⁴. However, the methodology for evaluation is not considered a public document by the CPC, hence is not accessible.

In June 2020, with this methodology, the CPC conducted integrity evaluation of persons involved in the list of candidacies for prosecutors in charge of confiscating property of illegal origin and the deputy to the Prosecutor General coordinating this sector. The CPC issued 26 integrity evaluation conclusions for candidates, out of which 2 were negative, 11 were positive with a reservation and 13 were positive conclusions. CPC also conducted integrity check of candidates to Constitutional Court judges and members to Supreme Judicial Council.

3.1.1.3 Accountability of CPC

²³ <https://www.arlis.am/DocumentView.aspx?docid=142344>

²⁴ <http://cpcarmenia.am/files/legislation/346.pdf>

Pursuant to **transparency, collaboration and public accountability** related to UNCAC standards and the Jakarta statement provisions, the Law on CPC requires that:

- (i) semi-annual report on the CPC's activities should be posted on its official web page within 10 days following the end of the reporting half of the year (Article 6);
- (ii) annual report should be submitted to the National Assembly within the first quarter following the reporting year (Article 6);
- (iii) CPC should collaborate with the state and local self-government bodies, the representatives of international and civil society organizations (Article 7).

Hence, the provisions regarding the accountability of the CPC and visibility of its activities are in line with UNCAC standards and the Jakarta statement provision, however, their effective implementation will depend on the capacity of the CPC to develop timely and informative reports. In addition, the effectiveness of the accountability may be increased by ensuring effective oversight by the National Assembly and civil society organisations and media. Internationally accepted instruments of accountability (reporting and collaboration) are envisaged in the Law on the CPC, implementation of which should be further supported.

3.1.2 Effective institutional mechanism for legal framework and policy development

Investigative and prosecution efforts

New anticorruption strategy stipulated a separated model of anticorruption body. And part of that model is the development of investigative and prosecution institutions and supporting legal framework. With this regard the following developments took place:

Criminalization of illicit enrichment, defining the list of corruption crimes

On 25 March 2020 the law making amendments into the Criminal Code was adopted. For the first time, the list of all corruption crimes was stipulated, which will conduce to the professional investigation of corruption related crimes. The list is the following:

Bribing voters, receiving bribes, violating the ban on charity during elections or obstructing the exercise of the voter's free will; Electoral bribery mediation; Fraud by using an official position; Misappropriating or misspending by using an official position; Creating, organizing or managing a financial pyramid using an official position; Legalizing criminally obtained property (money laundering); Unscrupulous use of inside information by using an official position; Price abuse using an official position; Anti-competitive activities using an official position; Commercial bribery; Bribing participants and organizers of professional sports competitions and spectacular commercial competitions; Abuse of authority by employees of commercial or other organizations; Abuse of official authority; Excess of official authority; Illegal participation in business activities; Illegal enrichment; Receiving a bribe; Receiving illegal remuneration by a non-official holding a public position, by a public servant; Using real or assumed influence; Giving a bribe; Giving illegal remuneration to a non-official holding a public position, to a public servant; Giving illegal remuneration for using real or assumed influence; Bribery mediation; Official forgery; Deliberate non-submission of declarations to the Corruption Prevention Commission; Submitting false information in declarations or hiding information, which is subject to declaration; Obstructing the administration of justice and investigation by using an official position; Making an obviously unfair verdict or other judicial act; Abuse of power or inaction.

Recovery of the assets, Illegal enrichment: Civil Forfeiture of Illegal Assets

On 16 April 2020 the Law on “Law on Forfeiture of Assets of Unlawful Origin” was adopted by the Parliament.

With this law, it is expected to improve the legislative toolkit for removing property of illegal origin from economic circulation. Stipulated legal mechanism will allow the confiscation of property, the acquisition of which is not substantiated by sources of legal income. Thus, the law introduces a mechanism for confiscating property due to unjustified (illegal) enrichment. According to the Ministry of Justice, from September 2020 an appropriate unit in the Prosecutor General’s office, that is going to be in charge of functions prescribed in this law, is already in operation and candidacies of prosecutors for this unit have been selected after several phases that include studying in the Justice Academy and integrity evaluation by the CPC.

From January 1, 2020, the declarants submit not only property and income declarations, but also declarations of interest. A new declaration form of property, income and interests has been adopted by the Government on 30 January 2020 with the decree No: 102-N. In addition, the list of data and information to be published in the declaration was stipulated. This is assumed to facilitate public control over the activities of public officials and provide adequate transparency and accountability mechanism.

As corruption prevention measure, the law on “State Registration of Legal Entities, Separated Divisions of Legal Entities, Enterprises and Individual Entrepreneurs” was amended on 23 April 2019. New amendments required disclosure of real owners of state-registered legal entities and publication of this information. To this end, the declaration form of real owners of legal entities was approved by the Ministry of Justice order from 5 February 2020, No: 36-N.

This is a move forward in this field, however this requirement is binding only for those who have 10 or more percent of ownership in the company, meaning those who have less percentage of shares in a legal entity are not required to disclose their identity and other appropriate information required by this legislation.

Also, according to the Ministry of Justice, measures are currently being taken to establish an electronic declaration submission system to facilitate the above-mentioned process.

Specialized anti-corruption court and integrity for judges

According to the Action Plan for 2019-2022 of the anticorruption strategy, amendments to the constitutional laws on “Judicial Code of the Republic of Armenia” and "Rules of Procedure of the National Assembly" were drafted and published²⁵ on e-draft for public consultations from 31.07.2020 to 15.08.2020. The President appealed to the Constitutional Court to determine the compliance of the above-mentioned Law with the Constitution. The Constitutional Court has time until mid-October 2021 to issues an opinion. These amendments are aimed at establishing a specialized anti-corruption court with at least 25 judges. 20 of those will deal with cases on corruption crimes under Annex 6 of the Criminal Code, and 5 judges will work with cases related to applications and lawsuits due to the Law on “Confiscation of Property of Illegal Origin”. The draft package also proposes to establish a specialized anti-corruption court of appeal with at least 10 judges. According to the proposed amendments, the criminal chamber of the Court of Cassation will have 8 judges, and the civil-administrative chamber will have 13 judges.

At the same time, the draft package plans to introduce additional guarantees for integrity both in the judicial and prosecutorial systems. Aimed at strengthening integrity in the judiciary, the draft proposes to establish an integrity evaluation requirement not only for candidates for first

²⁵ <https://www.e-draft.am/projects/2644>

instance court judges, but also for persons on the promotion list to become judges of the Court of Appeal or the Court of Cassation.

The draft package proposes to establish a requirement for conducting an integrity evaluation for candidates for prosecutors as well. This is supposed to help reduce corruption risks in the Prosecutor General's Office system and strengthen integrity. The draft has passed the first reading in the Parliament in January 2021.

Specialized Anti-corruption investigating service

Regarding further development of anticorruption institutional system, the law on "Anti-Corruption Committee" was drafted and published²⁶ on e-draft system for public consultations on 24.01.2020 - 14.02.2020. The law came into force on 17th April 2021. It aims at ensuring centralization and efficiency of corruption crimes' investigation, the draft law is to establish a new, specialized, anti-corruption investigative body with guarantees of independence, with the authority to carry out operative-investigative measures necessary for the detection of corruption crimes.

The draft was approved by the Government on 3rd December and passed the first reading on 19 January 2021, it was accepted by the National Assembly on 24th March 2021 and came into force on 17th April 2021.

Unified electronic whistle-blowing platform

On 12 April 2018, with the decree 439-N, the Government approved the technical description and the procedure of running the unified electronic whistle-blowing platform. According to Ministry of Justice, the platform was active from May 2019, it had a separate webpage under this address: <https://azdararir.am/>. From the day of activation until August 2020 about 200 complains (applications) were received through the system. Those were handled by the Prosecutor General's Office. About 30% of those resulted in initiation of criminal investigations.

Several months since September 2020 the system was down, and as the Justice Ministry official explained, due to the war emergency situation in the country and cyber-security attacks on government web platforms by foreign-sponsored hackers, they had to deactivate the platform temporarily. The platform was active again after the ceasefire agreement in November 2020.

3.1.3 Clear, transparent and sustainably monitored Anti-corruption strategy

MoJ is the lead body for the anti-corruption policy. The initial draft Strategy and its Action Plan (SAP) were criticized by the civil society organizations, including Transparency International in Armenia for lack of participatory processes and ambition²⁷. As a result, the MoJ extended the period of public consultations and assured the civil society that the new SAP prior to submission to the Cabinet, will go through a participatory process of development representing consensus among the stakeholders. On June 10, 2019, the MoJ posted on www.e-draft.am the revised draft Anticorruption Strategy and its Action Plan for 2019-2022²⁸.

The new Anti-corruption Strategy along with the Action Plan for 2019-2021 was adopted on 3 October 2019 with the Government decision No: 1332-N. The strategy put forward the essence of anti-corruption policies the Government plans to implement and the institutional system needed to sustain those policies. The strategy defines a separated model of anticorruption body in the form of Corruption Prevention Commission and Anti-Corruption Committee, and these are supposed to have some structures for cooperation. It is also planned to have redesigned law enforcement system in order to make it more professional, merit-based and effective. As main

²⁶ <https://www.e-draft.am/projects/2256>

²⁷ <https://transparency.am/hy/news/view/2596>

²⁸ <https://www.e-draft.am/projects/1439>

policy directions, the Anti-corruption Strategy provides the following: prevention, investigation, public outreach and education.

The new Strategy has a separate chapter on the coordination, monitoring, control and public communication with regard to the implementation of the strategy and its action plan (chapter 5), which includes efforts to increase transparency, set clear indicators and an institutional body for monitoring and to widen participation of the public.

The institutional monitoring structure of the Anti-Corruption Strategy of the Republic of Armenia for the years 2015-2018 consisted of the Anti-Corruption Council, as well as Monitoring Department of the Anti-Corruption Programmes within the Staff of the GoA, and Taskforce. The 2019-2022 anti-corruption strategy foresees that the functions of monitoring and assessing the implementation of the Strategy and its Action Plan are performed by the MoJ, with the responsible bodies submitting reports on implementation every semester. In addition, civil society organisations are encouraged to carry out and submit to the MoJ individual monitoring and assessment on semi-annual basis. The MoJ shall at the end of each year submit the results for the consideration of Anti-Corruption Policy Council established by Decision of the Prime Minister of the Republic of Armenia No 808-N of 24 June 2019. The Council is responsible for making the relevant amendments based on the results and recommendations of the monitoring at the end of each year. The activities regarding the amendments are coordinated by the MoJ.

To be able to systematically monitor and coordinate the implementation of the Anti-Corruption Strategy, on 13 March 2020 the Ministry of Justice set up the Anti-Corruption Policy Development and Monitoring Department. According to its charter²⁹ the tasks of this department shall be as follows:

- Ensure the drafting and implementation of anti-corruption strategy.
- Ensure and co-ordinate the fulfilment of international commitments in anti-corruption field.
- Carry out monitoring over implementation of measures of anti-corruption strategy and fulfilment of international commitments.
- Implement the activities of the Secretariat of the Council for Anti-Corruption Policy.

The Anti-Corruption Strategy (ACS) and its Action Plan (AP) for 2019-2022 have 3 main directions which have been identified and spelled out based both on the lessons learned from the implementation of the previous similar policy documents and more importantly on the well-recognized by the Armenian population need to capitalize the existing political will and to translate it into genuine legislative, institutional and other measures providing reasonable prospects of successful prevention, investigation and prosecution of corruption, as well as confiscation of illegally obtained proceeds of crimes. Finally, the ACS and the AP provide for effective implementation monitoring system and the mechanisms for participatory involvement of the civil society in the said efforts of the Government.

The Anti-Corruption Strategy and its Action Plan for 2019-2022 stipulate the following strategic goals: strengthening the rule of law by enforcement of the toolkit for the transitional justice, conducting constitutional reforms, reforming the electoral legislation, ensuring independence and impartiality of the judiciary, improving the mechanisms for public accountability of the judiciary, a judicial system free of corruption and patronage, increasing efficiency of functioning of courts, establishing a uniform platform of services provided by the state authorities and the local self-government bodies, setting up an e-justice platform and ensuring accessibility of electronic databases and updating thereof, reforming the law-enforcement system, reforming the criminal and criminal procedure legislation, reforming the

²⁹ http://moj.am/storage/uploads/Havelvac_1.anticorruption.pdf

civil and civil procedure legislation, raising effectiveness of the administrative justice and administrative proceedings, reforms in the field of bankruptcy, developing alternative methods of dispute settlement, raising efficiency of the notary system, raising efficiency of the system of advocacy, and reforms within the compulsory enforcement system.

As part of its **preventative efforts** following the establishment of CPC in November 2019, the Government plans to create ethics commissions and put those into full-fledged operation. At the same time, it is envisaged that the CPC will have full access to electronic databases necessary for checking the accuracy of the declared information (activity 14).

As part of its **investigative and prosecution efforts** the ACS and the AP provide for establishment of a standalone investigative body, that, as a matter of novelty, will be in charge for conducting investigations solely on corruption related cases, and also will have a strong 'operational arm', i.e. – the authority to conduct operational-search activities. These reforms **are the most important** investigation related efforts since they are capable of ensuring professionalism and efficiency of the said body, and provide for a strong evidence obtaining capacity, so that this body does not have to apply to other bodies, such as Police, NSS, State Revenue Service to perform such activities, as wiretaping, controlled delivery, imitation of bribery, etc.

As already mentioned, the law on “Anti-Corruption Committee” was drafted and published³⁰ on e-draft system. The Parliament passed the first reading on 19 January 2021. The Anti-Corruption Committee will be in charge for investigation of all corruption-related criminal offences, while SIS will continue to investigate all the so-called ‘official crimes’ allegedly committed by public officials, including those by the investigators and operatives of the Anti-Corruption Committee, including torture cases.

The new body, as well as other criminal prosecution bodies, basically – the law enforcement and prosecutors, will also have access to the government-run electronic databases - via electronic inquiries.

As an important measure to combat illicit enrichment, the Strategy (par. 122) provides for elaboration of legislative changes to ensure non conviction based civil confiscation of unexplained assets, in which cases the so-called '**in rem**' prosecution (i.e. that against the *property*, and not the *person*) would be introduced to the legal system. This will serve as an important tool for the law enforcement, since: (i) guilty judgment for predicate crimes will be required; and (ii) the burden of proof will be that of a civil law, and not the criminal law (i.e. – 'preponderance of evidence' and not the 'proof beyond reasonable suspicion' standards) – with transferring the burden of proving the legitimacy of the incomes/assets on the respondent.

And as already stated, to fulfil the above-mentioned commitment in the strategy, on 16 April 2020 the Law on “Confiscation of property of illegal origin” was adopted by the Parliament. The defined legal mechanism there allows confiscation of property, the acquisition of which is not substantiated by sources of legal income.

In connection with **public awareness and anti-corruption**, the Government plans for more transparency of the governmental activities and for informing the society on the tools of cooperation with the Government in its anti-corruption efforts and in furtherance of their own economic, social, civil and political rights (how to use whistle-blowing platform, what are the corruption risks in the business field, etc.).

As the functions of CPC were broadened they incorporated functions of developing anticorruption education and public awareness programmes and implementation coordination. During 2020 the CPC was lacking necessary capacity to undertake any activity to fulfil these

³⁰ <https://www.e-draft.am/projects/2256>

functions. And this is where the Commission is seeing the possibility of Twinning assistance. It should be noted that the point 42 of the AC strategy's action plan provides for development and adoption of annual awareness raising action plan (communication strategy) and the main responsible body for the mentioned action is the Ministry of Justice.

Finally, the ACS and the AP provide for clear mechanisms of monitoring and evaluation of their implementation, ensuring participation of and closer partnership with the civil society, semi-annual and annual reporting, analyses of those tools and ability to change the AP based on the results of such analyses and, inter alia, recommendations from the civil society

3.2 Ongoing reforms:

Several **landmark laws have been adopted** in Armenia in recent years, having a direct impact on the prevention and fight against corruption in the public sector:

- The Law on the Corruption Prevention Commission, adopted on 9th June 2017, amended on 23rd March 2018 and on 13 September 2019;
- The Law on the System of Whistle Blowing, adopted on 9th June 2017;
- The Law on Civil Service, (chapter 7: Ethic Commission of Civil Servants and Integrity Affairs Organiser), adopted on 23rd March 2018;
- The Law on Public Service, (chapter 5 Integrity System), adopted on 23rd March 2018.
- The law on Corruption Prevention Commission has been amended several times, that widened the scope of corruption prevention activities of the CPC. Important amendments were adopted on 13 September 2019³¹ and 25 March 2020³².
- On 25 March 2020 the law making amendments into the Criminal Code was adopted. For the first time, the list of all corruption crimes has been stipulated, which will conduce to the professional investigation of corruption related crimes.
- On 16 April 2020 the Law on "Confiscation of property of illegal origin" was adopted by the Parliament.
- The law on "State Registration of Legal Entities, Separated Divisions of Legal Entities, Enterprises and Individual Entrepreneurs" was amended on 23 April 2019. New amendments required disclosure of real owners of state-registered legal entities and publication of this information. To this end, the declaration form of real owners of legal entities was approved by the Ministry of Justice order from 5 February 2020, No: 36-N.

On 9 June 2017, during its extraordinary session the RA National Assembly unanimously approved in the 2nd and last hearing, the anti-corruption reform package. Overall, the package consisted of as many as 19 laws, including both new laws (such as the Laws on Commission on Prevention of Corruption³³, on the System of Whistle Blowing³⁴), amendments to the existing Codes (such as Criminal and Criminal Procedure Codes and Administrative Procedure Code and the Code on Administrative Offences) as well as other Laws (such as the Laws on Public Service, Police, Prosecutor's Office, Banking Secrecy, Securities' Market, etc.).

On 18 September 2020, the Parliament, with the first hearing, approved the package of draft³⁵ laws on "Making Amendments to the RA Law on Public Service and Adjacent Laws". This was adopted by the Parliament on 19 January 2021. These proposed amendments include, inter alia, the following:

³¹ <https://www.arlis.am/DocumentView.aspx?docid=134857>

³² <https://www.arlis.am/DocumentView.aspx?docid=141497>

³³ <http://parliament.am/legislation.php?sel=show&ID=5831&lang=arm>

³⁴ <http://www.arlis.am/>. This Law became effective from January 1, 2018, but the provisions of its Article 15, which provide for establishment of the united electronic platform of the anonymous reports to be created after this Law's entry into force, took effect from July 1, 2018.

³⁵ www.parliament.am/drafts.php?sel=showdraft&DraftID=11922&Reading=1

- Introduce a new institute on declaration of expenses. In this scope, the declarant is obliged to declare certain types of expenses, if their one-time value exceeds AMD 2 million or its equivalent in foreign currency or the sum of the same type of expenses in the reporting period exceeds AMD 3 million or its equivalent in any other currency. In addition, declarants will be required to disclose any type of expense having one-time value exceeding AMD 2 million or its equivalent in foreign currency. With this, the CPC will be given a toolkit to receive complete information on the property status of the declarant official, and this is supposed to facilitate possible violations in reporting of income and assets.
- Establish a requirement to declare the property actually possessed by the declarant official, as well as property of which the declarant is the beneficial owner.
- Introduce a mechanism that will allow the CPC to require the former declarant official to submit a situational declaration of property and income, if there is any suspicion on significant change of property (increase of property, decrease of liabilities or expenses) within 2 years after the termination of the official duties of the said former declarant official.
- Reduce the monetary threshold of expensive property defined by law by setting AMD 4 million or equivalent in any foreign currency, instead of AMD 8 million.
- Expand the list of declaring officials. The draft stipulates the declaration obligation also for the secretary of the staff of Yerevan community, secretaries of the staff of communities, members of the council of elders of Yerevan community, members of the council of elders of the communities with 15,000 and more population.
- Improve institutional structures for integrity evaluations. The candidates who are subject of integrity evaluation, will be given an opportunity to be involved in the evaluation process, particularly through the CPC's request to receive clarifications on obtained information. In addition, aimed at avoiding practical problems, the draft proposes to define the nature of the study of possible adherence of the candidate to criminal subculture.
- Establish a norm that will allow declarant officials and family members to make changes (corrections) in the submitted and not published declaration within four days after submission. This is aimed at eliminating possible discrepancies they may find out later, after submission.

The CPC may apply to operative-investigative bodies and obtain necessary information to check the actual possession of property during the study of declarations and check whether the person under consideration has association with the criminal subculture. This provision is also applicable in cases defined by the law on “Commission for Prevention of Corruption”, when CPC undertakes integrity evaluation.

The establishment of the Anti-Corruption Committee, as well as a specialised anti-corruption court is another major undertaking that will finalize the introduction process of anti-corruption institutions. To this end, the law on “Anti-Corruption Committee” was drafted and published³⁶ on e-draft system for public consultations on 24.01.2020 - 14.02.2020. (This passed the first reading on 19 January 2021.) In addition, amendments to the constitutional laws on “Judicial Code of the Republic of Armenia” and "Rules of Procedure of the National Assembly" were drafted and the package was published³⁷ on e-draft for public consultations on 31.07.2020 to 15.08.2020. These amendments are aimed at establishing a specialized anti-corruption court with at least 25 judges.

3.3 Linked activities:

Alignment of Armenia's public administration with the EU principles of public administration is at the centre of the EU engagement in the sector. For example, the introduction and development of the Civil Service System in Armenia has been greatly advanced with the EU

³⁶ <https://www.e-draft.am/projects/2256>

³⁷ <https://www.e-draft.am/projects/2644>

support. Currently, the EU SSF for Armenia 2014-2017 identifies PAR and introduction of EU principles of public administration in Armenia as one of the priorities. Anti-corruption efforts have been supported mainly through Multi Sector Budget Support and Public Administration Reform Budget Support, conditionalities have included the development of Anti-Corruption strategy 2015-2018, its Action Plans and Monitoring framework, support to Anti-Corruption Council and to CEHRO.

With the support of “Public Sector Modernization Second Project” of the World Bank a new electronic declaration system of income and property of high ranking officials and their related persons was launched in 2013. World Bank Project is aimed at increasing the examination skills of CEHRO as a prerequisite of boosting its preventative and cooperating capacity. Important measures were taken by CEHRO to establish the data verification system of declarations (particularly, activities to connect the electronic declaration system to online databases of other state agencies) that will give an opportunity to detect non-complete and incorrect data in the declarations. It is foreseen in the near future to improve the electronic declarations analysis system based on risk indicators.³⁸

SIGMA has provided expertise and methodological support to the CEHRO directed towards developing the ethics system in Armenia as well as revealing ethics system problems and possible solutions to them. It has also provided expertise support to the Ethics Commission in its efforts to elaborate a code of conduct for high-ranking officials that would set standards of conduct for high-ranking officials.

The CEHRO also cooperates with the Anticorruption Network for Eastern Europe and Central Asia (ACN) of the Organization for Economic Cooperation and Development (OECD) consistently implementing actions of the anticorruption action plan of Armenia related to the Ethics Commission as well as participating in the discussion and monitoring activities of ACN.

At the same time, the CEHRO has submitted two Technical Assistance and Information Exchange (TAIEX) programmes in order to get acquainted with the Romanian asset declaration system and Slovenian system for declaration data verification procedures and declaration analysis system based on risk indicators.

In cooperation with the OSCE Yerevan Office³⁹, the first official website of the CEHRO was constructed in 2012, which ensured the publication of high-ranking officials’ declarations as well as publicity of the CEHRO’s activities.

During 2015, within the scope of “Integrated Expert” project of the German Federal Enterprise for International Cooperation (GIZ), the CEHRO was provided with technical assistance about the elaboration of amendments to the RA Law on Public Service, code of conduct for high-ranking officials and other documents.⁴⁰

In the beginning of 2019, the OSCE launched a project called “Strengthening Anti-Corruption Reforms in Armenia”, with the main emphasis on supporting the MoJ in drafting the structure of the new Anti-Corruption Committee. This twinning project will create synergies and complement the ongoing activities of the OSCE in Armenia with further support on coordination from the MoJ.

³⁸ <http://ethics.am/hy/cooperation/>

³⁹ Closed from 1 September 2017.

⁴⁰ The Commission on Ethics of High Ranking Officials’ web site. <http://ethics.am/en/cooperation/>

In September 2021, USAID launched a 5-year ‘Armenia Integrity project (AIP)’. The project aimed to reduce opportunities for corruption and reinforcing public demand for improved governance and accountability. It will concentrate on three main areas:

- Strengthening corruption prevention institutions and integrity systems
- Support to implementation of legal-regulatory measures
- Engaging local governments, CSOs, youth, citizen’s actions etc. in fight against corruption

3.4 List of applicable *Union acquis*, standards and norms:

- Criminal Law Convention on Corruption and Additional Protocol (Council of Europe) – all manifestations of corruption are criminalized, except for criminal liability for legal persons which is envisaged under the Draft new Criminal Code;
- Convention on fighting corruption involving officials of the EU or officials of member states (1997);
- Council Decision 2008/852/JHA of 24 October 2008 on a contact-point network against corruption Communication on Fighting Corruption in the EU (COM(2011) 308 final of 6 June 2011);
- Resolution (97) 24 on the twenty guiding principles for fight against corruption (Council of Europe Committee of Ministers);
- Recommendation No. R (2000) 10 of the Committee of Ministers on codes of conducts for public officials;
- Convention on the protection of the European Communities’ Financial Interest, of 26 July 1995; JO C 316, 27th November 1995;
- Protocol on European Union to the Convention on the protection of the European Communities’ financial interest, drawn up on the basis of Article K.3 of the Treaty;
- Second Protocol to the Convention on the Protection of the European Communities’ financial interests, drawn up on the basis of Article K. 3 of the Treaty on European Union;
- Commission Decision of 6th June 2011 – Establishing an EU Anti-corruption reporting mechanism for periodic assessment (“EU Anti-corruption Report”);
- Council Decision 2008/582/JHA of 24th October 2008 on a contact-point network against corruption;
- Council Decision 2008/801/EC of 25th September 2008 on the conclusion, on the behalf of the European Community, of the United Nation Convention against Corruption OJ L 287, 29.10.2008 p.1;
- Council Decision 2004/579/EC of 29th April on the conclusion, on behalf of the European Community, of the United Nations Convention against Transnational organised Crimes OJ L 261, 6.8.2004.⁴¹

3.5 Components and results per component

⁴¹<http://www.info-evropa.rs/wp-content/uploads/2013/11/EU-acquis-in-the-Anti-corruption-Overview-of-International-Anti-corruption-Standards.pdf>

Component 1 / Mandatory Result 1: Institutional capacity of the Corruption Prevention Commission to develop and assist in the implementation of anticorruption (integrity) education and public awareness programmes in Armenia increased

Sub-result 1.1. Infrastructure for integrity, anticorruption education and public awareness put in place and functioning.

Sub-result 1.2. Integrity education programmes and/or training courses, including materials for introducing in general education system are developed, approved, and published.

Sub-result 1.3. Integrity education programmes and/or training courses, including materials for introducing in the higher education system are developed, approved and published.

Sub-result 1.4. Professional development system put in place for government officials in the field of integrity and integrity training programmes, including relevant materials for civil servants and public officials, also a code of conduct developed, approved and published.

Component 2 / Mandatory Result 2: Strategic communication and collaboration mechanisms are in place and functioning

Sub-result 2.1. Communication of the CPC with civil society and media improved and the general public has better understanding about mandate and functions of the CPC.

Sub-result 2.2. The CPC has an effective mechanism for cooperation with external stakeholders, including anti-corruption state institutions.

Sub-result 2.3. The CPC has professional staff to develop and engage in cooperation with the civil society, media and general public.

Component 3 / Mandatory Result 3: Level of implementation of Anti-Corruption Strategy enhanced through developing monitoring capacity of the Ministry of Justice of Armenia

Sub-result 3.1. Anti-corruption policy and legal framework, including legal framework for preventing, detecting, investigating, prosecuting and adjudicating corruption improved.

Sub-result 3.2. Level of public awareness on anti-corruption measures enhanced.

Sub-result 3.3. Effective methodology for monitoring developed, introduced and functional.

Sub-result 3.4. Implementation of international anti-corruption commitments enhanced.

Component 4 / Mandatory Result 4: Business integrity improved

Sub-result 4.1. Anti-corruption assessment of state-owned enterprises conducted.

Sub-result 4.2. Integrity measures are in place in state-owned enterprises and public companies.

3.6 Means/input from the EU Member State Partner Administration(s)*:

The project will be implemented in the form of a Twinning contract between the final beneficiary country and EU Member State(s). The implementation of the project requires one Project Leader (PL) with responsibility for the overall coordination of project activities and one Resident Twinning Adviser (RTA) to manage implementation of project activities, Component Leaders (CLs) and pool of short-term experts (STEs) within the limits of the budget. It is essential that the team has sufficiently broad expertise to cover all areas included in the project description.

Proposals submitted by Member State shall be concise and focussed on the strategy and methodology and an indicative timetable underpinning this, the administrative model suggested, the quality of the expertise to be mobilised and clearly show the administrative structure and capacity of the Member State entity/ies. Proposals shall be detailed enough to

respond adequately to the Twinning Fiche, but are not expected to contain a fully elaborated project. They shall contain enough detail about the strategy and methodology and indicate the sequencing and mention key activities during the implementation of the project to ensure the achievement of overall and specific objectives and mandatory results/outputs.

The interested Member State(s) shall include in their proposal the CVs of the designated Project Leader and the Resident Twinning Advisor, as well as the CVs of the potentially designated component Leaders-CLs.

The Twinning project will be implemented by close co-operation between the partners aiming to achieve the mandatory results in sustainable manner.

The set of proposed activities will be further developed with the Twinning partners when drafting the initial work plan and successive rolling work plan every three months, keeping in mind that the final list of activities will be decided in cooperation with the Twinning partner. The components are closely inter-linked and need to be sequenced accordingly.

3.6.1 Profile and tasks of the Project Leader (PL):

Requirements:

- Proven contractual relation to a public administration or mandated body;
- University degree in a field relevant to this project or equivalent professional experience of 8 years;
- High-ranking official currently working in a MS administration;
- At least 3 years of professional experience in an area relevant to the project;
- Fluency in English language;
- Computer literacy;
- Good knowledge of EU legislation regarding fight against corruption.

Assets:

- Experience with international projects
- Experience in transition countries in Europe.
- Knowledge of Russian is an asset.

Tasks of PL:

- Overall direction, monitoring, quality control and backstopping of the project, on behalf of the Member State;
- Mobilising the necessary expertise required for the implementation of project activities;
- Monitoring and steering the project implementation with Resident Twinning Adviser (RTA) and taking corrective measures if and when needed;
- Maintaining a close and permanent professional relationship with the RTA, the Beneficiary Country's project leadership and the EU Delegation;
- Coordinate, on the Member State's side, the Project Steering Committee, which will meet in Yerevan at least once in a quarter.

3.6.2 Profile and tasks of the RTA:

RTA qualifications

- Proven contractual relation to a public administration or mandated body;

- University degree in law or any other relevant fields or equivalent professional experience of 8 years;
- At least 3 years of general professional experience in the field of Home Affairs;
- Strong analytical and report writing skills;
- Good communications, team work, and inter-personal skills;
- Fluency in English language;
- Computer literacy.

Assets:

- Working experience as an expert in and providing technical assistance on fight against corruption in public institutions;
- Working experience in organizational management and Human Resources within Home Affairs sector;
- Experience in organizing and conducting trainings;

RTA tasks:

- Ensuring timely, effective and efficient implementation of the project and achievement of results, through proposed activities;
- Responsible for monitoring project implementation and proposing corrective management actions if required;
- Support and coordination of all project activities in the Beneficiary Country in line with the agreed work plan to enable timely completion of project results and delivery of the outputs in close cooperation with the RTA Counterpart;
- Nomination, mobilisation and supervision of the short-term experts, together with the Project Leader;
- Advise on related EU policies and best practice, legislation and regulation;
- Provision of technical advice and assistance to the administration or other public bodies in the context of a predetermined work plan to ensure completion of project inputs;
- Drafting of the Terms of Reference for short term experts, coordination, facilitation and monitoring of their works during implementation;
- Establish and maintain cooperation with all beneficiaries involved in the implementation of the project and other related projects (ensuring the avoidance of overlapping);
- Facilitation of the contacts with peer institutions in EU member states in order to stimulate a proper exchange of information and experience;
- Organization of visibility events (kick-off, final event and others as appropriate);
- Responsible for organisation of the Project Steering Committee meetings and reporting on the project progress in cooperation with Project Leader.

3.6.3 Profile and tasks of Component Leaders:

First Component leader (Developing and managing anti-corruption education and public awareness programmes)

- At least 3 years of experience in a public administration or an agency tasked for prevention of corruption, particularly managing anti-corruption education and public awareness programmes.

Second Component leader (Developing strategic communication and collaboration mechanisms)

- At least 3 years of experience in a public administration/mandatory body or an agency in the field of communication and visibility as well as relations with other stakeholders.

Third Component leader (Enabling environment to effectively implement anti-corruption strategies, including implementation monitoring)

- At least 3 years of experience in a public administration or an agency dealing with anti-corruption policies and strategies.

Forth Component leader (Developing business integrity mechanisms)

- At least 3 years of experience in a public administration/mandatory body or an agency tasked for developing and/or managing business sector integrity mechanisms such as: anti-bribery policy, anti-bribery compliance, risk assessments and due diligence on projects and business associates, implementing financial and commercial controls, and instituting reporting and investigation procedures (knowledge of ISO 37001 standard).

Note: In those cases that the experience and skills of a candidate for component leader would allow, it is admissible that one person leads 2 components.

3.6.4 Profile and tasks of other short-term experts:

- University degree relevant to the project or equivalent relevant professional experience of 8 years;
- Minimum 3 years of relevant experience;
- Excellent communication and presentation skills;
- All short-term experts engaged on the project will be citizens of EU MS.

Tasks of short-term experts:

Specific tasks of short-term experts will be defined in the Work plan of the Twinning project. It is expected of short-term experts to support all of the above activities, secure implementation stated above in following areas in close cooperation with their counterparts in the beneficiary administrations.

4. Budget

1,000,000 EUR

5. Implementation Arrangements

5.1 Implementing Agency responsible for tendering, contracting and accounting (European Union Delegation):

Delegation of the European Union to Armenia

21 Frik Street, Yerevan 0002, Armenia

5.2 Institutional framework

The main beneficiaries of the twinning project will be CPC and MoJ. The two main components of the twinning project are divided accordingly. As the first component of the twinning is dedicated to increasing the institutional capacity of the Republic of Armenia to develop anticorruption (integrity) education and public awareness programmes this will include collaboration and support to setting up the CPC to ensure its effective functioning. The second

component will support the policy and legal framework development and strategy monitoring for anti-corruption sector. Thus, the main beneficiary will be the MoJ, the Department for Anti-Corruption Policy Development and Monitoring.

As an important stakeholder in monitoring of the Anti-Corruption strategy, the Anti-corruption Policy Council and the Anti-Corruption Programmes and Monitoring Department at the Deputy Prime Minister's Office might also be involved in some of the envisioned activities. This also implies to the law enforcement agencies – (depending on the timeline) the new Anti-Corruption Committee, the Special Investigative Service, the PG's Office, and the Investigative Committee officials who might be involved from larger to lesser extent in project activities.

5.3 Counterparts in the Beneficiary administration:

5.3.1 Contact person:

Specify the name, official position and postal address

Haykuhi Harutyunyan, Chairwoman of the CPC, 15 Koryun street, Yerevan, 0009

Amalya Hovsepyan, Coordinating Advisor for International Legal Cooperation, MoJ,0010

5.3.2 PL counterpart

Specify the name, official position and postal address of its institution, (no contact details of the person)

Kristinne Grigoryan, Deputy Minister of Justice, 0010

5.3.3 RTA counterpart

Specify the name, official position and postal address of its institution, (no contact details of the person)

Mariam Galstyan, Head of Anti-Corruption Policy Development and Monitoring department, MOJ, 0010

The component leaders counterparts should also be mentioned

6. Duration of the project

The duration of the project will be 24 months.

7. Management and reporting¹³

7.1 Language

The official language of the project is the one used as contract language under the instrument - English. All formal communications regarding the project, including interim and final reports, shall be produced in the language of the contract.

7.2 Project Steering Committee

A project steering committee (PSC) shall oversee the implementation of the project. The main duties of the PSC include verification of the progress and achievements via-à-vis the mandatory results/outputs chain (from mandatory results/outputs per component to impact), ensuring good coordination among the actors, finalising the interim reports and discuss the updated work plan. Other details concerning the establishment and functioning of the PSC are described in the Twinning Manual.

7.3 Reporting

All reports shall have a narrative section and a financial section. They shall include as a minimum the information detailed in section 5.5.2 (interim reports) and 5.5.3 (final report) of the Twinning Manual. Reports need to go beyond activities and inputs. Two types of reports are foreseen in the framework of Twinning: interim quarterly reports and final report. An interim quarterly report shall be presented for discussion at each meeting of the PSC. The narrative part shall primarily take stock of the progress and achievements vis-à-vis the mandatory results and provide precise recommendations and corrective measures to be decided by in order to ensure the further progress.

8. Sustainability

As a training and mentoring project, twinning should help equip CPC and MoJ to undertake its tasks for the foreseeable future. All the actual work will be done by the Beneficiary. In the longer-term the enhanced operational procedures and strategic communication and collaboration mechanisms will greatly contribute towards effective functioning of the CPC. Recommendations towards improving the Monitoring and Reporting framework of the Anti-Corruption strategy and gap analysis of the legal framework based on the EU best practices will provide the basis for the MoJ in its future efforts to continue enhancing the anti-corruption policy and legal framework. In addition, the managerial and analytical skills, which are developed and retained in the field of anti-corruption will ensure sustainability of the activities.

9. Crosscutting issues (*equal opportunity, environment, climate etc...*)

The project will contribute to **good governance** and **human rights**. Particular attention will be paid to mitigate the following risks: a) political biased prosecutions, b) violations of due process (particularly with regard to collecting evidence and interrogating suspects), and c) violations of privacy. These issues will be taken into account and human rights will be reinforced through all of the planned activities.

The project will take a **rights-based approach**, ensuring **equal opportunities for both men and women** throughout its implementation, in particular during the capacity building activities.

10. Conditionality and sequencing

The implementation of the project requires the full commitment and participation of the senior management and relevant staff of the MoJ and CPC.

Equally, the Twinning team, led by the RTA must ensure full collaboration with their counterparts at the Beneficiary Institutions. The Twinning team must implement its activities in the interest of the beneficiary institutions, and maintain beneficiaries' involvement at all stages of activities.

11. Indicators for performance measurement

The indicators of achievement for Mandatory Result 1:

- Change rate in the corruption perception index (CPI) of the public sector.
- Number of education and public awareness programmes developed and adopted by the CPC.
- CPC communication strategy and at least one-year Plan is in place.
- Number of trained CPC's staff on topics presented in sub-results of this component.

The indicators of achievement for Sub-result 1.1.

- Integrity, anticorruption education and public awareness appropriate legislative requirements and norms developed and adopted.

- Integrity (anti-corruption) teaching e-platform for public servants (both civil servants and public sector officials) is in place and functioning.
- Number of trainings organized for media and civil society representatives (also number of participants).
- Number of public awareness rising products developed by media, which are admissible by the CPC (considered as such if published on the CPC web-page).
- Number of meetings and discussions with civil society representatives to raise awareness on measures and programmes for integrity and anti-corruption.

The indicators of achievement for Sub-result 1.2.

- Number of adopted integrity education programmes and/or training courses including materials for the general education system.
- Number of trained (training for trainers to teach integrity education programs) school-teachers with anti-corruption (integrity) education skills and capacity.
- Number of high schools, which introduced programmes on integrity (corruption prevention).

The indicators of achievement for Sub-result 1.3.

- Full semester mandatory course syllabus (a programme) and course materials developed and approved (at least in one of the state funded universities).
- Number of trained university lecturers (professors) with anti-corruption (integrity) education skills and capacity.
- Number of higher education institutions, which introduced integrity courses/programmes.

The indicators of achievement for Sub-result 1.4.

- Number of professional development training courses on integrity and corruption prevention for all public service officials.
- Number of codes of conduct for civil servants and public officials elaborated and adopted.
- Number of trainers trained for professional development training courses on integrity and corruption prevention.
- Number of public servants, who were trained within integrity (anti-corruption) programmes.

The indicators of achievement for Mandatory Result 2:

- Communication (outreach) Strategy of the CPC is developed and adopted.
- Three-year Action Plan for media communication and advocacy campaign is developed and adopted.

The indicators of achievement for Sub-result 2.1

- User friendly report templates on CPC activities are developed and introduced.
- Number of people following the activities of CPC (e.g. website visits, subscribers, etc.).

The indicators of achievement for Sub-result 2.2

- Manual on the criteria and procedures of referrals to the PG's Office is developed and adopted.
- Number of joint workshops conducted aimed at uniform understanding of the required evidentiary thresholds.

The indicators of achievement for Sub-result 2.3

- Number of the CPC's communication (public relations) staff trained on strategic communication and collaboration mechanisms.

The indicators of achievement for Mandatory Result 3:

- Anti-corruption strategy and action plan updated and adopted.
- Monitoring guide and monitoring reports template/s developed and introduced.

The indicators of achievement for Sub-result 3.1

- Gap analysis of the anti-corruption legal framework based on the EU best practices conducted.
- Concept paper on the improvement of the anti-corruption legal framework in line with the EU best practices in place and applicable.
- Number of anti-corruption legal acts amended (improved) based on the findings of the Gap analyses.
- Compliance with recent key recommendations made by OECD, CoE, GRECO, UN, etc.

The indicators of achievement for Sub-result 3.2

- For raising awareness on the measures implemented in the scope of AC strategy Strategic Communication a three-year action plan developed and introduced, which is coherent with the Communication action plan (an indicator of achievement for Component 2) of the CPC.
- Number of people following anticorruption related activities of MoJ (e.g. website visits, subscribers, etc.).

The indicators of achievement for Sub-result 3.3

- Number of semi-annual and annual monitoring reports published;
- Statistical data/info with regard to monitoring results published on the MoJ webpage and updated regularly (every six months).

The indicators of achievement for Sub-result 3.4

- Mapping of international anti-corruption commitments and timetable for implementation in place.
- Number of MoJ and CPC personnel trained on international anti-corruption practices and relevant international legislative framework.

The indicators of achievement for Mandatory Result 4:

- Integrity standards for state-owned enterprises and public companies developed and adopted.
- Number of assessments of corruption risks involving the business sector (state-owned enterprises and public companies).

The indicators of achievement for Sub-result 4.1

- Anti-corruption assessment methodology for state-owned enterprises developed and adopted.
- Number of state-owned enterprises that were assessed with anti-corruption assessment methodology.

The indicators of achievement for Sub-result 4.2

- Integrity standards are developed, adopted and introduced (within 3 years after the adoption of standards) in state-owned enterprises and public companies.
- Annual reporting on integrity standards of compliance is published.

- Number of trainings conducted on the application of integrity standards.

12. Facilities available

Following facilities will be available: meeting rooms, office space, and facilities for training, seminars, conferences, etc. Security related issues will be covered by the Ministry of Justice and CPC

ANNEXES TO PROJECT FICHE

1. The Simplified Logical framework matrix as per Annex C1a (compulsory)

Annex 1

Simplified Logical Framework

	Description	Indicators (with relevant baseline and target data)	Source of verification	Risks	Assumptions (external to project)
Overall Objective	To foster integrity and prevent corruption in the public sector in Armenia.	<p>Ranking in Corruption Perception Index</p> <p>Level (ranking, percentage, etc.) of compliance with the international obligations under the UN, CoE and EU instruments</p> <p>Appropriate baseline and target data are provided in components (mandatory results) and sub-results.</p>	<p>Transparency International's Corruption Perception Index (CPI) and Global Corruption Barometer Reports;</p> <p>UNCAC report¹;</p> <p>Evaluation reports by GRECO²;</p> <p>Report under the GSP+ (Generalized System of Preferences) Conventions</p> <p>Transparency International's Corruption Perception Index (CPI) and Global Corruption Barometer Reports</p> <p>World Bank's Control of Corruption Indicators Report</p>	N/A	N/A
Specific (Project) Objective(s)	1. Develop and assist in the implementation of anticorruption (integrity) education and public awareness programmes	Number of education and public awareness programmes developed by the CPC.	Official programmes and Statistics available on: www.cpcarmenia.am	Anti-corruption education in the country has no institutional	There is continuous political will and support to the anti-

¹ <http://www.unodc.org/unodc/treaties/CAC/country-profile/CountryProfile.html?code=ARM>

² www.coe.int/greco

	and related institutional capacities to enable the corruption prevention environment.	<p>CPC communication strategy and action plan is adopted.</p> <p>Appropriate baseline and target data are provided in components (mandatory results) and sub-results.</p>	<p>www.moj.am</p> <p>www.parliament.am (Annual Prosecutor General's Report to the Parliament according to the legislation has a separate chapter on corruption crimes)</p> <p>www.e-draft.am</p> <p>CRRC Barometer</p>	grounds to be based upon. This is why, along with the development of education programmes, teaching facilities must be assigned to this cause.	corruption reform agenda.
	2. Advance implementation of Anti-Corruption Strategy, in particular by enhancing the monitoring capacity of Anti-Corruption Policy Development and Monitoring department of the Ministry of Justice.	<p>a) Updated anti-corruption strategy and action plan.</p> <p>b) Number of monitoring reports.</p> <p>Appropriate baseline and target data are provided in components (mandatory results) and sub-results.</p>	<p>Official Statistics available on:</p> <p>www.moj.am</p> <p>www.cpcarmenia.am</p> <p>www.gov.am</p> <p>www.e-draft.am</p>	Improper coordination and collaboration between the MoJ and CPC may cause inefficient implementation and monitoring of the anti-corruption strategy.	The anti-corruption reform agenda will be continuously implemented, including other relevant programmes and strategies, such as judicial and legal reforms, reform of criminal justice, and training of law enforcement representatives.
Mandatory results/ outputs by components	Component 1 / Mandatory Result 1: Institutional capacity of the Corruption Prevention Commission to develop and assist in the implementation of	<p>a) Change rate in the corruption perception index (CPI) of the public sector [Baseline score: 49 (2020); Target: > 55 (2024)].</p> <p>b) Number of education and public awareness programmes developed</p>	a) Transparency International's Corruption Perception Index (CPI) and Global Corruption Barometer Reports;	No particular risks	There is continuous political will and support to the anti-corruption reform agenda.

	anticorruption (integrity) education and public awareness programmes in Armenia increased.	<p>and adopted by the CPC [Baseline: none (2020); Target: at least 3 (2023)].</p> <p>c) CPC communication strategy and at least one-year Plan is in place [Baseline: none (2020); Target: developed and adopted (2023)].</p> <p>d) Number of trained CPC's staff on topics presented in sub-results of this component [Baseline: 0 (2020); Target: at least 10 (2023)].</p>	<p>b) CPC web-page: www.cpcarmenia.am</p> <p>c) CPC web-page: www.cpcarmenia.am</p> <p>d) CPC office.</p> <p>Other sources: Laws, guidelines, etc. published on: www.cpcarmenia.am www.moj.am www.gov.am National reports by local NGOs (Partnership for Open Society, Helsinki Citizens Assembly Vanadzor, etc.)</p>		Relevant resources are made available for effective functioning of CPC.
	Component 2 / Mandatory Result 2: Strategic communication and collaboration mechanisms are in place and functioning.	<p>a) Communication (outreach) Strategy of the CPC is developed and adopted [Baseline: none (2020); Target: developed and adopted (2023)].</p> <p>b) Three-year Action Plan for media communication and advocacy campaign is developed and adopted [Baseline: none (2020); Target: developed and adopted (2023)].</p>	Strategies, action plan/s, etc. published on: www.cpcarmenia.am and other relevant sources mentioned above.	Lack of mechanisms to ensure direct participation of the relevant stakeholders in the process of development/ revision of necessary documents, as well as lack of joint trainings might lead to ineffective utilization of the results.	Active co-operation among the relevant stakeholders involved in the activities of corruption prevention.
	Component 3 / Mandatory Result 3:	a) Anti-corruption strategy and action plan updated and adopted [Baseline: adopted in 2019 for 2019-2022;	Strategies, action plan/s, guidelines etc. published on:	No particular risks.	There is continuous political will and support to the anti-

	Level of implementation of Anti-Corruption Strategy enhanced through developing monitoring capacity of the Ministry of Justice of Armenia.	Target: elaborated and adopted (2022)]. b) Monitoring guide and monitoring reports template/s developed and introduced [Baseline: none (2020); Target: developed and adopted (2023)].	www.moj.am ; www.arlis.am and other relevant sources mentioned above.		corruption reform agenda.
	Component 4 / Mandatory Result 4: Business integrity improved.	a) Integrity standards for state-owned enterprises and public companies developed and adopted [Baseline: none (2020); Target: developed and adopted (2023)]. b) Number of assessments of corruption risks involving the business sector (state-owned enterprises and public companies) [Baseline: none (2020); Target: all state owned enterprises (2025)].	Standards are adopted by the CPC and assessment reports are available and published on CPC and MoJ websites.	Integrity standards are not applied and not enforced.	Business is cooperating with MoJ and CPC along with the introduction process of the standards and risk assessment.
Sub-results per components (optional and indicative)	Sub-result 1.1. Infrastructure for integrity, anticorruption education and public awareness put in place and functioning.	<ul style="list-style-type: none"> • Integrity, anticorruption education and public awareness appropriate legislative requirements and norms developed and adopted [Baseline: none (2020); Target: developed and adopted (2023)]. • Integrity (anti-corruption) teaching e-platform for public servants (both civil servants and public sector officials) is in place and functioning [Baseline: none (2020); Target: developed and functional (2023)]. • Number of trainings organized for media and civil society representatives (also number of participants) [Baseline: 0 (2020); Target: at least 3 (2023)]. 	Legislations, training programmes, courses, guidelines etc. published on: www.moj.am ; www.cpcarmenia.am and other relevant sources mentioned above. As well as, if needed for public consultations: www.e-draft.am (Armenian official webpage for public posting/discussion of the draft laws and strategies, that	Integrity (anti-corruption) teaching e-platform is not well accepted and not implemented in civil service system and in general in public service field.	There is continuous political will and support to the anti-corruption reform agenda. Also the government is willing to stipulate additional resources for ant-corruption infrastructure to operate properly.

		<ul style="list-style-type: none"> • Number of public awareness rising products developed by media, which are admissible by the CPC (considered as such if published on the CPC web-page) [Baseline: 0 (2020); Target: developed and published at least 3 (2023)]. • Number of meetings and discussions with civil society representatives to raise awareness on measures and programmes for integrity and anti-corruption. [Baseline: N/A (2020); Target: continues, at least 5 annually (2023)]. 	is developed by the EU and run by the MoJ).		
	Sub-result 1.2. Integrity education programmes and/or training courses, including materials for introducing in general education system are developed, approved and published.	<ul style="list-style-type: none"> • Number of adopted integrity education programmes and/or training courses including materials for the general education system [Baseline: 0 (2020); Target: developed and adopted at least 1 set of programme (2023)]. • Number of trained (training for trainers to teach integrity education programs) school-teachers with anti-corruption (integrity) education skills and capacity [Baseline: 0 (2020); Target: at least 100 teachers received the training (2023)]. • Number of high schools, which introduced programmes on integrity (corruption prevention) [Baseline: 0 (2020); Target: at least 10 schools (2023)]. 	Guidelines, manuals, programmes etc. published on: www.cpcarmenia.am www.moj.am; as well as, if needed for public consultations: www.e-draft.am.	No particular risks.	The CPC is capable to coordinate the participation of selected school teachers in the training process.
	Sub-result 1.3. Integrity education programmes and/or training courses, including	<ul style="list-style-type: none"> • Full semester mandatory course syllabus (a programme) and course materials developed and approved 	Guidelines, manuals, course syllabus, reports on training activities, etc. published on:	No particular risks.	The CPC is capable to coordinate the participation of

	<p>materials for introducing in the higher education system are developed, approved and published.</p>	<p>(at least in one of the state funded universities) [Baseline: 0 (2020); Target: developed and adopted at least 1 set of programme (2023)].</p> <ul style="list-style-type: none"> • Number of trained university lecturers (professors) with anti-corruption (integrity) education skills and capacity [Baseline: 0 (2020); Target: at least 50 lecturers received the training (2023)]. • Number of higher education institutions, which introduced integrity courses/programmes [Baseline: 0 (2020); Target: at least 5 universities (2023)]. 	<p>www.cpcarmenia.am www.moj.am; as well as, if needed for public consultations: www.e-draft.am.</p>		<p>selected university lecturers in the training process.</p>
	<p>Sub-result 1.4. Professional development system put in place for government officials in the field of integrity and integrity training programmes, including relevant materials for civil servants and public officials, also a code of conduct developed, approved and published.</p>	<ul style="list-style-type: none"> • Number of professional development training courses on integrity and corruption prevention for all public service officials [Baseline: 0 (2020); Target: developed and adopted at least 1 set of programme (2023)]. • Number of codes of conduct for civil servants and public officials elaborated and adopted [Baseline: 1 (2020); Target: at least 2 codes of conducts elaborated respectively for civil service and public officials (2023)]. • Number of trainers trained for professional development training courses on integrity and corruption prevention [Baseline: 0 (2020); Target: at least 10 lecturers received the training (2023)]. • Number of public servants, who were trained with integrity (anti-corruption) programmes [Baseline: 	<p>Guidelines, manuals, course syllabus, reports on training activities, etc. published on: www.cpcarmenia.am www.moj.am; as well as, if needed for public consultations: www.e-draft.am.</p>	<p>No particular risks.</p>	<p>The CPC is able to coordinate the engagement of lecturers who will later conduct professional development trainings for public officials.</p>

		0 (2020); Target: at least 200 public servants, including civil service (2023)].			
	Sub-result 2.1. Communication of the CPC with civil society and media improved and the general public has better understanding about mandate and functions of the CPC.	<ul style="list-style-type: none"> • User-friendly report templates on CPC activities are developed and introduced [Baseline: 0 (2020); Target: developed and adopted at least 1 report template (2023)]. • Number of people following the activities of CPC (e.g. website visits, subscribers, etc.) [Baseline: N/A (2020); Target: --- number of website visits (2023)]. 	Media monitoring; www.cpcarmenia.am .	No particular risks.	There is public interest in the anti-corruption efforts of the Government.
	Sub-result 2.2. The CPC has an effective mechanism for cooperation with external stakeholders, including anti-corruption state institutions.	<ul style="list-style-type: none"> • Manual on the criteria and procedures of referrals to the PG’s Office is developed and adopted [Baseline: none (2020); Target: a manual is developed and adopted (2023)]. • Number of joint workshops conducted aimed at uniform understanding of the required evidentiary thresholds [Baseline: 0 (2020); Target: at least 3 workshops are conducted (2023)]. 	www.cpcarmenia.am www.prosecutor.am , etc.	Lack of direct participation of the law enforcement in development of the manuals and trainings.	Appointing relevant staff by the beneficiaries to take part in trainings.
	Sub-result 2.3. The CPC has professional staff to undergo cooperation with the civil society, media and general public.	<ul style="list-style-type: none"> • Number of the CPC’s communication (public relations) staff trained on strategic communication and collaboration mechanisms [Baseline: 0 (2020); Target: Everybody engaged in this function of the CPC received the training (2023)]. 	CPC office, www.cpcarmenia.am , etc.	No particular risks.	There is continuous political will and support to the anti-corruption reform agenda.
	Sub-result 3.1. Anti-corruption policy and legal framework, including legal framework for preventing, detecting, investigating,	<ul style="list-style-type: none"> • Gap analysis of the anti-corruption legal framework based on the EU best practices conducted [Baseline: none (2020); Target: gap analysis 	www.moj.am ; if needed for public consultations: www.e-draft.am ;	No particular risks.	There is continuous political will and support to the anti-

	prosecuting and adjudicating corruption improved.	<p>is submitted and accepted by the MoJ and CPC (2023)].</p> <ul style="list-style-type: none"> • Concept paper on the improvement of anti-corruption legal framework in line with the EU best practices in place and applicable [Baseline: none (2020); Target: concept paper developed and approved by the MoJ / CPC (2023)]. • Number of anti-corruption legal acts amended (improved) based on the findings of the Gap analyses [Baseline: none (2020); Target: number of amendments based on the Gap analysis / CPC (2023)]. • Compliance with recent key recommendations made by OECD, CoE, GRECO, UN, etc. [Baseline: N/A (2020); Target: appropriate compliance (2023)]. 	<p>if drafts included in the Parliamentary agenda www.parliament.am; Other potential sources for posting the results of the project.</p> <p>External sources: UNCAC report (Conference of the States Parties to the United Nations Convention against Corruption) 3; Evaluation reports by the CoE Group of States against Corruption (GRECO)4; Report under the GSP+ (Generalized System of Preferences) Conventions;</p>		corruption reform agenda.
	Sub-result 3.2. Level of public awareness on anti-corruption measures enhanced.	<ul style="list-style-type: none"> • For raising awareness on the measures implemented in the scope of AC strategy Strategic Communication three-year action plan developed and introduced, which is coherent with the Communication action plan (an indicator of achievement for Component 2) of the CPC [Baseline: none (2020); Target: action plan is developed and adopted (2023)]. • Number of people following anticorruption related activities of MoJ (e.g. website visits, subscribers, etc.) [Baseline: N/A (2020); Target: 	<p>www.moj.am; if needed for public consultations: www.e-draft.am</p> <p>Other potential sources for posting the results of the project.</p>	No particular risks.	There is continuous political will and support to the anti-corruption reform agenda.

³ <http://www.unodc.org/unodc/treaties/CAC/country-profile/CountryProfile.html?code=ARM>

⁴ www.coe.int/greco

		--- number of website visits (2023)].			
	Sub-result 3.3. Effective methodology for monitoring developed, introduced and functional.	<ul style="list-style-type: none"> • Number of semi-annual and annual monitoring reports published [Baseline: none (2020); Target: at least 2 reports are published (2024)]. • Statistical data/info with regard monitoring results published on the MoJ webpage and updated regularly (every six months) [Baseline: none (2020); Target: at least 2 stat. reports are published (2024)]. 	<p>Guidelines, templates, reports, etc. published on: www.cpcarmenia.am www.moj.am</p> <p>Other potential sources for posting the results of the project.</p>	Absence of motivation and legal liability mechanisms for failure on the side of responsible agencies for reporting to meet the deadlines.	There is continuous political will and support to the anti-corruption reform agenda.
	Sub-result 3.4. Implementation of international anti-corruption commitments enhanced.	<ul style="list-style-type: none"> • Mapping of international anti-corruption commitments and timetable for implementation in place [Baseline: none (2020); Target: mapping is developed and published (2023)]. • Number of MoJ and CPC personnel trained on international anti-corruption practices and relevant international legislative framework [Baseline: 0 (2020); Target: at least 20 people from MoJ and CPC are trained (2023)]. 	<p>Mapping, reports, etc. published on: www.cpcarmenia.am www.moj.am.</p> <p>External sources: UNCAC report (Conference of the States Parties to the United Nations Convention against Corruption) 5; Evaluation reports by the CoE Group of States against Corruption (GRECO)6; Report under the GSP+ (Generalized System of Preferences) Conventions.</p>	No particular risks.	There is continuous political will and support to the anti-corruption reform agenda.
	Sub-result 4.1. Anti-corruption assessment of state-owned enterprises conducted.	<ul style="list-style-type: none"> • Anti-corruption assessment methodology for state-owned enterprises developed and adopted [Baseline: none (2020); Target: developed and adopted (2023)]. 	Guidelines, standards, reports, etc. are published on www.moj.am ; www.cpcarmenia.am ;	No particular risks.	There is continuous political will and support to the anti-corruption reform agenda.

⁵ <http://www.unodc.org/unodc/treaties/CAC/country-profile/CountryProfile.html?code=ARM>

⁶ www.coe.int/greco

		<ul style="list-style-type: none"> • Number of state-owned enterprises that were assessed with anti-corruption assessment methodology [Baseline: none (2020); Target: all state owned enterprises (2024)]. 	if needed for public consultations: www.e-draft.am		State-owned enterprises are cooperating with MoJ and CPC along with the assessment process.
	Sub-result 4.2. Integrity measures are in place in state-owned enterprises and public companies.	<ul style="list-style-type: none"> • Integrity standards are developed, adopted and introduced (within 3 years after the adoption of standards) in state-owned enterprises and public companies [Baseline: none (2020); Target: developed and adopted (2023)]. • Annual reporting on integrity standards of compliance is published [Baseline: none (2020); Target: annual reports after integrity standards are introduced (2023)]. • Number of trainings conducted on the application of integrity standards [Baseline: none (2020); Target: all state owned enterprises get the training (2023)]. 	Standards, reports, etc. are published on www.moj.am ; www.cpcarmenia.am ; if needed for public consultations: www.e-draft.am	No particular risks.	<p>There is continuous political will and support to the anti-corruption reform agenda.</p> <p>State-owned enterprises are cooperating with MoJ and CPC along with the introduction process of the standards.</p>

