

THE OMBUDSMAN SHARES THE OPINION OF THE JUDGES ASSOCIATION

The Draft Amendments to the RA Judicial Code developed by the RA Ministry of Justice have caused some dissatisfaction among the Armenian judges. The Judges Association considers unacceptable the proposed institute of assessment insisting that it threatens the independence of judges. This aforementioned Draft was also sent by Hrayr Tovmasyan, the RA Minister of Justice to the Ombudsman Karen Andriasyan for his opinion.

The Ombudsman shares the opinion of judges and has submitted a number of suggestions to the Minister of Justice aimed at the elimination of possible abuse in the field, as well as in order to provide independence to judges.

In particular, the Ombudsman proposed to review the assessment procedure and methodology of the judges' activities by several criteria, as well as to improve the appellate mechanism of assessment results.

The Ombudsman also finds it necessary to make the grounds for exposing the judges to liability clear and predictable, in order to exclude exposing the judges to non-legitimate liability or interfering with their activities.

At the same time, the Ombudsman suggests depending from court instance, not to differentiate the application of liability mechanisms envisaged for judges.

Besides, studying the activities of the Council of Justice and Disciplinary Committee under the RA Council of Justice, as well as the assessment procedure and mechanisms envisaged by the aforementioned Draft, the Ombudsman considers it highly concerning to apply disciplinary liability towards judges based on the results of their activity assessment.

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