

QUESTIONNAIRE
ON THE IMPACT OF COVID-19 ON RULE OF LAW AND JUDICIAL
ACTIVITY

**REPLIES OF THE ASSOCIATION OF JUDGES OF THE REPUBLIC OF
ARMENIA**

1. What are the main problems the Judiciary experienced at a general level in your country as a consequence of the legal reforms approved in order to cope with the COVID-19 pandemic? **In general the Judiciary hasn't experienced such problems. Taking into account the difficult pandemic situation both in the world and in our country, the Judiciary is taking all possible measures to carry out its activities uninterruptedly, and ensuring the possibility of unimpeded realization of such fundamental rights as judicial protection of a person and a fair trial, which are guaranteed by the Constitution.**

2. Did the legal reforms approved in your country in order to cope with the COVID-19 pandemic affect Rule of Law and Human Rights principles? If any, pls. enumerate them. **No, in the case of any legal decision (legal measures), the principles of the Rule of Law and Human Rights have been strictly observed.**

3. As to the judicial organisation of your country, what impact had the legal reforms approved in order to cope with the COVID-19 pandemic? More specifically, what were their effects on the powers of the Minister of Justice, Council for Judiciary, Heads of Courts, Heads of Prosecution Services, Judges, Prosecutors, Court Administrators, Court Managers? **As such, the legal decisions (legal measures) did not provide for changes in the powers of the above-mentioned persons.**

4. As far as Court activity, Court proceedings and trials are concerned, what was the impact of legal measures adopted? Pls. provide relevant information distinguishing between civil, criminal and administrative cases. **Based on the decision of the Supreme Judicial Council, the courts of civil and administrative cases were provided with technical means to provide video communication, as a result of which it has become possible to conduct civil and administrative cases (court hearings) online with the consent of the trial participants. Naturally, this decision had a positive effect, as it ensured the normal process of the court proceedings. As for criminal cases, the law does not provide for online proceedings. However, in such criminal cases, that are subject to immediate investigation, the hearings were held without delay.**

5. Did “urgent” cases receive a different treatment and in this framework was a special legal definition or specification of “urgency” introduced for Court proceedings and trials? **As such, no special legal definition has been envisaged during the pandemic situation for "urgent" cases, but in any case urgent cases are being considered without unnecessary delays.**

6. Did the amount of money and, more generally, the value at stake in the case play a role in the treatment of it? **No, it doesn't play a role.**

7. As far as criminal cases are concerned, did cases concerning arrested defendants receive a different treatment? **Connected with COVID-19, there is a common approach, according to which the cases in which there are arrested defendants in risk groups, and the acts incriminated to the accused are not so serious, the issue of alternative precautionary measures is discussed. In many such cases, the precautionary measures are changed and the arrested defendants are released.**

8. What was the impact of such legal reforms on legal deadlines and procedural timeframes? **Legal reforms (legal measures) did not provide for changes in the legal deadlines and procedural timeframes.**

9. What is the role played in your country by IT, e-filing, smart and remote working in the management of cases as an effect of legal measures approved in order to cope with the COVID-19 pandemic? To what extent these measures are applicable also to the activity of Public Prosecutors? **Based on the decision of the Supreme Judicial Council, the document circulation in the courts is carried out electronically. The documents are sent and received by e-mail. Interested parties are also able to get acquainted with the case materials electronically. The decisions of the Supreme Judicial Council are not applicable to the prosecutors, but they have their own internal legal decisions, according to which electronic circulation of documents is allowed in this pandemic situation.**

10. What is the role played by your Association in the drafting of such legal reforms? Was your Association consulted by the Government before adoption of the aforesaid measures? **Our Association didn't participate in the drafting of such legal measures.**

11. Did the Government consult the High Council for the Judiciary and/or other judicial institutional instances or representatives before adoption of the aforesaid measures? **All of the aforementioned measures have been adopted by the Supreme Judicial Council of course, taking into account the fact that they should not contradict the decisions of the Government.**

12. What is the attitude of Bar Associations and Lawyers vis-à-vis such legal reforms? **Their attitude is positive.**