

THE SUGGESTIONS ON THE JUDICIAL SPHERE MADE BY THE OMBUDSMAN WERE ACCEPTED

On April 17 the RA Government approved the draft on making amendments and changes in the Judicial Code of the Republic of Armenia. It is noteworthy to remind that in this regards a few months ago Mr. Karen Andreyan, the Ombudsman of the Republic of Armenia, through different formats, as well as publically presented his concerns and suggestions to the competent authorities.

As an essential step forward it should be recorded that the general rule of open-door sittings of the Council of Justice was established by the draft of the Government, which to some extent can enhance the transparency of this body on the cases of subjecting the judge to a disciplinary liability. This principal suggestion was regularly raised by the RA Human Rights Defender in different platforms and finally was included both in the Human Rights Protection National Plan and in the aforementioned Draft Law.

It is welcoming that a number of problematic provisions were changed in the final texts by the RA Ministry of Justice, the assessment system of the judges has become applicable towards the judges of the RA Court of Cassation, for who an expectation was envisioned in the previous version of the Draft. The assessment system of the activities of the judges was improved, the sustainability indicator of judicial acts was removed from the list of assessment criteria, and the appeal mechanism of the assessment results by judges was improved as well.

Along with all the above-stated positive changes, the RA Human Rights Defender has several concerns on the practical risks of applying the assessment results as grounds for the termination of the activities of the judge and for the application of separate grounds for the disciplinary liability against judges. To this regards, the Defender's Staff is willing to continue its cooperation with the authors of the Draft.

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