

Cross-Regional Court Performance Assessment – Country Report

📍 Armenia



European Bank
for Reconstruction and Development

大成 DENTONS



Key findings

Macro Data

Eastern Europe and the Caucasus¹

EBRD region of operation

2,790,974 (2021)²

Population size

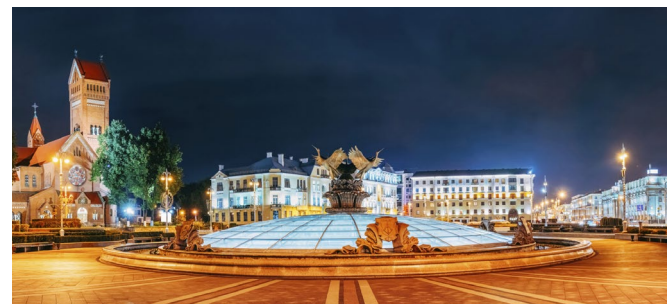
28,470.0³

Land area (sq.km.)

4,966.5 (2021)⁴

GDP per capita in USD

Armenia has close to average scores for the majority of MLAT indicators. Armenia's scores are relatively lower than average for Dimension 1. Policies and Infrastructure for E-justice, indicating that some key foundational capabilities for ODR are not well developed and need additional focused efforts. Armenia's scores are slightly higher than average for Dimension 4. Small Claims Procedures.



In terms of **Policies and Infrastructure for E-justice**, the legislative framework and infrastructure for digitizing court processes are generally available in Armenia but are not being used in practice by courts and court users. There are several different CMSs operating in the jurisdiction, but work is underway to build a unified one. Official information about the justice system is only partially available online. Like many other jurisdictions, Armenia has low scores for the indicator on stakeholder engagement.

Regarding **Commercial Dispute Resolution**, Armenia achieves close to average scores compared to other EBRD CoOs. In Armenia, there are no commercial courts or divisions (with the exception of a specialised insolvency court), and there are no modifications to the general procedural rules regarding commercial cases. The inception and continuous training for judges in commercial law is well developed. Although mediation procedures are relatively well developed, there are some opportunities for improvement (e.g., development of online solutions for out-of-court settlement). In Armenia, key statistics on the effectiveness and efficiency of commercial litigation are not publicly available.

Armenia has slightly higher than average scores for **Uncontested Procedures for Enforcing a Claim** due mainly to the ease of filing of claims. The order for payment procedure in the country was reformed in 2021 with the introduction of an online system for e-filing and examining these requests. Even though the use of electronic filing is growing, many applications are still filed on paper. Given that the vast majority of users of this procedure are mass claimants, it can be expected that the use of electronic filing will grow further. Like most examined jurisdictions, Armenia could further improve the linkages between the order for payment and the litigious case following a statement of opposition.

¹ See <https://www.ebrd.com/where-we-are.html>

² See <https://data.worldbank.org/country/armenia>.

³ See <https://data.worldbank.org/indicator/AG.LND.TOTL.K2?locations=AM>.

⁴ See <https://data.worldbank.org/country/armenia?view=chart>.

Armenia's scores in the **Small Claims Procedures** dimension are lower than the average score of 2 but still slightly higher than the average scores of all examined jurisdictions. There are two small claims procedures in Armenia, namely the simplified procedure and the expedited (accelerated) one. E-filing for small claims is allowed but is not possible due to the lack of adequate IT infrastructure. While Armenia's small claims procedures are quite swift, they differ significantly from the conventional approach to small claims in that the procedures do not allow for the collection of evidence and therefore evolve in a way very similar to non-litigious procedures. The procedures can develop fully in writing without holding any hearings whatsoever.

Overall, Armenia has an average level of readiness for the introduction of ODR. While, due to its lack of specialisation, commercial litigation would not at this point be a good candidate for ODR-related projects, the order for payment and the small claims procedures appear to have a higher level of readiness for such an endeavour. Further efforts would be necessary to enhance the actual use of e-justice systems and online court tools.



Questionnaire

No.	Indicator Component	Score	Justification for the scoring and sources
Dimension 1. Policies and Infrastructure for E-Justice			
	Link to the strategy that covers e-justice (if any) and time-period of the strategy.		2019-2023 strategy for Judicial and Legal Reforms ⁵ , which has a separate Action Plan on setting up a unified e-justice system and ensuring accessibility of electronic databases and updating thereof ⁶ .
	Which body is responsible for digitization of the judiciary?		<p>The Supreme Judicial Council and the Ministry of Justice.</p> <p>Specifically, the Ministry of Justice is responsible for:</p> <ol style="list-style-type: none"> 1) introducing e-governance systems in the justice sector and ensuring efficient functioning thereof 2) assist Government to conduct the e-justice policy⁷. <p>Generally, the MOJ elaborates legislative drafts on introducing tools for e-justice and conducts activities to introduce e-systems.</p> <p>For example, the MOJ engages experts to design and process e-systems, launch the system. (As per action plan- MOJ is responsible to introduce and put into operation the e-bankruptcy, e-notary, e-justice and other platforms).</p> <p>All these actions should be done with the Supreme Judicial Council's consent.</p> <p>Supreme Judicial Council also has the authority to order a system, test it and launch it. As nowadays they are doing for a new case allocation system.</p> <p>The responsibilities of the MOJ are clearly defined whereas the ones of SJC are defined in very general terms and delineation is not perfectly clear. They work in coordination.</p>

⁵ https://www.moj.am/storage/files/legal_acts/legal_acts_687232420741_Strategy_26_08_2019_ENG.pdf.

⁶ https://www.moj.am/storage/uploads/Action_Plan_E-Justice.pdf.

⁷ [Statute of the Ministry of Justice, para 24, 24.1./ https://www.moj.am/en/page/statute.](#)

No.	Indicator Component	Score	Justification for the scoring and sources
	Which body is responsible for digitization in public administration?		<p>The Ministry of High-Tech Industry.</p> <p>The Ministry is responsible for developing and implementing policies in the fields of communication, information, and technology, digital security, e-services, as well as developing and coordinating digitalisation processes, promoting digital economy, etc., according to the Law on the Structure and Activities of the Government (para 16).</p>
	Is there a formal coordination mechanism for digitization projects in the judiciary and public administration? What is it?		<p>There is no formal coordination mechanism for digitization projects in the judiciary.</p> <p>As regards public administration, in 2019 a Digitization Council was formed⁸, which is responsible for ensuring digitization in public administration and economy, promotion of digitization processes, harmonization of digitization policies, coordination of cooperation with international organizations, etc⁹.</p>
	Does the Case Management System of the courts allow for auto-generation of parts of the judicial acts?		<p>Only the Case management system for the order for payments (Armllex) allows for auto-generation of parts of the judicial acts.</p>
	Can judges work remotely by accessing the Case Management System of the courts from a distance?		<p>No, it is not possible to do it outside the courts.</p>

⁸ [https://www.primeminister.am/en/press-release/item/2021/08/18/Nikol-Pashinyan-meeting/.](https://www.primeminister.am/en/press-release/item/2021/08/18/Nikol-Pashinyan-meeting/)

⁹ <https://www.arlis.am/DocumentView.aspx?docid=135538> Decision of the Prime-Minister on formation of Digitization Council, para 5.

No.	Indicator Component	Score	Justification for the scoring and sources
Indicator 1.1. Level of Development of E-governance and E-infrastructure			
1.1.1.	Level of internet penetration	2	77% ¹⁰
1.1.2.	Level of development of electronic signatures	2	<p>The Law “On electronic document and electronic signature” regulates electronic signatures. The main steps for a natural person to get an e-signature are the followings:</p> <ul style="list-style-type: none"> - getting an ID card, - getting an ID card reader, - installing necessary programs from the website, - activating codes for the ID card, - paying the state fee (3000 AMD), - registering in the Personal account of EKENG CJSC, - apply e-signature to the SRC and a number of other electronic systems. <p>E-signatures are widely used between state bodies based on the Government’s decision¹¹. Moreover, in some spheres necessary infrastructures exist to ensure citizens’ interaction with state bodies using e-signatures, too. For example, if a person has an electronic signature, he/she can apply for issuing an order for payment electronically.</p> <p>A person can register business online (e-register.am), register real property (e-cadastr.am), apply for license, send a request to a state agency (e-request.am), etc.</p> <p>The usage of these tools is growing daily in Armenia. Nevertheless, citizens do not regularly and widely use e-signatures and electronic means of interaction.</p> <p>Apparently, according to Digital Strategy , only 15 % of the population uses electronic governance platforms (mainly for getting information).</p>

¹⁰ https://data.worldbank.org/indicator/IT.NET.USER.ZS?locations=AM&most_recent_year_desc=true, most recent data is for 2019- 66.54 %

¹¹ <https://www.arlis.am/DocumentView.aspx?DocID=119245>.

No.	Indicator Component	Score	Justification for the scoring and sources
1.1.3.	Level of development of electronic documents	2	<p>The Law “On electronic document and electronic signature” regulates electronic documents.</p> <p>Electronic document is defined as - data registered by electronic method on the material carrier, ratified by the electronic digital signature. The electronic document is created, processed and stored with use of technical means of information systems and information technologies.</p> <p>Different infrastructures exist (as mentioned above) to ensure the possibility of interacting with state bodies through electronic documents.</p> <p>Nevertheless, such documents are rarely used in interactions with governmental or judicial bodies (this problem is also highlighted in Digital strategy).</p>
1.1.4.	Level of development of national electronic identification	3	<p>The law on ID cards uses the following definitions:</p> <p>the ID card – the identity document of the citizen of the Republic of Armenia (further – the citizen) and citizenship of the Republic of Armenia which is provided for use in the territory of the Republic of Armenia,</p> <p>the electronic database – structural technical part of the ID card which contains the data of the citizen provided by this Law providing data protection the individual cryptographic keys characteristic of the map, the digital signature and certificates for identification, e-mail (article 2).</p> <p>The IDs can be used to access administrative and other services.</p> <p>However, the usage is not widespread.</p> <p>As noted in Digital Strategy, only 3 % of the population used IDs to conclude electronic agreements.</p>

¹² <https://www.arlis.am/DocumentView.aspx?docID=149957>, adopted in 2021.

No.	Indicator Component	Score	Justification for the scoring and sources
1.1.5.	Level of online access to administrative services	3	<p>The state provides interactive online access to administrative services, such as:</p> <ol style="list-style-type: none"> 1) In particular e-request.am is a domain designed to help the stakeholders get answers to their questions on public services and send a complaint or a suggestion to improve the quality of public services. It is possible to: <ol style="list-style-type: none"> a) submit an online request, complaint or application, b) track the application, request or complaint process, select the method of notification of the response (e-mail, through the site, paper version), c) answer the question presented on the site and generate statistics based on the content and timing of responses, thereby contributing to the accountability and quality of state bodies. 2) e-register.am enables to register an entity in minutes - using the one stop shop principle. It also allows users to view information on registered entities. It is possible to do electronic registration, submit application electronically, track application, obtain information on entities. 3) e-cadastr.am enables the registration of real property. It is possible to submit an application and to track it. 4) e-payment for making online payments for the state fees, local duties, administrative penalties or services provided state or local bodies. Payment is possible via ArCa or Master credit cards, as well as via ArCa virtual card. 5) applying for license (e-gov.am). This system can be used to submit an application for performing different actions related to license (to obtain, restate, void or terminate a license, etc.). It is possible to apply online and track the application. The original license can be obtained by visiting the relevant state body. 6) electronic tax filing (file-online.taxservice.am)- This tool simplifies tax filing for both tax payers and tax officials by automating the preparation, checking and by online transfer of tax reports. 7) my.aipa.am- This system facilitates online submission of patent and trademark applications. 8) ekeng.am- enables getting an e-signature. It is possible to read the agreement, pay the fee as specified in the agreement, complete and send application via e-mail, and check the electronic feedback information, visit the electronic filing service center to sign the agreement. 9) e-draft.am- The website enables to search for and familiarize with the contents of legal acts' drafts, follow their further progress, and become engaged in the relevant public discussions. The registered users are able to present suggestions, get acquainted with the concluding paper of the suggestions, including the accepted suggestions or the justifications for not accepted suggestions. They have the opportunity to express opinions electronically on the legal acts' drafts. 10) datalex.am- Provides the possibility to search similar judicial cases, get information about the place and time of court hearings. To process payment order claims, the system avails the opportunity of online case filing, following the further proceedings and sending necessary documents to the court online.
1.1.6.	Level of broadband internet access	1	36,44 MbPs ¹³

¹³ <https://www.speedtest.net/global-index>

No.	Indicator Component	Score	Justification for the scoring and sources
Indicator 1.2. Overall level of development of justice system digitalisation			
1.2.1.	Status of e-Justice strategy	2	<p>2019-2023 strategy for Judicial and Legal Reforms¹⁴ has a separate Action Plan on setting up a unified e-justice system and ensuring accessibility of electronic databases and updating thereof.¹⁵ More specifically, the strategy sets the following key milestones:</p> <ul style="list-style-type: none"> -introducing e-justice system, -improve the electronic inscription and distribution of judicial cases, -introducing system for e-notifications, -introducing electronic system for bankruptcy, -ensuring electronic services by notaries. <p>All of these actions are either not conducted or partially completed.</p>
1.2.2.	Case management system (CMS) deployment rate	3	100%
1.2.3.	Level of integration of the Case Management System	2	<p>There are several different CMSs operating in the jurisdiction, but work is underway to build a unified one</p> <p>There is one unified system in all courts, e-court, which enables case storage and allocation but not downloads, notifications. Functions are limited. There is another system, which provides a user interface but it is not available in all courts. There is also a separate system for order for payment.</p>

¹⁴ https://www.moj.am/storage/files/legal_acts/legal_acts_687232420741_Strategy_26_08_2019_ENG.pdf.

¹⁵ https://www.moj.am/storage/uploads/Action_Plan_E-Justice.pdf.

No.	Indicator Component	Score	Justification for the scoring and sources
1.2.4.	Official information about the justice system available over the internet	2	<p>1) The contact information for all courts is available in court.am¹⁶.</p> <p>2) The court hearings can be followed in datalex.am. The Judicial code provides, that information on the case and its progress shall be published on the official website of the judiciary (article 11). Moreover, the Civil Procedure code (article 97) obliges certain “professional participants”, state or local self-government bodies, legal persons, individual entrepreneurs, as well as representative lawyers to be notified of the time and venue of the subsequent court sessions from the relevant information posted on the official website of the judiciary.</p> <p>Also non-parties can see this info.</p> <p>“The persons participating in the case shall be obliged to take measures themselves in order to be informed of the time and venue of the court session from the official website of the judiciary. They shall be obliged to inform in writing the court examining the case immediately about the impossibility of receiving information from the official website of the judiciary due to reasons beyond their control”¹⁷.</p> <p>Filing forms are not available.</p>
1.2.5.	Publication of court judgments and free online access to them	3	<p>Article 11 of the Judicial code sets the following rules:</p> <ul style="list-style-type: none"> - Judicial acts concluding the proceedings at the relevant judicial instance and, in cases provided for by law or by the decision of the Supreme Judicial Council, also other judicial acts, shall be subject to mandatory publication on the official website of the judiciary, - where the judicial proceedings, or part of them, are held behind closed doors, the concluding part of the conclusive judicial act shall be published on the official website of the judiciary, provided that said concluding part does not contain a secret protected by law, - Judicial acts containing data on private life, personal biometric and personal special category data, as well as personal data on a child, shall be published on the official website of the judiciary in a depersonalised manner. The Supreme Judicial Council may prescribe other cases of depersonalisation of personal data. <p>Currently, almost all decisions of all instances (including the orders for payments) are being published at datalex.am. The decisions of the Cassation court are also published at arlis.am.</p>

¹⁶ <https://court.am/hy/court-addresses>

¹⁷ Article 95 (5) of the Civil procedure code.

No.	Indicator Component	Score	Justification for the scoring and sources
Indicator 1.3. Digitisation of court processes			
1.3.1.	Availability and use of e-filing	2	<p>According to article 100 of the Civil Procedure code, documents can be submitted to the court electronically (except for the application for issuing an order for payment, which can also be submitted online). However, currently, documents are submitted to the court on paper form. It ought to be mentioned that within the framework of the “Digitalization of Judicial Documents and Implementation of Electronic Court System in Armenia” USAID grant program, electronic court system software has been created, which is currently under the “Test System Operation and Error Correction” phase. The system will provide the possibility to submit documents to the court, file lawsuits, follow case proceedings, get notifications and perform other functions electronically (in civil cases).</p> <p>CPC uses “electronically” on purpose to include email as an admissible form. During COVID many documents were submitted by email, usually then followed by paper copies. Later, the SJC clarified this provision and appeared not to envision submission by email. Currently email is used for simpler actions (e.g., to ask for postponement). Claims by email are not accepted though currently, only minor procedural documents. It depends also on the individual judge whether he/she would accept submission by email.</p> <p>The action plan for e-justice aims to:</p> <p>Introduce in the courts and put into operation a comprehensive system of e-courts: The unified e-management system will be introduced and put into operation in courts, within the framework of which an electronic court case will be created, ensuring the online electronic familiarisation with case materials, receipt of document copies, submission of evidence, motions and performance of other procedural actions.</p>
1.3.2.	Availability and use of electronic service of process (e-service)	1	N/A
1.3.3.	Possibility to check case files and track case progress remotely	2	The datalex.am allows to check the progress of the case (information on court sessions, decisions of the courts, and parties’ actions) ¹⁸ . However, the files of the case are not digitised and the parties cannot have online access to them.

¹⁸ Article 11 of the Judicial Code.

No.	Indicator Component	Score	Justification for the scoring and sources
1.3.4.	Possibility to hold online / videoconference hearings (for any type of case)	2	<p>The possibility is provided in a civil case. According to article 145 of the Civil Procedure code, upon a reasoned motion of a participant in the proceedings, the court shall permit the same or another participant of the proceedings to participate in the court session by using means of audio-visual telecommunication if a system enabling such communication is installed in the courtroom. Neither translators may participate in a court session nor face-to-face interrogation may be conducted by using means of audio-visual telecommunication.</p> <p>The wording of the article pre-supposes the existence of infrastructure at the court to do this but currently, no such infrastructure is available. Both sides of the connection should be implemented from a court, to verify identity. However, this rule has not been used, because of a lack of infrastructure.</p> <p>Because of COVID, the Supreme Judicial Council adopted a decision on 31.03.2020¹⁹ urging the courts to use electronic tools with the consent of the parties for conducting court sessions and accept the documents online (emails of the courts were published).</p> <p>After this decision, a few judges used Facebook and Zoom to conduct court sessions. Still, most of the judges postponed the court sessions.</p>
1.3.5.	Court fees	2	<p>There are no online calculators for determining the amount of court fees due.</p> <p>However, there is an e-payment system for paying court fees²⁰. The website allows to pay for a court fee, but there is no calculation tool; the amount of the state fee should be entered manually.</p> <p>There is an e-payment website – payment credit card, PayPal and other means is possible.</p>
1.3.6.	Ability to initiate enforcement based on electronic enforceable titles	3	<p>After receiving the paper request the court adopts an electronic writ of execution and sends it directly (electronically) to the enforcement authority.</p>

¹⁹ <https://court.am/hy/decisions-single/530>

²⁰ <https://www.e-payments.am/hy/state-duties/step3/service=569/>

No.	Indicator Component	Score	Justification for the scoring and sources
Indicator 1.4. Stakeholder engagement			
1.4.1.	Existence of an obligation for professional court users to interact with the court only electronically	2	<p>The Civil Procedure code (article 97) obliges certain “professional participants”, state or local self-government bodies, legal persons, individual entrepreneurs, as well as representative lawyers to be notified of the time and venue of the subsequent court sessions from the relevant information posted on the official website of the judiciary.</p> <p>“The persons participating in the case shall be obliged to take measures themselves in order to be informed of the time and venue of the court session from the official website of the judiciary. They shall be obliged to inform in writing the court examining the case immediately about the impossibility of receiving information from the official website of the judiciary due to reasons beyond their control”²¹.</p> <p>Besides, according to part 1 of the article subpoenas addressed to these participants, shall be sent to their official e-mail addresses, except for cases when notification by such means is impossible. They shall bear unfavorable consequences of failing to read the subpoena sent to their e-mails or to the electronic means of communication provided by them.</p> <p>Nevertheless, there are no obligations to submit files online, even for applications for order for payment.</p> <p>This was introduced in 2018 with the new CPC. The practice is controversial. This article intended to discipline professional participants. They are obliged to have electronic identity/email. For most of the state bodies it has worked. Judges share that sometimes they cannot find emails of some professional users or the email bounces back so they send so they send also on paper. Also, for some documents that are voluminous, scanning may be more time-consuming than sending it on paper. Oftentimes judges would send both via email and on paper.</p> <p>Professional users are obliged to have an email but if they do not provide it, there is no negative consequence. There is a caveat also in the legal provision which says that if e-notification is not possible, it should be done on paper.</p> <p>In the same CPC provision, when a person participating in a case receives the first notification on a certain case, they are therefrom obliged to proactively follow the dates of the court hearings on the website. Later on, the Court of Cassation made a ruling that if the timeline for appealing the judgment is missed because of this provision, this should not be taken into account. So, this obligation to follow does not apply to the timeline for appeal. So the court sends the judgment also on paper.</p>
1.4.2.	Availability of monetary incentives for conducting certain court actions electronically	1	<p>Though the Law on State fees has been amended recently, there are still no monetary incentives for conducting certain court actions electronically.</p>

²¹ Article 95 (5) of the Civil procedure code.

No.	Indicator Component	Score	Justification for the scoring and sources
1.4.3.	Availability of user guides, help desk and guidance in the e-filing system	1	N/A for all cases.
1.4.4.	Whether court user surveys are conducted by the courts/ the judicial system on a regular basis	1	<p>The courts or the Supreme Judicial Council do not conduct court surveys. The following surveys are conducted and financed by other organisations (COE, NGOs) on an ad hoc basis. For example:</p> <p>https://www.iri.org/sites/default/files/wysiwyg/iri_poll_armenia_september-october_2019.pdf</p> <p>https://www.iri.org/sites/default/files/armenia_ppt_final.pdf</p> <p>https://helpcourt.am/ is a website which shows the assessment of judges by the lawyers.</p>

No.	Indicator Component	Score	Justification for the scoring and sources
Dimension 2. Commercial Dispute Resolution			
	What is the definition of commercial case for the purposes of determining the jurisdiction of the commercial courts/divisions/chambers (if available in the country)?		<p>There are neither commercial courts nor commercial divisions in Armenia examining commercial disputes. The only exception relates to insolvency cases that the specialised Insolvency court examines. (Insolvency Court, established on 1 January 2019, has three geographic locations).</p> <p>Commercial cases, except for insolvency cases, like other civil cases, are examined by the Courts of General Jurisdiction, specifically by the judges having a civil specialisation. Thus, there is no definition in the relevant legal acts.</p> <p>The only act that defines commercial disputes is the Law on Commercial Arbitration (article 2), which stipulates:</p> <p>“commercial” shall cover matters arising from all relationships of a commercial nature, whether contractual or not. Relationships of commercial nature particularly include the following transactions: any transaction concluded between banks or other financial organizations and the customers thereof, transactions for the supply and exchange of goods or services; commercial representation or agency; factoring; leasing; construction of works, consulting; engineering; licensing; investment; financing; insurance; exploitation agreement or concession; joint venture or other forms of industrial and business cooperation; carriage by air, sea, rail or road.”</p> <p>However, it is worth mentioning that this definition is used for determining the type of dispute in arbitration proceedings.</p>
	Have significant reforms of commercial dispute resolution been introduced in the previous three years in the country (e.g., changes to the practice and procedure of commercial litigation and/or related alternative dispute resolution (ADR))? Briefly describe the nature and impact of the reforms.		<ol style="list-style-type: none"> 1) A specialised Insolvency court has been formed. Thus, the cases related to insolvency were transferred from the Courts of General Jurisdiction to the Insolvency court. 2) The law on State fees was amended in 2021²². Based on these amendments, the state fees were raised; for example, a state fee for monetary claims was raised to the amount of 3% of the claim instead of the previous 2% percent. For non-monetary claims, the state fee became 20.000 Armenian drams instead of the previous 4000 AMD. The state fee for claims under the simplified procedure is 2% of the claim; thus, a decreased fee has been introduced for the simplified procedure. A fixed state fee has been set for requests for order for payments, yet previously there was no state fee for such claims. 3) An electronic system for order for payment procedure has been launched. Currently, by the decision of the Supreme Judicial Council, electronically submitted applications for issuing an order for payment are distributed among all the judges of the First Instance Court of General Jurisdiction. This system enables e-filing, tracking the process and receiving the order for payment online.

²² <https://www.arlis.am/DocumentView.aspx?docid=152129>, entered into force on 09.05.2021.

No.	Indicator Component	Score	Justification for the scoring and sources
	What has been the impact of the COVID-19 pandemic on commercial litigation in the country, e.g. introducing more electronic interactions?		<p>COVID-19 had a negative impact on commercial litigation in the country. Because of a lack of online tools and platforms, the examination of the cases was suspended, or the court sessions were postponed.</p> <p>Article 145 of the Civil Procedure code provides an opportunity to participate in court hearings by using means of audio-visual telecommunication; however, such a system enabling communication should be installed in the courtrooms, which is not done yet. Thus, within the meaning of this article, it was not possible to have court hearings online.</p> <p>The Supreme Judicial Council adopted a decision on 31.03.2020²³ urging the courts to use electronic tools with the consent of the parties for conducting court sessions, accept the documents online (emails of the courts were published), as well as suggested to postpone the court sessions if there were not urgent matters.</p> <p>After this decision, a few judges used Facebook, zoom to conduct court sessions. On the contrary, most of the judges postponed the court sessions.</p>
	Number of female/male judges in the country.	219	(including Court of first instance of General jurisdiction, Insolvency and Administrative courts ²⁵), 154 male, 65 females.
	Number of female/male first-instance commercial judges in the country.		<p>Judges examining civil cases also examine commercial cases. There are 86 judges of civil specialisation at Courts of General Jurisdiction, 48 male and 38 females²⁶.</p> <p>In Insolvency Court (first instance) there are 12 judges- 11 men and 1 woman. Thus, 98 judges of civil specialization-59 men, 39 women²⁷.</p>

²³ <https://court.am/hy/decisions-single/530>, entered into force on 09.05.2021.

²⁴ The data is of 2021 and does not include Anti-corruption court.

²⁵ By recent changes the Anti-Corruption Court is on the way of formation, it has 15 judges, 10 of whom will be specialized in the investigation of corruption crimes, the other five will specialize in the field of anti-corruption civil cases. The Anti-Corruption Court will consider the lawsuits related to the property and non-property interests of the state, the lawsuits on the confiscation of property of illegal origin.

²⁶ Decision of Supreme Judicial Council, <https://www.arlis.am/DocumentView.aspx?docid=161477>, data of 2021.

²⁷ 2021 Data from Supreme Judicial Council.

No.	Indicator Component	Score	Justification for the scoring and sources
Indicator 2.1. Level of specialisation of commercial dispute resolution			
2.1.1.	Availability of a specialised commercial court or specialised commercial divisions in courts	1	There are neither commercial courts nor commercial divisions in Armenia examining commercial disputes. However, insolvency cases are examined by a specialized Insolvency court.
2.1.2.	Modifications of the general procedural rules in respect of commercial cases as compared to general civil cases	1	There are no modifications of the general procedural rules in respect of commercial cases as compared to general civil cases.
2.1.3.	Inception training in commercial law for commercial judges	3	<p>If candidates pass written and oral exams for becoming a judge, they are included in the list of judge candidates.</p> <p>After that, judge candidates must attend initial training at the Academy of Justice. This is a precondition for being appointed as a judge.</p> <p>The mandatory initial training includes topics on commercial law, such as property rights, contracts law, inheritance, contractual obligations, international private law, securities, intellectual property law, etc .</p> <p>This related to judges of all specialisation.</p>

No.	Indicator Component	Score	Justification for the scoring and sources
2.1.4.	Continuous (regular) commercial law training for commercial judges	3	<p>The trainings of judges are organized by the Academy of Justice consist of two parts. The first part consists of general professional courses, which are organized in-person, and the second part consists of special professional courses, which are organized both in-person and online (it depends on the choice of trainees).</p> <p>Trainings regard civil law and procedure, including both general and specific topics.</p> <p>Here are the topics for annual trainings for 2022 :</p> <ul style="list-style-type: none"> - judicial ethics, skills for drafting a judicial act, etc., - modern issues of insolvency procedure, - contemporary issues of civil procedure and civil law, - modern issues of corporate law, - issues related to contractual obligations, - contemporary issues of banking law, - modern issues of labour law, - issues related to non-pecuniary damage, - issues related to mediation. <p>During the pandemic both general and special professional courses have been replaced by online training courses (e-learning).</p> <p>During 2021, over 384 judges took part in regular trainings for judges .</p> <p>Continuous training is mandatory for judges and if they miss it, it can result in disciplinary procedure.</p>
2.1.5.	Capacity building for commercial judges' judicial assistants or for other types of specialised judicial clerks engaged in commercial justice (e.g., rechtspflegers)	2	<p>All judges in Armenia have assistants (a law degree is required for an assistant). Before 2018 judge assistants were regarded as judicial servants and had the obligation to take part in annual trainings and assessments. However, after 2018 reforms they are considered as civil servants and the procedure and body for their trainings is not outlined yet. As a result, since 2018 no trainings were conducted for assistants.</p>

²⁹ https://www.justiceacademy.am/assets/attachments/dat_ver_havelvats_1.pdf

³⁰ Informed is provided by the Academy of Justice. More info on trainings can be found here <https://www.justiceacademy.am/#2359>.

No.	Indicator Component	Score	Justification for the scoring and sources
Indicator 2.2. Use of mediation/ADR tools			
2.2.1.	Availability of mediation in civil/commercial disputes	3	<p>The Armenian legislation aims to enforce court-annexed mediation with the following regulations:</p> <ol style="list-style-type: none"> 1) at the preliminary court session, the court of the first instance has an obligation to find out whether or not the persons participating in the case are willing to settle the dispute through mediation by clarifying the essence of mediation (Article 167 (1-6) of Civil Procedure Code), 2) where the judge believes that there is a great possibility that the dispute may end in reconciliation, he/she may, on his/her initiative, assign a one-time free mediation session for up to four hours (Article 184 (2) of Civil Procedure Code), 3) at any stage of the proceedings, the Court of First Instance or the Court of Appeal shall be entitled, with the consent of the parties or upon a motion filed by them, to assign a mediation process with the participation of a licensed mediator to reach reconciliation between the parties (Article 184 (2) of Civil Procedure Code).
2.2.2.	Availability of an official register of mediators accessible online	2	<p>Chapter 4 of the “Law on Mediation” requires mandatory accreditation for mediators. The Ministry of Justice is responsible for the process and for keeping the register of accredited mediators.</p> <p>There is a register on the Ministry’s website , but it is not updated and cannot be considered an official one.</p> <p>During the interviews, the judges noted that there is no official register of mediators for them to consider when appointing a mediator. That is why they rely on their experience and choose a mediator they already know or have heard of.</p> <p>During the interviews, the judges noted that there is no official register of mediators for them to consider when appointing a mediator. That is why they rely on their experience and choose a mediator they already know or have heard of.</p>

³¹ <https://www.moj.am/page/582>

No.	Indicator Component	Score	Justification for the scoring and sources
2.2.3.	Availability of incentives for mediation	3	<p>The following incentives for the use of mediation in commercial disputes after the filing of a claim in court exist in Armenia:</p> <p>1) reduction of court fees upon successful settlement. According to the article 38.1 of the “Law on State fees”, if the mediation is appointed by the court and the parties sign a conciliation agreement within the time appointed by the court, the state fee is returned to the party paying it:</p> <ul style="list-style-type: none"> - 50 %, if the mediation is appointed by the court of the first instance, - 40 %, if the mediation is appointed by the court of appeal. <p>2) one-time free mediation session for up to four hours is envisaged (Article 184 (2) of Civil Procedure code).</p> <p>Although the current legislation does not require attempting mediation before litigating some types of disputes, a draft is submitted to the Government suggesting mandatory mediation for cases of family disputes before applying to the court³².</p>
2.2.4.	Enforceability of mediation settlement agreements	2	<p>There are three types of mediation:</p> <ol style="list-style-type: none"> 1. the mediation based on mutual agreement of parties which is regulated by the same law, 2. the mediation based on the court decision, which is regulated by the Civil Procedure Code, and 3. Financial mediation, regulated by the Law on Financial System Mediator. <p>The mediation settlement agreements approved by the court or by the Financial Mediator are directly enforceable (Law on Compulsory enforcement of judicial acts, article 2).</p> <p>Where the mediation settlement agreement has been concluded under extrajudicial procedure, with the participation of a licensed mediator, each party to the mediation shall, within six months following the day of conclusion of the conciliation agreement, be entitled to apply to the court of general jurisdiction of his or her place of residence with the request of approving the conciliation agreement concluded between the parties (Article 288 of the Civil court procedure). The judgment on approving the conciliation agreement enters into legal force from the moment of announcing it and is directly enforceable.</p> <p>Thus, in the case of out-of-court mediation, the settlement agreement cannot be considered to have the legal force of a court judgment or be directly enforceable.</p>
2.2.5.	Availability and use of online solutions for out-of-court settlement	1	<p>There are no online solutions available for out-of-court settlement of commercial disputes.</p> <p>However, the 2019-2023 Strategy on Judicial and Legal reforms aims to establish such solutions. A draft of online mediation for mandatory mediation cases is submitted to the Government.</p>

³² <https://www.e-draft.am/projects/3259>

No.	Indicator Component	Score	Justification for the scoring and sources
Indicator 2.3. Efficiency and effectiveness of commercial litigation (to be assessed only if statistical disaggregation of commercial cases is available)			
2.3.1.	Clearance rate of first-instance commercial cases for the latest year for which statistics is available	N/A	There are no statistics for commercial cases. The clearance rate for all civil cases is <95%.
2.3.2.	Disposition time of 1st instance commercial cases as compared to CoE median for first-instance civil/commercial cases	N/A	
2.3.3.	Disposition time of commercial cases as compared to the disposition time of general 1st instance civil cases in the latest year for which statistics is available	N/A	
2.3.4.	Dynamic of commercial cases disposition time over a 3-year period (the latest 3 years for which data is available)	N/A	

No.	Indicator Component	Score	Justification for the scoring and sources
Dimension 3. Uncontested Procedures for Enforcing a Claim			
	What is the name of the procedure (e.g., order for payment, issuance of a writ of execution based on document, other)? If there are several such procedures, please, describe each of them.		<p>The uncontested procedure for enforcing a claim in Armenia is called “Order for payment”.</p> <p>Order for payment is applied only when an identifiable monetary claim is submitted, except for the cases when it is related to unperformed counter-obligations.</p> <p>A claim is considered as identifiable where it is defined upon agreement of parties or maybe precisely determined based on law or contract (Article 307 of Civil Procedure code).</p> <p>If the debtor lodges an objection, the uncontested procedure is not automatically transferred to a litigious procedure.</p> <p>There were no state fees for this procedure until the 2021 amendments in the “Law on State fees”³³, which set 1500 Armenian drams as a state fee for requesting an order for payment and 3000 Armenian drams for the appeal.</p> <p>The interviewed judges noted that after introducing state fees for this procedure, the number of requests for orders for payments has decreased.</p> <p>Moreover, an online system of e-filing and examining these requests is introduced (https://cabinet.armlex.am/).</p>
	Which authority is entrusted with examining claims that may be uncontested by the debtor?		<p>The court and the notaries.</p> <p>Article 82.1 of the law on Notaries enables them to issue a writ of execution for monetary claims. However, the wide application of the institution of the endorsed writ of execution is practically impossible, conditioned by the fact that the toolkit necessary for the application thereof is not yet developed and adopted³⁴.</p> <p>The notary procedure has been introduced in 2016. A notary can issue a writ of execution based on a contract validated by the notary. But it is only the law, in practice, it is not being applied.</p>
	If the courts are competent to examine such claims, do the general rules of territorial jurisdiction apply to them or is the process centralized?		<p>The process is not centralized. The case on issuing an order of payment falls under the territorial jurisdiction of the Court of First Instance, where the respondent is registered (located).</p>
	What claims is the procedure applicable to (i.e., only claims based on certain trustworthy documents such as checks, bills of exchange, notary deeds, utility claims, or also all types of civil and commercial monetary claims)?		<p>The Civil Procedure code (article 307) places all monetary claims (except for those related to unperformed counter-obligations) under this procedure with one condition; the claim should be identifiable.</p> <p>Generally, utility claims form the main part of the submitted claims.</p>
	Is there a monetary threshold for applying the uncontested claims procedure?		<p>No.</p>

³³ <https://www.arlis.am/DocumentView.aspx?docid=152129>

³⁴ https://www.moj.am/storage/files/legal_acts/legal_acts_687232420741_Strategy_26_08_2019_ENG.pdf

No.	Indicator Component	Score	Justification for the scoring and sources
Indicator 3.1. Ease of filing			
3.1.1.	Effective self-representation	3	<p>Self-representation is allowed. The process is relatively simple compared to the general procedure.</p> <p>According to the interviewed judges almost 95-98 percent of the applications on issuing an order for payment are initiated by telecommunication operators, then banks or credit organisations. These organisations are self-represented, thus making most of the cases self-represented. Although, rarely some banks engage advocates.</p> <p>On the contrary the requests by natural persons are significantly decreased. One of the reasons is that if the application is rejected or a decision to cancel the order for payment is made, this will not automatically change the procedure to a general one, but rather the applicant have to later submit his or her claims in the general procedure of adversary proceedings. That is why generally natural persons rely on simplified or general procedures.</p>
3.1.2.	Availability and use of forms for filing the claim	2	<p>Currently, a request for an order for payment can be submitted either online or on paper. There are no forms for filing the claim on paper.</p> <p>However, if the claim is filed online via https://cabinet.armlex.am/ (this can only be made if the applicant has an e-signature), there is a standard online form, which should be filled by the applicant³⁵.</p>
3.1.3.	Availability and use of online filing	2	<p>The application for issuing an order for payment, as well as all documents related to the application, can be submitted online. However, as the system is new, the interviewed judges noted that it is not applied in the majority of cases. The usage is growing, but they still receive many applications on paper as well.</p>
3.1.4.	Level of court fees for filing a claim	3	<p>The fee for the uncontested claims procedure is a fixed fee of 1500 AMD (3 euros) and the fee for a litigious procedure is 3% of the value of the claim but not lower than 6000 AMD (12) (Article 9 of the Law on State fees.).</p> <p>Thus, the fee for the uncontested claim is a fixed low fee, and the fee for the litigious procedure, on the other hand is 3 % of the value of the claim but not lower than 6000 AMD.</p>
3.1.5.	Simplified rules on attachment of evidence to the claim	2	<p>According to article 309 (2) of the Civil Procedure code, evidence confirming the claim, as well as the proof of state fee payment, shall be attached to the application.</p> <p>Thus, documentary evidence is required by law.</p> <p>If the claimant chooses to submit the application online, the evidence is attached online. If the claimant decides to submit it on paper, the application should be accompanied by the evidence on paper.</p>

³⁵ <https://www.youtube.com/watch?v=vKEbNypC1bs>

No.	Indicator Component	Score	Justification for the scoring and sources
Indicator 3.2. Efficient processing			
3.2.1.	Predictability of the timelines for pronouncement	2	<p>According to article 311 of the Civil procedure code</p> <p>The Court of the First Instance, without convening a court session, shall initiate one of the following actions within a two-week period after the receipt of the application:</p> <p>(1) issue an order on payment;</p> <p>(2) fully dismiss the application on issuing an order on payment;</p> <p>(3) partially dismiss the application on issuing an order on payment, by issuing an order on payment for the other part of the application.</p> <p>Although some judges manage to keep the two-week period, most of the judges do not comply with it.</p> <p>An interviewed judge noted, that a judge gets more than 1200 requests for order for payments annually, which makes it impossible to comply with the timelines.</p>
3.2.2.	Length of timelines for pronouncement	2	<p>The timeline for pronouncement on applications is two-week period (Article 311 of the Civil procedure code).</p> <p>However, because of the heavy workload (a judge examines over 1000 applications of order for payment annually), these deadlines is not always kept.</p> <p>Interviewed judges shared that it can take up to 3 months.</p>

No.	Indicator Component	Score	Justification for the scoring and sources
3.2.3	Availability of options for service to the debtor without proof of receipt	1	<p>If the notification of the issuance of the order for payment cannot be served to the debtor, the order cannot enter into force and must be annulled (Article 313 (1)).</p> <p>If the court does not receive the evidence, in this case, it is not possible to apply a substituted service, regulated in Article 95 (5) of the Civil procedure code.</p>
3.2.4.	Ease of debtor's objection	3	<p>According to article 312 (1) of the Civil procedure code an order for payment must contain, inter alia, the right to objection and the consequences of objecting or not objecting to the claims.</p> <p>Moreover, article 313 of the Civil procedure code provides that the debtor can object to the claim and no justification or reasoning is needed.</p>

No.	Indicator Component	Score	Justification for the scoring and sources
Indicator 3.3. Effective linkages between the uncontested procedure and the procedure following a statement of opposition			
3.3.1.	Consequence of debtor's lack of objection	3	If the debtor does not object or objects only partially, an enforceable title is issued for part of the claim against which there has been no objection (Article 312 (1) of Civil procedure code).
3.3.2.	Launching the litigious stage of the procedure	1	Under article 313 (2) of the Civil Procedure code, in the decision on eliminating the order for payment based on the objection, the Court clarifies to the applicant the right to submit his or her claims in the general adversary proceedings. Consequently, the uncontested procedure is not automatically transferred to a litigious procedure in case of objection and the claimant has the right to file a claim under general procedure.
3.3.3.	Link between the fees due in the uncontested claims procedure and in the litigious procedure	1	The fee for the uncontested claims procedure is a fixed fee of 1500 AMD (3 euros) and the fee for a litigious procedure is 3% of the value of the claim. The fee for the litigious procedure will still remain 3%, regardless of whether the claimant has, before that, paid the fee for an uncontested claims procedure for the same claim (Article 9 of the Law on State fees.).
3.3.4.	Management of statements of opposition	2	The Judicial Department tracks, inter alia, the number of: - applications for issuing an order for payment, - issued orders for payment, - orders for payments entered into force, - order for payments eliminated/cancelled because of submitted objection - order for payments eliminated/cancelled because of other grounds (either the payment has been made of the respondent has not received the decision). For example, the 2021 statistics show that 117.766 applications were submitted, 93.308 order for payments have been made, 2050 of which were eliminated on basis of objection, 34.870 were cancelled based on other grounds ³⁶ . However, the jurisdiction does not track claims that continue as litigious procedures, as well as consequent analysis are not being made.

³⁶ <https://court.am/hy/statistic-inner/209>

No.	Indicator Component	Score	Justification for the scoring and sources
Dimension 4. Small Claims Procedures (this dimension is to be evaluated only in case a small claims procedure is available)			
	<p>What is the name of the procedure (e.g., small claims procedure, simplified procedure, written procedure, fast-track procedure, other)? If there are several such procedures, please, describe each of them.</p>		<p>Two types of procedures exist in Armenia examining small claim cases. Specifically, the simplified procedure and the expedited (accelerated) procedure.</p> <p>The simplified procedure is directed to fast-track small claims (Articles 296-302 of the Civil court procedure code). The simplified procedure applies to civil claims for the recovery of money up to 5,000 minimal monthly wages (a total of AMD 5 million). Thus, the maximum value of the claim for small cases is 5.000.000 Armenian dram. (By the 27.12.2022 amendments, which came into force, this amount has been changed to 5.000.000 AMD. Before that, it was 2.000.000)</p> <p>The case shall not be examined in the procedure of simplified proceedings where:</p> <ol style="list-style-type: none"> (1) there is a need to question persons participating in the case, the witnesses, the expert or specialist, to assign an expert examination, to request evidence, to examine the evidence on-site, or to issue court assignments; (2) court has accepted for proceedings a counterclaim or a claim submitted by a third person having individual demands on the subject matter of the dispute; (3) there is a need to substitute an improper party or to involve other persons in the proceedings; (4) a group claim has been submitted; (5) there is a need to determine other facts of significance for the disposition of the case not invoked by persons participating in the case. <p>If these circumstances arise during a simplified procedure, the court renders a decision on examining the case in the general procedure and appoints a preliminary court session.</p> <p>The simplified procedure is mainly a written procedure without court hearings. However, there are some exceptions where a court hearing can be held. For example, when the judge concludes that there is a necessity to get clarifications from the persons participating in the case on facts significant for the case, a motion is presented for applying the statute of limitations, the claimant withdraws the claim, the parties have signed a conciliation agreement. (Article 300 of the Civil Procedure code).</p> <p>The expedited procedure is applied where it is not necessary to question persons participating in the case, witnesses, the experts or specialists, to examine the evidence on-site or give court assignments for 7 types of cases prescribed in Article 303 of the Civil Procedure code. These cases, inter alia, include claims on:</p> <ol style="list-style-type: none"> 1) confiscation of an amount not exceeding fifty-fold of minimum salary (50.000 Armenian drams equal to 98 euros), 2) confiscation of alimony has been filed, 3) confiscation of calculated and unpaid salary and confiscating other payments related to employment relations have been filed. <p>The decision on applying expedited (accelerated) proceedings can be made any time during the examination of the case, but not earlier than the submission of response by the respondent to the claim and if not presenting the response - not earlier than the expiry of the time limit envisaged for sending a response. A final judgment is drafted and announced no later than within 15 days after making the decision on applying accelerated trial.</p>

No.	Indicator Component	Score	Justification for the scoring and sources
	Is there a special small claims court or a special court division examining small claims?		There is no special court or division examining small claims. All small claim cases are examined by the Courts of General Jurisdiction (judges examining civil cases).
	What is the monetary threshold for the applicability of the procedure?		For simplified procedure- 5.000.000 AMD. For expedited procedure-50.000 AMD equal to 98 euros.
	What claims is the procedure applicable to?		The simplified procedure is applicable to all types of monetary claims not exceeding 2 million AMD. On the other hand, the expedited procedure is applicable to monetary claims not exceeding 50.000 AMD and claims, without limit, related to alimony and labor disputes.

No.	Indicator Component	Score	Justification for the scoring and sources
Indicator 4.1. Ease of filing			
4.1.1.	Effective self-representation	3	<p>Self-representation is allowed. The process is relatively simple compared to the general procedure.</p> <p>According to the interviewed judges, almost 80 percent³⁷ of the cases under simplified procedure are initiated by banks, credit organisations or telecommunication operators. These organisations are self-represented, thus making most of the small claim cases self-represented.</p> <p>On the contrary, natural persons are sometimes self-represented and sometimes represented by advocates. A judge evaluated the situation as half-half, another judge noted, that they are mostly self-represented.</p> <p>Considering the fact that the number of the applied expedited procedure is low, the practice is not clear for the expedited procedure. However, this process is also an easy one compared with the general procedure.</p>
4.1.2.	Existence of forms for filing the claim	1	<p>There are no standard forms for filing the claim neither formal nor informal. Consequently, the creditors are free to choose a format, in which to do it. The main rule is to keep the requirements for drafting a claim.</p>
4.1.3.	Availability and use of online filing	2	<p>The Civil Procedure code (article 100) introduces a possibility of submitting documents (statement of claim, application, appeal, response to statement of claim, motion, etc.) online.</p> <p>According to article 100 (3) when attaching a simple letter of authorisation to documents submitted electronically, it shall be signed with an electronic signature, while a notary-certified letter of authorisation shall be attached in the form of a carbon copy along with a code allowing the court to verify its authenticity online or in the form of an electronic original.</p> <p>The Supreme Judicial Council adopted a decision on 29.06.2021 about the procedure for submitting documents to the courts electronically³⁸. According to this decision, the documents will be submitted via an online platform created in the official website of judiciary. Nevertheless, at this stage only a platform for order for payment procedures exists and online filing is not possible for small claims because of lack of tools.</p> <p>The representatives of the MOJ and the Supreme Judicial Council noted that currently a team is working on preparing an online platform for simplified procedures enabling online filing.</p>
4.1.4.	Guidance to self-represented litigants	1	<p>There are no rules on providing a guidance to self-represented litigants. For all litigants there is a written clarification in simplified procedure discussed below.</p>

³⁷ The concept on Justice drafted by The Supreme Judicial Council in 2018 also states, that 80 % of monetary claims are filed by banks, credit organisations or telecommunication operators. Most of these claims (80-90%) do not exceed 2 million Armenian Drams falling under the scope of the simplified procedure.

³⁸ <https://court.am/hy/decisions-single/843#>

No.	Indicator Component	Score	Justification for the scoring and sources
Indicator 4.2. Availability of meaningful procedural simplifications of the small claims procedure			
4.2.1.	Statutory timelines in the small claims procedure	2	<p>There are no specific rules on statutory limitations in simplified or expedited proceedings.</p> <p>Courts conduct simplified procedure pursuant to the general rules on examination of cases as provided for by the Civil Procedure Code, by observing special rules prescribed in the Chapter on simplified procedure. (Article 296).</p> <p>However, the evidence in a simplified procedure shall be presented no later than within a month period after receiving the ruling of the court on examining the case in the simplified procedure. Depending on the peculiarities of the case, upon motion of a person participating in the case, the mentioned period may be extended based on a court decision (Article 299 (1)).</p>
4.2.2.	Simplified evidentiary rules	2	<p>Besides, the court will not question persons participating in the case, the witnesses, the expert or specialist, to assign an expert examination, to request evidence, to examine the evidence on-site within the simplified procedure. If such a necessity arises the simplified procedure will be discontinued.</p> <p>The same applies to the expedited procedure.</p>
4.2.3.	Simplified rules on hearings	2	<p>Article 300 (1) of the Civil Procedure code mandates that proceedings under the simplified procedure shall be conducted without convening a court hearing, unless (1) the court has come to the conclusion that a hearing is necessary for the parties to obtain clarifications on relevant circumstances and available evidence; (2) a petition for statute of limitations has been filed; (3) the plaintiff has withdrawn the claim; or (4) the parties have reach an agreement of reconciliation.</p> <p>Thus, generally, a hearing is avoided altogether, and the case can be decided based only on the written submissions of the parties.</p> <p>The simplified procedure does not contain a preliminary stage/hearing. The decision to apply a simplified procedure stipulates the day of publishing the concluding act (Article 298 (2)).</p> <p>The Civil Procedure code allows to conduct hearing by using distance communication; however, the necessary infrastructure is not in place yet.</p> <p>As regards the expedited procedure, it is only conducted in a written procedure and the court cannot conduct a hearing (Article 304).</p>

No.	Indicator Component	Score	Justification for the scoring and sources
4.2.4.	Special rules on encouraging conciliation or mediation	1	<p>There are no special rules for encouraging conciliation or mediation since these actions are conducted during preliminary hearings, and the simplified procedure or the expedited procedure do not have preliminary hearings.</p> <p>However, if the decision to apply a simplified procedure or an expedited procedure is made during preliminary proceedings, it is possible, before the application of the simplified procedures, to encourage conciliation or mediation.</p>
4.2.5.	Simplified content of the judgment	3	<p>According to Article 302 (1), the reasoning part of the judgment delivered in the procedure of simplified proceedings shall only contain a note on accepting the claimant's arguments as the court's reasoning and the court's ruling of the distribution of costs between parties.</p> <p>However, in cases when:</p> <ol style="list-style-type: none"> 1) an objection has been submitted against the claim during the proceedings, 2) the claim was dismissed (rejected) fully or in part, the following shall be indicated in the reasoning part of the judgment delivered in the procedure of simplified proceedings (Article 300 (2)): <ul style="list-style-type: none"> - circumstances of the case established by the court, - the evidence on which the conclusions of the court are based, the arguments for dismissing this or that evidence, as well as the laws and other legal acts by which the court was governed when delivering the judgment, - the court's ruling of the distribution of costs between the parties. <p>Even in this case, the content of the judgment is simpler than that of a general procedure (article 192).</p> <p>No such rules exist for the accelerated (expedited) trial.</p>
4.2.6.	Modifications to the rules on appealing the judgment in the small claims procedure	3	<p>Appealed judgments delivered in the procedure of simplified procedure are examined by a single judge, and hearings are allowed on an exceptional basis only.</p> <p>Regarding timelines, in Armenia, the timeline for appealing judgments (decisions on terminating proceedings on the case) made in the simplified or expedited procedure is 15 days for compared to one-month timeline for other judgments; decisions on leaving the claim examined in simplified procedure without consideration are appealed within a seven-day period.</p> <p>It is also worth mentioning that an appeal is dismissed if it has been lodged under a civil case with a monetary claim, where the value of the subject of the dispute under the given case does not exceed fifty-fold of the minimum salary (50.000 Armenian dram equal to 105 euros), except for cases when the person lodging the appeal provides justifications in his or her appeal that the Court of First Instance has made a judicial error distorting the essence of the right to a fair trial.</p>

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