

# **A. D. Sakharov Armenian Human Rights Foundation**

## **Monitoring Report On Working Conditions in First Instance Courts in Shirak, Gegharkunik, and Syunik Marzes (Regions)**

Studies were conducted and this Report was elaborated due to the generous financial and technical assistance of the OSCE Office in Yerevan and the Polish Helsinki Foundation for Human Rights

### **Preface**

The mission of the A. D. Sakharov Armenian Human Rights Foundation is to support the establishment of a civil society in Armenia, to enhance legal awareness of the public, and to protect rights and freedoms of humans and citizens. The organization has three regional branches in Shirak (City of Gyumri), Gegharkunik (City of Gavar), and Syunik (City of Goris).

In 2001, representatives of the three branches attended a series of “Monitoring and Human Rights” seminars held in Lusakert by the OSCE Office in Yerevan and the Polish Helsinki Foundation for Human Rights; as a practical follow-up to the seminars, and within the framework of the ongoing judicial reform, they have carried out a “Monitoring of Working Conditions in First Instance Courts” project in the Shirak, Gegharkunik, and Syunik regions of Armenia. The goal of the project was to explore the current conditions in which courts in the regions operate, because

***the working conditions and infrastructure of the third branch of government are crucial in terms of its stance, its improved role and authority, and guaranteeing the right of citizens to a fair and public trial within a reasonable time, as required under the existing laws.***

The concept of the judicial reform in the Republic of Armenia was formed under the Constitution adopted in 1995. The main goal of the judicial reform was to substitute a Soviet judiciary with an open one based on the rule of law, and to accommodate the judiciary to nourish the needs of a democracy. For a state on the path of democracy and the rule of law, it is crucial to determine the place, role and reputation of the judicial authorities. The Constitution of the Republic of Armenia stipulates that courts shall act as an efficient tool to guarantee exercise of the rule of law and protection of human rights.

Obviously, the majority of human rights violations in transition countries is caused by an imperfect judiciary. In a state like this the justice system gains fundamental importance tasked with establishing the rule of law by means of creating a free and unimpeded judiciary governed merely by the law.

The aforementioned area was selected for purposes of monitoring taking into account

***how much of an urgent priority it is, since compliance of the working conditions in first instance courts with legislation of the Republic of Armenia and international standards will greatly facilitate attaining a fair proceeding and safeguarding the rights and security of all the parties in a***

*process. It was also important in the sense that due to a number of fundamental and secondary reasons the area in question was overlooked in the process of judicial reform and was not backed up with relevant legal acts and mechanisms. The third important reason was that the normal operation of courts is in the best interests of the whole public and, what is more important, of the judiciary, which does not enjoy an adequate reputation with the public. Indeed, this area is in need of sustained financial and other investment, but the imperative of creating a complete working environment requires that reforms promoting monitoring and public awareness be started without any further delay.*

Within the framework of the project, the monitoring of technical and sanitary-hygienic conditions in buildings and workplaces of first instance courts of the aforementioned regions included observation and interviews with judges and court staff. The report on findings of the monitoring will be submitted to the UN and relevant European organizations, the Office of the President of Armenia, the National Assembly, the Government of Armenia, the OSCE Office in Yerevan, the Ministry of Justice, the Council of Court Chairmen, all the first instance courts of Armenia, local government and territorial administration bodies, human rights NGOs, and the mass media; public policy campaign will be carried out to solve short-term and long-term issues.

The survey and the monitoring were carried out from August to November by our organization, its branches, other participants of the Lusakert seminars and volunteers of our organization.

The staff of the courts in question have greatly facilitated the monitoring.

The main findings of the monitoring are:

- *In order to fully secure the fully-fledged operation of the judiciary, it is urgently necessary that all the required resources and capacity be allocated to the justice system. Functions of courts cannot be adequately performed due to a lack of proper working conditions. The description of courts is a determinant of the description of the state.*
- *The lack of physical facilities of courts in line with required standards and the absence of relevant infrastructure do not facilitate and, in most cases, obstruct the normal performance of courts and judges by creating difficulties in terms of administering justice and fully ensuring the rights of parties.*
- *All the judges and courts are overburdened, as a result of many main and secondary factors.*
- *There is no clear system ensuring safety of courts and judges; courtrooms are not either clearly separated by function or properly equipped. There is no safe space to store completed and pending case files.*
- *The courts are not equipped with either modern computer equipment (PCs, printers, copying machines) or communication tools (e-mail or telegraph).*
- *None of the court buildings are accommodated for handicapped persons, which is an obstacle to court transparency and the exercise of the human right to court access, while handicapped persons are also fully-fledged citizens of the Republic of Armenia.*
- *The sound performance and independence of courts are not fostered by the existence of other agencies in the same buildings with courts.*
- *The absence of auxiliary premises (such as a consultation room, a witness room or a room for the parties, a defendant room, a room for reviewing case materials, a library, a computer room, an archive, an evidence storage room, a closet, a canteen, a leisure room, the required number of WCs, a service personnel room, a security officers' room, etc.) do not facilitate sound court performance.*

- *Court buildings and courtrooms are not furnished with either relevant symbols of the state or information-purpose signboards, which does not enhance the reputation of courts.*

Our organization expresses its gratitude to the OSCE Office in Yerevan, namely First Secretary, Human Rights Officer Christine Mardirossian, the Polish Helsinki Foundation for Human Rights, namely President Marek Nowicki, staff member Zuzana Fialova, and others, for their financial and technical assistance in putting together the seminar and the project. We are also grateful to the Chairman of the Council of Court Chairmen of Armenia H. Danielyan for the initiative to create conditions necessary for studies under the project, as well as the Chairmen of the first instance courts in the three regions Mr. E. Manukyan, V. Nikolyan, and M. Asatryan, respectively, for their proactive support and facilitation during project implementation.

Our gratitude to Levon Nersissyan, the Director of the A. D. Sakharov Armenian Human Rights Foundation, for his co-input in studies in the three regions, as well as lawyers Artush Grigoryan, Manush Nalbandyan, and Yuri Petrossyan for their analysis, comments, and observations on the relevant legislation and normative acts, sociologist Armine Mkhitaryan for preparing the monitoring questionnaires, collecting information, studies and analyses, and members of our organization and volunteers Susanna Mkhitaryan, Ruzanna Avagyan, Narine Aramyan, Gayane Sarukhanyan, Armen Petrossyan, Gayane Harutyunyan, Karlen Kozmanov, and Lusine Toplaghatzyan for their contribution in all the stages of the project implementation.

# ***PRINCIPAL PART***

## **Section 1: CRITERIA RELATING TO JUSTICE AND PROTECTION OF HUMAN RIGHTS**

The Republic of Armenia has ratified a number of international treaties on human rights and freedoms, thereby incorporating the basic provisions of such treaties in its domestic legislation.

### **Constitution of the Republic of Armenia**

**Article 4:** *The State guarantees the protection of human rights and freedoms based on the Constitution and the laws, in accordance with the principles and norms of international law.*

**Article 16:** *Everyone is equal before the law and protected by the law without discrimination.*

**Article 38:** *Everyone has the right to defend his or her rights and freedoms by all means not forbidden by law. Everyone has the right to defend in court the rights and freedoms stipulated by the Constitution and the laws.*

**Article 39:** *Everyone has the right to restore any rights which may have been violated, as well as to a public hearing by an independent and impartial court in line with all criteria of fairness in equal conditions to determine the truthfulness of an allegation against his person (...).*

**Article 91:** *In the Republic of Armenia justice is administered only by courts in conformity with the Constitution and laws.*

These articles are consistent with Articles 7, 8, and 10 of the Universal Declaration of Human Rights, Paragraph 1 of Article 14 of the International Covenant on Civil and Political Rights, Paragraph 1 of Article 6 of the European Convention for the Protection of Human Rights and Fundamental Freedoms, and paragraph 5.16 of the Document of the Copenhagen Meeting of the Conference on the Human Dimension of the CSCE.

### **Universal Declaration of Human Rights**

**Article 7:** *All are equal before the law and are entitled without any discrimination to equal protection of the law. All are entitled to equal protection against any discrimination in violation of this Declaration and against any incitement to such discrimination.*

**Article 8:** *Everyone has the right to an effective remedy by the competent national tribunals for acts violating the fundamental rights granted him by the constitution or by law.*

**Article 10:** *Everyone is entitled in full equality to a fair and public hearing by an independent and impartial tribunal, in the determination of his rights and obligations and of any criminal charge against him.*

### **International Covenant on Civil and Political Rights**

#### **Article 14:**

*1. All persons shall be equal before the courts and tribunals. In the determination of any criminal charge against him, or of his rights and obligations in a suit at law, everyone shall be entitled to a fair and public hearing by a competent, independent and impartial tribunal established by law (...).*

### **European Convention for the Protection of Human Rights and Fundamental Freedoms**

#### **Article 6:**

*1. In the determination of his civil rights and obligations or of any criminal charge against him, everyone is entitled to a fair and public hearing without a reasonable time by an independent and impartial tribunal established by law (...).*

### **Document of the Copenhagen Meeting of the Conference on the Human Dimension of the CSCE**

**(5.16)** – *In the determination of any criminal charge against him, or of his rights and obligations in a suit at law, everyone will be entitled to a fair and public hearing by a competent, independent and impartial tribunal established by law.*

In adopting decisions, judgements, and rulings, judges are free to refer to norms of international legal acts, which, however, is rarely practiced in our courts. Nevertheless, Article 6 of the Constitution of the Republic of Armenia establishes:

**Article 6:** (...) Ratified international treaties are an integral part of the legal system of Armenia. If they contain norms other than those stipulated by laws, then the norms of the treaty shall prevail.

According to the Basic Principles on the Independence of the Judiciary adopted by the 7-th UN Congress that took place between August 26 and September 6 of 1985:

**Paragraph 7:** It is the duty of each Member State to provide adequate resources to enable the judiciary to properly perform its functions.

According to the Implementation Procedures of the Basic Principles on the Independence of the Judiciary approved by a resolution of the Economic and Social Council of the United Nations Organization:

**Procedure 1:** All the member states shall adopt and implement in their judicial systems the Basic Principles on the Independence of the Judiciary in line with their Constitutional process and domestic procedures.

**Procedure 5:** In implementing Basic Principles 8 and 12, the member states shall particularly focus on the need for allocating adequate resources for the activities of the judiciary, including the provision of a sufficient number of judges with required technical personnel and equipment, and personal security, remuneration and salary for judges.

**Procedure 6:** The member states shall support or encourage the implementation of national and regional seminars and training courses on public awareness concerning the importance of the role and independence of the judiciary.

## Section 2: GENERAL PREPARATION FOR MONITORING

In the preparatory stage for the monitoring, a monitoring task force was created and trained. The participants in the “Human Rights Monitoring and Reporting” seminar organized by the OSCE Office in Yerevan and the Polish Helsinki Foundation for Human Rights (S. Martirosyan, R. Khachikyan, Y. Petrossyan, A. Mkhitaryan) presented to the other members of the monitoring task force the knowledge, skills and capacity needed at various stages of the monitoring process. An expert group comprised of lawyers and sociologists was created, which carried out an analysis of relevant legislation and normative acts and prepared worksheets on monitoring techniques (see Annex). A court working conditions observation questionnaire and an approximate questionnaire for interviewing first instance court judges and court staff were prepared. In the three regions (Shirak, Gegharkunik and Syunik) meetings in the regional first instance courts took place, where the main purpose and primary tasks of the monitoring were presented to the court chairmen.

The OSCE Office in Yerevan has facilitated the correspondence with the Ministry of Justice of the Republic of Armenia and the Chairman of the Council of Court Chairmen of Armenia also to present the purpose of monitoring and to request support for the monitoring in first instance courts. All three of the first instance courts received a letter from H. Danielyan (the Chairman of the Council of Court Chairmen) requesting their support during the monitoring.

## Section 3: GENERAL INFORMATION (Shirak, Gegharkunik and Syunik)

The Republic of Armenia “Law on the Judiciary” adopted on June 18 of 1998 stipulates the following in regards to first instance courts of Armenia:

**Article 13: Definition of First Instance Courts and Their Distribution by Regions**

A first instance court considers the merits of all the cases on civil, economic, criminal, military and administrative violations, and in accordance with the law determines matters of detention, permitting a house search and restricting the right to correspondence, telephone conversation and confidentiality of postal, telegraphic and other messages.

A first instance court performs other functions as established by law. Seventeen first instance courts operate in the Republic of Armenia.

In every region of Armenia, there is one first instance court covering the administrative area of the region in question. In Yerevan, there are seven first instance courts, each covering the administrative area of one district community of Yerevan. First instance courts shall reside in the administrative area of the region (district community) they cover.

Below, one may find the observation findings with relevant comments and a comparative view of legislative requirements and the reality. A comparison was also drawn between domestic legislation and international law taking into account that rights guaranteed by domestic legislation should not be less than those guaranteed under the international law.

### ***Subsection 1: Gegharkunik Region First Instance Court***

As stipulated by law, the Gegharkunik region has one first instance court covering the administrative area of the Gegharkunik region. The seats of this court are located within the administrative area of the Region. These five seats are located in the cities of Gavar, Sevan, Chambarak, Vardenis and Martuni. Each of them cover an area of a 20-40 km radius. The Chairman of the First Instance Court of the Gegharkunik region resides in the City of Gavar, which is the administrative center of the region.

During the observation this first instance court was operating with a Court Chairman and seven judges: one judge in each of the five chambers, except for Gavar and Sevan (two judges in each Gavar and Sevan).

Below there is a description of the composition:

#	Name, Patronymic and Surname of Judge	Post	Seat
1	Vazgen Avetis Nikolyan	<b>Chairman</b>	City of <b>Gavar</b>
2	David Kim Balayan	Judge	City of <b>Gavar</b>
3	Samvel Gurgen Asatryan	Judge	City of <b>Sevan</b>
4	Manushak Yervand Hakobyan	Judge	City of <b>Sevan</b>
5	Alexander Albert Merangulyan	Judge	City of <b>Chambarak</b>
6	Anahit Hayk Saghatelyan	Judge	City of <b>Vardenis</b>
7	Sergey Dmitriy Chichoyan	Judge	City of <b>Martuni</b>

The workload of judges looks as follows:

The number of civil and criminal cases heard in 2000:

Seat	Criminal Cases	Civil Cases
Gavar	91	268
Sevan	72	133
Chambarak	119	156
Martuni	125	160
Vardenis	56	213
Total	463	930

First half of 2001:

Seat	Claims received	Number of judgements issued
Gavar	129	75
Sevan	58	58
Chambarak	77	57

Martuni	80	61
Vardenis	73	61
Total	417	312

According to Article 17 of the Republic of Armenia “Law on the Judiciary”, “Each first instance court judge may have one court session secretary and one assistant.

A court has a chief of staff, an accountant, an archivist and other staff members in numbers defined by the Government.”

The staffing of the Gegharkunik region first instance court is in line with the Government-defined requirements on staff.

The Gegharkunik region first instance court has the following staffing structure:

#	Staff units	Number of allowed units	Existing occupied units	Residences of the Gegharkunik region First Instance Court				
				GAVAR	SEVAN	CHAMBARAK	WARDENIS	MARTUNI
1.	Judge	7	7	2	2	1	1	1
2.	Court session secretary	7	7	2	2	1	1	1
3.	Assistant to judge	7	7	2	2	1	1	1
4.	Chief of staff	1	1	1	-	-	-	-
5.	Accountant	1	1	1	-	-	-	-
6.	Archivist	1	1	1	-	-	-	-
7.	Office manager	1	1	1	-	-	-	-
8.	Office secretary	5	5	1	1	1	1	1
9.	Cashier	0,5	0,5	0,5	-	-	-	-
10.	Courier	5	5	1	1	1	1	1
11.	Guard	5	5	1	1	1	1	1
12.	Maid	5	5	1	1	1	1	1

### ***Subsection 2: Shirak Region First Instance Court***

The Shirak region First Instance Court is located in the City of Gyumri at 264 Abovyan street in temporary wooden dwellings (“domiks”) located near the principal building hit by the 1988 earthquake. This first instance court has residences in the cities of Artik and Maralik and the villages of Akhuryan and Ashotzk of the Shirak region.

Until September 25 of 2001 the court had one chairman and nine judges; during the observation the court had 12 judges. The number of judges has increased due to two factors: the heavy workload and the accession to the Council of Europe, raising the need for enhanced compliance with European standards. All 12 judges are currently in office, and none of them are on sick leave or other vacation.

During 2000, the Shirak region First Instance Court heard 626 criminal cases regarding 721 persons, of which 591 were completed and 35 were left unfinished, thus being transferred to 2001. During the same period 1,877 civil suits were heard, of which 27 were left unfinished.

In the first half of 2001 the court has heard 346 criminal cases, of which 46 are pending, and 991 civil suits, of which 86 are pending. The court has issued verdicts in respect of 389 persons.

Each judge annually processes an average of 50-100 criminal cases and 250-400 civil suits. This wide-ranging workload of judges is due to intra-region particularities.

The staffing of the Shirak region first instance court is in line with the Government-defined requirements on staff.

### ***Subsection 3: Syunik Region First Instance Court***

The Syunik region First Instance Court is located in the City of Kapan at 4 Yerkatughiner street. The building of the court was constructed in 1970 and last renovated in 1990. This first instance court has seats in the cities of Kapan, Goris, Sisian and Meghri of the Syunik region. The court has one chairman and seven judges.

During 2000 the Syunik region First Instance Court heard 588 criminal cases producing 549 verdicts and 39 decisions. During the same period 1,380 civil suits were heard and resolved in different ways.

During the first half of 2001 the court has received 385 lawsuits.

Each judge annually processes an average of 60-80 criminal cases and 180-220 civil suits. This wide-ranging workload of judges is due to intra-region particularities.

The staffing of the Syunik region first instance court is in line with the Government-defined requirements on staff.

### **Section 4: WORKING CONDITIONS IN FIRST INSTANCE COURTS**

According to Article 29 of the Republic of Armenia “Law on Court Formation”, “Each court is funded from the national budget under a separate line of financing.”

According to Paragraph 2 of the Republic of Armenia Government Decree number 808 dated December 18 1998 “On Approving Staffing Limits of and Allotting Required Funding to First Instance and Appeals Courts of the Republic of Armenia”, the Ministry of Finance and Economy shall:

“Prioritize allocation of funding to the Ministry of Justice in 1999, if possible, to procure supplies and goods necessary for the operation of first instance and appellate courts and other expenditures of these courts.”

### **Subsection 1: Gegharkunik Region First Instance Court**

The building and the working, material and financial conditions of the First Instance Court in Gegharkunik are poor; this directly and indirectly affects the administration of justice.

All five of the court seats have buildings. The court buildings in Gavar, Vardenis and Chambarak were constructed in Soviet years to serve as courts. The Sevan court building was previously a kindergarten, and the Martuni court building used to serve the City Council.

The court buildings have either no signboards or old and poor-looking signboards dating back to Soviet times. The buildings do not carry the symbol of judicial power—the flag of the Republic of Armenia. Court buildings are not protected. The adjacent territories are ill-maintained. There is a lack of furniture in the courtrooms, which are also not heated. The courtrooms of the Gegharkunik region First Instance Court are practically not used (due to the lack of heating, poor maintenance, lack of furniture and other reasons). Most frequently judges have to try cases in their offices.

The Gegharkunik region First Instance Court still uses property inherited from the Soviet period. In each of the residences, there is one or two worn-out and outdated typing-machines; there are no computers, copying machines or faxes.

Due to the scarcity of resources the judges personally finance the maintenance and furnishing of their offices and leisure rooms, as well as postal delivery, copying services, procurement of necessary literature and office supplies, transport costs related to court sessions outside of the court building, and other costs.



According to the Republic of Armenia “Law on the Status of a Judge”:

**Article 21:** *Office of a Judge*

*A judge has a separate office room with furniture defined in a sample list approved by the Government. The office of a judge shall also have a domestic telephone line.*

*The national Emblem of the Republic of Armenia shall be present in the office of a judge, and the national flag of the Republic of Armenia shall rest near the judge’s desk.*

All the seats of the Gegharkunik region First Instance Court have one telephone line each burdened with huge debts. The only reason the telephone is not disconnected is the respect for the court and the judge. The judge in Vardenis uses the telephone line of the Court Enforcement Department, which is located on the first floor of the building.

All the judges have the national Emblem of the Republic of Armenia in their offices, but not the national flag of the country near their desks; instead, they have small flags of Armenia on their desks. According to the same Law:

**Article 31:** *The flag of the Republic of Armenia shall stand on the building of a court. The national Emblem and the flag of the Republic of Armenia shall be present in the courtrooms.*

Of the five residences of the Gegharkunik region First Instance Court, the only one bearing the symbol of judicial power (the flag of the Republic of Armenia) is the one in Martuni. Neither the national Emblem of the Republic of Armenia nor a judicial authority symbol (the flag of Armenia) existed in any of the courtrooms.

Court accessibility has not been ensured in the Gegharkunik region. People cannot always reach the closest first instance court seat by public transport. There is an insufficiency of public transport. For example:

***For a person living in the Kakhakn village of the Gegharkunik region to get to the closest first instance court seat (the one in Vardenis), he/she must take public transport, which is scheduled to run once a week, every Thursday, 10 a.m., running back to the village at 2 p.m. If the person does not find the judge or relevant court staff member in office, he/she would have to repeat the trip in a week, considering that it is impossible to telephone the court in advance and find out anything, since neither the court nor the visitor have telephones.***

In addition to this one should imagine also the poor social situation and insolvency of the public.

The sanitary condition of the court is also very poor. In the Gavar residence there is no restroom for visitors, while the staff restrooms are locked and have no water supply. The seats in Sevan and Martuni have one common restroom each, the one in Chambarak has none and the one in Vardenis has two restrooms without functioning sewerage.

There are not canteens in any of the court seats except for in Gavar.

No conditions have been designated for handicapped persons, even though the latter are also considered fully-fledged citizens of the Republic of Armenia.

Law libraries with relevant specialized literature do not exist in any of the seats. None of the seats have nearby booths selling newspapers or legal literature; telephone boxes do not exist either in the court buildings or in surrounding areas.

Enhancing the professional knowledge and training of judges is another vital issue. According to Paragraph 10 of the Basic Principles on the Independence of the Judiciary, “Persons selected for judicial office shall be individuals of integrity and ability with appropriate training or qualifications in law,” while Paragraph 9 of the Basic Principles on the Role of Attorneys stipulates that “Governments,

trade unions of attorneys and academic institutions provide for the proper qualification and training of attorneys and their awareness of professional ideals, ethical obligations, as well as human rights and fundamental freedoms under domestic and international law.”

We found out from interviews with judges that they wish to frequently participate in professional training courses and seminars conducted by international organizations on topics of judicial reform.

Legislative changes are not transmitted to the judges. Recently judges have received only some codes, notwithstanding that judges must always have access to legislation and sub-legislative acts.

According to Article 9 of the Republic of Armenia “Law on the Judiciary”, “Trials in courts of the Republic of Armenia shall be public (...).”

It is obligatory that the parties be informed of the dates of the hearing. Those interested in a pending trial may find out about the dates from the parties. During our studies in the seats of the Gegharkunik region First Instance Court we did not see any announcements on trials. This means that people interested in a trial will somehow find out about a trial and attend it, while “accidental” visitors would have to rely on the good will of the court staff to obtain information. In reality trials in Armenia are attended only by those interested in them; this is the practice.

There are no notice-boards in the seats of the Gegharkunik region First Instance Court. The only announcement was found in the Sevan seat stating the dates of the month when the judges host public visits. As for the Chambarak residence a worn out yellow paper was posted describing the rates of court duties.

In all the seats of the Gegharkunik region First Instance Court citizens may freely move inside the buildings. There are no safe or limited access zones in any of the seats. Entry to the court is guarded by police officers only in the Sevan residence; however, court visitors may freely move inside the building.

## **Overview of Gegharkunik Region First Instance Court Seats**

### **Gavar Seat**

Notwithstanding that the building of the Gegharkunik Region First Instance Court seat in Gavar underwent capital renovation in 1999, it still needs big investment. A signboard that reads “Kamo Region People’s Court of the Ministry of Justice of the Republic of Armenia” in Armenian and Russian still stands on the building, because it has not been updated. The court does not have sufficient furniture, office supplies or an office vehicle. The court building is shared with the passport department, the street police, the public notary office and the Office for Enforcement of Court Decisions. The right wing of the building is occupied by the police.

In the Gavar seat the courtroom for criminal cases is in a good shape. However, the courtroom does not have separate rooms for witnesses, the accused, the defense attorney or the public prosecutor. Inside the courtroom the trial area is not separated from the public area. In the trial area there is no special area for defense attorneys; the latter sit next to the public prosecutor facing the accused. There is a consultation room for the judge, which is furnished only with one chair. The consultation room does not have a restroom. The judge enters through the same door as the parties and the public. The route in which the judge moves is not isolated to exclude contacts with the public. There is no official door connecting the judge’s office with the courtroom. The courtroom is not heated, and due to the local climate, it is unusable for at least six months a year.

The Gavar seat is the only one with a courtroom for hearing civil suits. However, it lacks an appropriate structure and furniture. The hearing area is not separate from the public area. The courtroom has neither a judge consultation room nor rooms for witnesses; the courtroom does not have special areas for claimants and respondents, and no podium for witnesses. There is only one entrance shared by the judge and all the parties in a lawsuit. The judge, the parties and the public all sit on the same level. This courtroom is not heated either.

There is another courtroom in this seat, which has no furniture whatsoever and needs renovation.

### **Sevan Seat**

The Sevan seat of the Gegharkunik region First Instance Court is located in what was formerly a kindergarten building. It is the only court building guarded by the police services.

The Sevan seat has one courtroom. The benches designated for the public are in a poor condition. There is a locked gate separating the trial area from the public. There is also a stand for testifying individuals. The courtroom does not have a witness room. It has a room for the accused, which is not connected with the courtroom through a direct entry door. The courtroom does not have rooms for the defense attorney and the public prosecutor. In the trial area the defense attorney has a spot facing the public prosecutor with his/her back to the accused. The courtroom has a consultation room furnished only with one chair and no restroom. The judge enters the courtroom through the door in the trial area, which is shared with the accused. The public enters the courtroom from the public side of the courtroom immediately from outside. The route in which the judge moves is isolated from possible contacts with the public, because the public keeps entering and exiting the courtroom. The office of the judge is not connected with the courtroom with an official entry door. The courtroom is not heated and is therefore unusable for at least six months a year because of the local climate.

The courtroom looks unpleasant; the walls are painted in a disagreeable shade of blue.

### **Chambarak Seat**

The Chambarak seat of the Gegharkunik region First Instance Court is located in an old shaky one-storey building; it does not have a basement, is in a very poor condition and does not meet the legal requirements. During warfare, it was hit by the bombing. The working conditions are not favorable. The building does not have a signboard. The residence has only one courtroom that is more or less furnished. There is a locked gate separating the trial area from the public area. The court does not have rooms for witnesses, the accused, the defense attorney and the public prosecutor. There is a podium for testifying individuals. In the trial area the places of the defense attorney and the prosecutor are not separated. The courtroom does not have a consultation room, but the office of the judge is connected with the courtroom: therefore, the office of the judge is used as a consultation room. However, as it was mentioned, neither the office of the judge nor the whole residence have a restroom. The judge enters the courtroom through the trial area door (from his/her office), while the accused is brought in from the side of the public area using the same door as the public. The public simply walks into the courtroom from outside; the route in which the judge moves is isolated from possible contact with the public. The courtroom is not heated and is therefore unusable for at least six months a year because of the local climate. The paint on the walls of the courtroom has come off, and the wooden ceiling is bent. There is a fear that some day the ceiling will fall during a court hearing.

The seat does not have a storage for items used by the maid: the broom is stored on top of the sideboard to protect it from rodents.

## **Vardenis Seat**

The Vardenis seat of the Gegharkunik region First Instance Court is located in a two-storey building shared with the prosecution office and the Office for the Enforcement of Court Decisions. The building does not have any signboards. The Vardenis seat has only one courtroom. The benches designated for the public are not in a good shape. The trial area is not separated from the public area. The court does not have rooms for witnesses, the accused, the defense attorney and the public prosecutor. There is a podium for testifying individuals. In the trial area, the places of the defense attorney and the prosecutor are separated. The section designated for the accused is located under a window. The courtroom has a consultation room with neither any furniture nor a restroom. In general, the sewerage in the court is not functional. The judge enters the courtroom through the trial area door, through the consultation room. The accused is brought in from the side of the public area using the same door as the public. The route in which the judge moves is not isolated from possible contact with the public. The office of the judge is not connected with the courtroom. The courtroom is not heated and is therefore unusable for at least six months a year because of the local climate. The glass in the courtroom windows has been smashed.

## **Martuni Seat**

The Martuni seat of the Gegharkunik region First Instance Court is located in a two-storey building that was formerly used by the City Council. This building is now shared with the Office for the Enforcement of Court Decisions and the office of the Public Notary. The seat has got a signboard. It is the only seat with chairs for visitors to the office. There is one courtroom without necessary furniture. The trial area is not separated from the public area. The court does not have rooms for witnesses, the accused, the defense attorney and the public prosecutor. There is no consultation room. There is a podium for testifying individuals.

In the trial area the places of the defense attorney and the prosecutor are separated. The judge enters the courtroom through the same door as the parties and public. The accused is also brought in from the same door. The judge's route of movement is not isolated from possible contact with the public. The office of the judge is not connected with the courtroom. The courtroom is not heated and is therefore unusable for at least six months a year because of the local climate.

## **Subsection 2: Shirak Region First Instance Court**

The Shirak region First Instance Court is situated in the City of Gyumri.

The offices of all the judges are located in temporary wooden dwellings (“domiks”) or accommodated structures. These offices, except for the office of the Court Chairman, have no waiting rooms. The offices of judges serve as both courtrooms, offices for the judge, the assistant and the secretary, waiting rooms, and consultation and meeting rooms.

***One of the judges said he has the largest “waiting room” in the world and pointed at the front-yard of the court.***

The office of a judge is typically 12-24 sq. m, and after two new judges were appointed, the 12 sq. m offices were converted into 9 sq. m offices in which trials are conducted: here, the distance between a judge and the accused is often 1.5-2 meters. However, each judge has an office of his/her own.

The total number of telephones in the court, including the office telephones, is nine. The lines are periodically disconnected for reasons of non-payment; otherwise, the judges personally finance the payment of the bill. To avoid large bills the telephones in the court, except for that of the Chairman of the Court, are deprived of long-distance access, which complicates the day-to-day work. Current payments are very burdensome, and there is a large stock of unpaid telephone bills.

The court offices are located in an accommodated temporary dwelling of 60 sq. meters, comprising 4 rooms attached to one another in a corridor. Each time a visitor enters any of the four offices the work in the other three is disturbed. If we take into account that due to insufficient conditions the office also serves as an archive (iron safes are used only for pending cases, and all other cases are openly lying on shelves) and a storage room for evidence (also lying in the open), including seized drugs, it would be quite obvious what the situation is like here. Clearly,

***all of this could have any unexpected consequence or a psychological impact when one is in the same room with objects that belong to a deceased or stabbed person.***

Reception of citizens is in an extremely bad situation.

The office of the Office Manager is not separated, since it is one of the four pass-through rooms.

There is no centralized heating anywhere in the court, including the courtroom in the damaged principal building in danger of an emergency. During the winter, the court is heated using liquid fuel stoves, electric or gas-burning heaters.

Every judge is entitled to one court session secretary and one assistant, as well as one office secretary in each seat, of which only three have university degrees in law, while the others have university degrees in other areas, secondary vocational (not necessarily legal) or general secondary education.

With the exception of three judges, all the judges share their office space with the secretaries, which is extremely detrimental to the work process.

According to the payroll, the judge has one accountant and one cashier, guards in each of the seats, two couriers in Gyumri and one in each of the seats; couriers and maids are registered as a single staff member. From our discussions with couriers, it turned out they get no surplus payment or benefits for using public transport. Because of the chaotic mess in which the postal services and the addresses of temporary dwellings are in Gyumri and in other seats, they perform an immense task for which they are not reimbursed.

The court has an archive whose conditions inconsistent with standards anticipated in an institution like a court. As it was mentioned above, civil case files are kept “in the open”, and criminal case files are stored in the archive located in a 20 sq. m. damp room with an iron door, which is also used to store evidence and has rodents.

There is no separate area for evidence: objects seized during arrest are normally not brought to the court.

There is only one entry to the court equipped with an iron gate, which is shared by the staff of the court, visitors, the accused and accompanying persons. The larger courtroom is the only one with a 9 sq. m. cell for the accused and the accompanying persons surrounded with a metal cage.

The maximum distance between residential areas in the region and the courts is 10-15 kilometers; court sessions normally start at 11 a.m., and the transport routes and schedules are such that people can manage to reach the court in time. The closest public transport stops are 50-200 meters from the court buildings. The court has got neither any office vehicles of its own nor a parking area.

The court has an entrance signboard. There is a signboard adjacent to the entrance doors of every judge’s office specifying the name and the position of the judge. The principal building of the

Gyumri court was built in the beginning of the 20-th century; it is in emergency condition subject to reinforcement, because it is one of historic and cultural significance, and a part of the Kumayri reserve. The principal building uses only one accommodated semi-basement courtroom, which has not been either reinforced or renovated and is currently not heated. It was accommodated to serve as a courtroom at the initiative of the Chairman of the Court E. Manukyan. It has two entries, a lobby, a metal cage for the accused and 30 sitting places.

The buildings of the Artik, Ashotzk and Akhuryan courts meet the requirements of the Soviet Union, but are currently in an emergency situation, since they have not been renovated in the post-earthquake period.

No entries to courts or parts thereof have been accommodated to serve handicapped persons.

In the daytime the court building is not guarded; there is only a night guard. The court does not have any electronic devices for access.

There is no public entrance surveillance in the court; no documents are checked. Some staff members collect very basic information on people entering the court. Only two of the judges carry a numbered weapon. The court does not have a cloak-room.

There is no notice-board. To obtain necessary information visitors have to go to the office and request it from judges, assistants, secretaries and other visitors.

Since virtually all of the premises are in separate wooden dwellings and buildings, they either lack hallways or have very small ones. The only courtroom has a corridor stretching alongside the courtroom, which serves as a lobby, but has never been renovated. Because of being on the first floor, none of the structures have stairs. The court office, which comprises accommodated wooden dwellings on the second floor, has stairs made of concrete. There are neither chairs nor benches in the corridors; there are only two benches in the front-yard of the court. There is no water fountain in the premises.

The court has an old-fashioned toilet with a locked door used by court staff who are the only people with the key. The toilet does not have electric light inside.

There are no telephone machines, newspaper stands, law literature booths or a canteen in the court.

The court has four typing machines, two of which are electronic and two are mechanical. The court does not have either a computer or other office equipment. The only PC and copying machine are a personal contribution of the Court Chairman.

The court does not have a law library. The law literature in the offices of the judges is predominantly theirs.

The court practically does not have a courtroom. As it was mentioned, there is an accommodated area with a surface area of 70 sq. m. with 30 sitting places for visitors (wooden benches with four seats each). The distance between the rows is 80 cm; the procedure area is only conditionally separated from the rest of the area. There is an iron cage (6 sq. m.), floors made of concrete and the windows face the lobby/corridor. The courtroom does not have an announcement board with information on pending cases and time-tables. The courtroom is lit with electricity, because it is a semi-basement area with no windows facing sunlight. The only room adjacent to the courtroom is the room of the accused. The offices of the relevant judges serve as consultation rooms.

The sessions do not necessarily start as scheduled.

The minutes of sessions are taken by the session secretary. Only three of the 12 secretaries have university law degree, and most of the text is spelled out by the chairing judge. Audio-recording of sessions is practiced if so decided by the court with the consent of the parties.

Neither the court building nor the courtroom bear national symbols (the flag or the Emblem). Desktop flags and Emblems exist in the offices of judges, which often serve as courtrooms.

The court has no fire safety systems even though the aforementioned forms of heating and the general conditions in the court are very likely to incidentally cause a fire.

### **Subsection 3: Syunik Region First Instance Court**

The Syunik region First Instance Court is located in a public administration building in the City of Kapan shared with the city police department. The regional prosecution office was recently removed of the same building and the vacated premises were given to the court.

The Sisian and Goris seats also share their buildings with local police departments; these seats take up a part of the third floor of a three-storey building. In Meghri the seat comprises two rooms in an administrative building, while the sessions for this seat are conducted in Kapan.

The surface area of the office of the Court Chairman is 36 sq. m., the waiting room is 18 sq. m., and the leisure room is 18 sq. m. Offices of judges are typically 18-20 sq. m. and their waiting rooms are about 8 sq. m.

The office space of judges in the Goris and Sisian seats is 17-18 sq. m. and the waiting rooms are about 8-9 sq. m.

In the Sisian seat the judge's leisure room is about 10 sq. m., while the one in Goris is 8.1 sq. m.

There are offices for the judges' assistants and court session secretaries, which are shared by 2-3 persons.

The court Office Manager has a separate office of 12 sq. m., which is not designated in Goris and Sisian.

The court has got small and large courtrooms. The large courtroom has 310 sitting places, and the smaller one has 160.

The Goris and Sisian seats do not have large courtrooms; there is only one courtroom in Sisian (about 26 sq. m.) and one in Goris (48.7 sq. m. about 60 sitting places).

Because the court and the seats share their buildings with the police departments, there are guards to ensure round-the-clock superintendence of the court building.

An area has been designated to receive visitors, but none for defense attorneys and prosecutors.

A special cell for the accused has not been designated, but the pre-trial detention cell (12 sq. m.) of the police station located in the same building is used. The same practice was found in the Goris and Sisian seats.

No canteens have been designated either in the court or in its seats.

The court does not have a law library per se, but the judges have the necessary minimum amount of literature in their offices, which they actually buy with their own money. There is a dire need for literature. For the future there is a plan to create a library in the area vacated by the prosecution office.

The court has an entrance signboard, but the seats do not. There is a signboard adjacent to the entrance doors of every judge's office, specifying the name and the position of the judge. No entries to courts or parts thereof have been accommodated to serve handicapped persons.

The court does not have a cloak-room.

There is an announcement board, but the posted announcements are outdated. To obtain necessary information visitors have to go to the office and request it from judges, assistants, secretaries and other visitors.

The courtrooms have a principal entrance and an entrance from the consultation room.

All the courtrooms have consultation rooms (10 sq. m. each). They have separate entrance doors connecting them to the courtrooms, and the judges do not come into contact with visitors. The consultation rooms lack sewerage. There is a separate toilet only for the Court Chairman, and the toilet in the court is designated for common use.

The court does not have either a computer or other equipment.

An archive area is designated for pending and completed cases.

The court does not have any vehicles of its own, notwithstanding that judges often have to travel to seats where cases are heard.

*More detailed information on the working conditions in the Gegharkunik, Shirak and Syunik first instance courts and their residences, as well as a comparative overview on the background of intergovernmental rules and standards on court design and construction in CIS countries can be found in the annex to the Monitoring Report.*

## Section 5: SUMMARY

The Republic of Armenia has chosen the path of democratic development and construction of a state based on the rule of law, therefore making judicial reforms an important priority for the country.

Political, economic and legislative reforms have increased the role and importance of the judiciary in the public, especially in the area of human rights protection, because courts are the main institutions ensuring the rule of law and human rights protection. Legislative reforms have provided broad opportunities to persons and entities to apply for judicial protection if their rights are violated.

According to the law, first instance courts hear cases on any civil, economic, criminal, military and administrative violations, they authorize detention and a house search, restrict the right to correspondence, telephone conversation and confidentiality of postal, telegraphic and other messages, as established by law (recently, first instance economic courts were created and now economic cases are heard by these courts).

Considering the large number and diversity of cases heard by first instance courts, as well as the fact that first instance courts have a one-judge panel according to the law, it is obvious how heavy the workload of first instance court judges is.

Hence, it is very important what working conditions the judges work in and what equipment the court has.

The noncompliance of the court buildings with the accepted standards and the lack of infrastructure often create impediments to the normal operation of judges and courts, which complicates the administration of justice. In turn, this has a direct impact on protecting the rights of the parties.

All the judges and courts are overburdened with work, due to a number of fundamental and secondary reasons.

There is no clear system of court and judge security; none of the buildings have electronic access control devices. The buildings are not adequately guarded; courtrooms are not either clearly separated by function or equipped. There are no safe facilities in which to store completed and pending cases. None of the court have office vehicles, which are needed both for court hearings in different seats throughout the Marzes and for security concerns about judges. There are no fire safety systems.



The courts do not have either modern computers, printers or copying machines, or communication tools (electronic links and teletype). Courts need computers, other office equipment and communication devices necessary to implement the variety of court actions stipulated by law (such as proper notice to the parties about the date, time and place of hearings, or mailing court decisions to the parties within a certain period of time, as well as a number of other measures). Technical reasons alone (such as not ensuring timely delivery of notice or a copy of the decision to one of the parties) may deprive a party of its lawful right to appeal the decision in a higher instance court: this could be considered a violation of the human right to a fair trial.

None of the court buildings is in any way accommodated for the handicapped, which is an obstacle to guaranteeing the publicity and accessibility of courts, notwithstanding that the handicapped are fully-fledged citizens of the Republic of Armenia.

Court activities and independence are not facilitated by the fact that courts are at times located in the same buildings with other agencies (public notaries, law firms, passport departments, police stations, prosecutor's offices, art schools, offices for the enforcement of court decisions, etc.).

Moreover, court activities are hindered by the absence of auxiliary premises such as consultation rooms, witness rooms or rooms for the parties, rooms for defendants, rooms where one can study case files, computer rooms, archives, evidence storage rooms, cloak-rooms, canteens, leisure rooms, an adequate number of WCs, service personnel rooms, rooms for security personnel, and the like.

Court buildings and courtrooms are not equipped with relevant symbols of the state, such as flags or state Emblem. There are no boards or signs for announcements or other information, as the existing ones are outdated.

The conditions in which auxiliary personnel works are not in line with the standards; most of this personnel do not have professional education, which obstructs proper performance.

#### Section 6: RECOMMENDATIONS

The monitoring of the working conditions in the first instance courts of Shirak, Gegharkunik and Syunik regions showed that the independence of the judicial process does not benefit from the indigence and technologic imperfection of the courts and the judicial process, the ever-present violation of elementary sanitary-hygienic and technical norms, and the massive professional unawareness of support staff in the judicial process. Consequently, this leads to massive violations of human rights.

Taking this into account, the A. D. Sakharov Armenian Human Rights Foundation recommends to the legislative, executive and judicial authorities of the Republic of Armenia:

1. To follow up and make sure that new first instance court buildings are constructed in Gyumri, Gavar and Kapan, and that the buildings of virtually all the seats in the Shirak, Gegharkunik and Syunik regions be renovated or fundamentally repaired;
2. To develop and approve technical standards on construction and furnishing of model buildings of first instance courts. The basis for these standards should be the intergovernmental rules of building design and construction for first instance courts in the CIS countries and the Court Building Design Manual of the Republic of Armenia (Ministry of Justice, Council of Court Chairmen of Armenia);

3. To develop and deliver to first instance courts instructions on how to install the right furniture in courtrooms; to cooperate with international development partners to obtain funding needed to install furniture in the courtrooms;
4. To review and approve a model staff list for first instance courts and their seats;
5. To develop and approve model budget structures and per line allocations of first instance courts, and to define sources of funding for the expenditures contained in model budgets of first instance courts and seats;
6. To determine a communication system for information sharing between the first instance courts, their seats and law enforcement offices in the Shirak, Gegharkunik and Syunik regions; To develop and submit to the Government of Armenia for approval proposals on timely delivery of court decisions to the parties in first instance courts of the Shirak, Gegharkunik and Syunik regions (Ministry of Justice, Ministry of Communication and Transport);
7. To develop and approve a list of domestic and international law related literature necessary for professional libraries of first instance courts; create a system to update the legislation and sub-legislative acts of professional libraries within a reasonable period of time;
8. To develop and introduce manuals governing the activities of staff in first instance courts and their seats with the exception of judges; (Ministry of Justice);
9. To perform a professional test of first instance court staff with the exception of judges to determine professional suitability (Ministry of Justice); to develop a system of long-term and continuous training and testing, seminars and courses to enhance the professional knowledge of judges and court staff;  
In training first instance court staff to focus specifically on rules of conduct in dealing with the public, case management and archiving, minuting and other job-related particularities;
10. To organize permanent professional enhancement courses for special support staff in first instance courts and their seats, including the police officers and the military in order to ensure security in the whole judicial process (Ministry of Justice, Ministry of Interior, Ministry of Defense);
11. To create conditions for the security of courts and judges and to provide vehicles to first instance judges;
12. To develop a comprehensive plan to furnish first instance courts with modern computer equipment;
13. To follow up on precluding the presence of other organizations and agencies in the same buildings as the courts;
14. To discuss optimization of relevant legislation and sub-legislative acts with the Standing Committee of the National Assembly on State and Legal Affairs and with the Government;
15. To consider increasing the salaries of judges and court staff as a realistic guarantee for independence of judges and the rule of law;
16. To make court buildings accessible for the handicapped; and
17. To ensure the presence of relevant national symbols and information on court activities.

In order to implement these recommendations, we find it necessary to suggest that the Ministry of Justice use the findings of the monitoring and work with relevant international organizations to

jointly develop a number of projects to harmonize the technical situation in our judiciary with international standards.

The A. D. Sakharov Armenian Human Rights Foundation expresses its willingness to cooperate in this and other initiatives targeted at enhancing the working conditions in first instance courts.

Our organization will carry out public policy awareness on the need to improve working conditions in first instance courts and carry out periodic monitoring in other areas of judicial activities.

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7. Basic Principles on the Role of Attorneys, adopted by the 8-th UN Congress, Havana, August 27-September 7, 1990
8. Constitution of the Republic of Armenia
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## *Questionnaire for Judges In the First Instance Court of the Shirak Region*

1. How many criminal cases and civil suits do you have to hear annually? What is the monthly average?
  - ✓ Annually, it is about 70 criminal cases and 250-300 civil suits; about 5-6 criminal cases and 20-25 civil suits per month.
  - ✓ Annually, the court I am the chairman of hears 50-60 criminal cases, and about 4-5 per month; as for civil suits 150-200 per annum and 15-20 per month.
  - ✓ Annually, I hear about 70 criminal cases and 250-300 civil suits.
  - ✓ An annual of 300 civil suits and 70 criminal cases, which makes it 25 civil suits and 6 criminal cases a month.
  - ✓ An annual of 60 criminal cases and 150 civil suits.
  - ✓ An annual of about 100 criminal cases and 400 civil suits.
  
2. What additional property does the Court need? What quantity?
  - ✓ The court needs office equipment. The quantity is determined by the number of judges.
  - ✓ Every court first of all needs well-equipped offices and a courtroom, which the Shirak region First Instance Court currently does not have.
  - ✓ We cannot think of additional property yet, since we do not have any basic property.
  - ✓ The Shirak region First Instance Court does not have vital property; overall, there is a dire need for a desktop computer.
  - ✓ The court needs a building, offices and computers for the staff to work more efficiently than they do now.
  - ✓ We could think of additional property only if we had the necessary property.
  
3. What additional equipment does the Court need?
  - ✓ Since the court does not have any equipment at all, it is difficult to say what “additional” equipment is necessary.
  - ✓ The court needs computers, a fax machine, printers, copying machines and communication devices.
  - ✓ A computer and other accessories.
  - ✓ Modern equipment related to court activities.
  - ✓ Computer equipment.
  - ✓ The court does not have any equipment, therefore it is pointless to speak of “additional” equipment.
  
4. What access do judges have to necessary professional literature? Do you have the necessary literature in your office or is it only in the library? If it is in your office, then how many judges are using it?
  - ✓ The judges mostly obtain necessary literature with their own private resources. I have the basic literature in my office. The other judges and I share our literature.
  - ✓ Every judge has the basic law literature in his/her office. The court does not have a library.
  - ✓ There is no professional library in the court. I use my personal library.
  - ✓ There is some amount of professional literature. There is a professional library and there is a need for such literature.
  - ✓ Comments on legislation and a relevant professional library are needed.
  - ✓ I personally have the necessary literature.
  
5. In your opinion, what required professional literature does your library lack?
  - ✓ There are no professional journals, especially Russian ones.
  - ✓ The court does not have a library.
  - ✓ On all branches of law.
  - ✓ Laws, sub-legislative acts, comments and literature on case law.
  - ✓ The court has no professional library at all. Nevertheless, the court needs one.
  - ✓ I have the necessary literature for my work.
  
6. Do you have access to a computer?
  - ✓ No, because there are no computers.
  - ✓ I still do not have computer skills, but my assistant does have access to a computer.
  - ✓ We do not have a computer, even though it is extremely necessary.
  - ✓ There is no computer.
  - ✓ No, we do not.
  - ✓ I do not have a personal computer.
  
7. When was the last time you attended a professional training course?
  - ✓ I do not attend special professional training courses, but I often participate in various seminars, which are rather useful.
  - ✓ In the first quarter of 2001.
  - ✓ I cannot recall.

- ✓ A month ago.
  - ✓ It was in June of 2001.
  - ✓ April of 2001.
8. What is your opinion of the training course?
- ✓ As I mentioned, the seminars are useful.
  - ✓ The training is satisfactory.
  - ✓ Difficulty answering.
  - ✓ I think that training courses are absolutely necessary.
  - ✓ The course was efficient, but there should be on-the-job training in the regions.
  - ✓ The courses are very necessary, and they should be organized more frequently.
9. What topics were discussed?
- ✓ Topics related to civil and criminal law, various institutes related to procedure and the activities of the European Court.
  - ✓ Civil law.
  - ✓ Not available.
  - ✓ Topics related to overcoming difficulties in current activities, amendments to legislation and administrative issues.
  - ✓ A number of issues on criminal and civil legislation.
  - ✓ Multiple issues on substantial and procedural law, as well as the adherence of our judiciary to the Council of Europe.
10. Do you think you need to know the international acts of law?
- ✓ I think it is mandatory.
  - ✓ In the current democratic system, it is extremely necessary, especially if we take into account the judicial reforms and the international relations.
  - ✓ Of course, it is necessary.
  - ✓ It is necessary.
  - ✓ Knowledge of international acts of law is necessary in our judiciary.
  - ✓ It is extremely important because we are getting involved with the European Court.
11. What salary do you think your work merits?
- ✓ I think that currently, a judge should receive the dram equivalent of US \$3,000.
  - ✓ A salary consistent with the work and status of a judge, to secure an average standard of living.
  - ✓ The dram equivalent of up to US \$3,000.
  - ✓ Consistent with the work load and the realistic needs, in order to attain an average standard of living.
  - ✓ If we were to evaluate our work in European standards, we would need 1.5 million drams to do the job more efficiently.
  - ✓ It is a very difficult work and the salary should be very high; however, because of the financial situation in our country, it is impossible to give an answer to this question.
12. What should be the salary of support staff?
- ✓ No less than 150,000 drams.
  - ✓ The same point I made in relation to judges.
  - ✓ The dram equivalent of up to US \$500.
  - ✓ The same point I made in relation to judges.
  - ✓ The salary of support staff should become consistent with the average consumer basket and the difficult situation in which people find themselves in the current market economy.
  - ✓ It should be high.
13. What do you think could be changed without major financial investment?
- ✓ Fundamental reforms in the legal field, which would make the judges fully independent from the executive. However, without an increased salary, judges cannot become fully independent.
  - ✓ Improved heating for the courts, communication means (first of all, telephone lines), and lighting (electricity).
  - ✓ Property and literature for the court.
  - ✓ I think it is impossible.
  - ✓ Not available.
  - ✓ Nothing.

**Thank you for cooperation!**

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Name, Patronymic, and Surname of Shirak Region First Instance Court Judge

