



## DECISION OF THE GOVERNMENT OF THE REPUBLIC OF ARMENIA

N \_\_\_\_-L (dated) “\_\_\_\_\_” “\_\_\_\_\_” 2019

### **ON APPROVING THE 2019-2023 STRATEGY OF THE PENITENTIARY AND PROBATION FIELD OF THE REPUBLIC OF ARMENIA, THE 2019-2023 PLAN OF ACTIONS FOR ITS IMPLEMENTATION, AND THE PROCEDURE OF FORMATION AND ORGANIZATION OF THE ACTIVITIES OF THE COUNCIL COORDINATING THE IMPLEMENTATION OF THE PLAN**

Based on Clause 52.2 of the Attachment 1 of the Decision of the Government of the Republic of Armenia N-650-L, from 16 May 2019, the Government of the Republic of Armenia hereby *decides*:

1. To approve:

- 1) The 2019-2023 Strategy of the Penitentiary and Probation field of the Republic of Armenia, as per Attachment 1;
- 2) The 2019-2023 Plan of Actions for implementation of the 2019-2023 Strategy of the Penitentiary and Probation field of the Republic of Armenia, as per Attachment 2;

2. To establish a Coordination Council with the aim to coordinate and monitor implementation of the 2019-2023 Plan of Actions for implementation of the 2019-2023 Strategy of the Penitentiary and Probation field of the Republic of Armenia, and to approve the Procedure of formation and organization of the activities, as per Attachment 3.

3. [To instruct] the Minister of Justice of the Republic of Armenia to approve, within two months following this decision's entry into legal force, the composition of the Council coordinating implementation of the 2019-2023 Plan of Actions for implementation of the 2019-2023 Strategy of the Penitentiary and Probation field of the Republic of Armenia.

4. [To instruct] the Minister of Finance of the Republic of Armenia to deliberate, jointly with the respective bodies of the state governance system of the Republic of Armenia and within the framework of planning the State Budget of the Republic of Armenia for each following year, upon the possibility of envisioning in the State Budget of the Republic of Armenia the appropriate financial means for ensuring the results set forth by the 2019-2023 Plan of Actions for implementation of the 2019-2023 Strategy of the Penitentiary and Probation field of the Republic of Armenia for the given year.



5. This Decision shall take effect on the tenth day following the day of its official publication.



Attachment N 1  
To the RA Government Decision  
N\_\_\_\_-L from \_\_\_\_\_

## THE 2019-2023 STRATEGY OF THE PENITENTIARY AND PROBATION FIELD OF THE REPUBLIC OF ARMENIA

### I. GENERAL PROVISIONS

1. Within the context of constitutional and judicial reforms currently underway in Armenia, particular importance is given to the effective protection of the rights and lawful interests of persons in the field of criminal punishment, as well as to creation of safeguards for their full realization, and to provision, continuous improvement and reinforced appreciation of efficient mechanisms for realization of those rights and lawful interests. Characteristically, **improvement of the penitentiary and probation field policy, as a target direction, is stressed also in the 2019-2023 Governmental Program.**

2. Currently, there is no single document (strategy, action plan or concept paper) that would comprehensively address the issues in the penitentiary and probation system and formulate the ways to solve those issues, in which situation the field reforms may sometimes be of a sporadic nature. The main rationale behind improving the situation in the penitentiary and probation field, and proposing a strategy for its continuous development will be introduction of principles of restorative justice in the field of criminal punishment, efficient achievement of the goals of punishment, as well as elimination of criminal subculture and prevention of recidivism, for which a thorough analysis of the current issues in penitentiary and probation system, as well as taking targeted response measures are of priority. Characteristically, **the Government is resolute to enroot the principles of restorative justice:** it follows from the latter that reforms implemented within the field of criminal punishment should mean transition from traditional ideology of imprisonment to the ideology of resocialization and the restorative justice, since such an ideology presupposes a more flexible response to criminality.



3. In order to improve situation in the penitentiary and probation field, as well as to make the process of purposeful realization of the goals of punishment, **the following key outcomes should be targeted: improvement of the mechanisms for protection of the fundamental human rights and freedoms in line with international standards; improvement of conditions of keeping the convicts; improvement of conditions of keeping the juvenile convicts; ensuring accessibility of conditions for the persons with disabilities kept in the penitentiary institutions; improvement of conditions of medical assistance and services for persons kept in the penitentiary institutions; resocialization of the convicts and beneficiaries of probation; optimization and modernization of the penitentiary institutions; improvement of the management model and the human resource policy of the Penitentiary Service and the penitentiary institutions; overcoming corruption; increase of the efficiency of the activities of the Probation Service and revision of its human resource policy.**

4. The financial sustainability of the Strategy and the Action Plan shall be ensured through allocating financial means necessary for implementation of the activities deriving from the Strategy within the scope of resources available under the State Budget of the Republic of Armenia. From the perspective of efficient implementation of the activities, the financial and technical assistance from the partners, including international and regional organizations, that permanently support penitentiary and probation policy reforms in the Republic of Armenia, is considered important. The funding ensuring implementation of the Strategy is expected from such sources as: State Budget of the Republic of Armenia, funding provided by international organizations, other sources not prohibited under the legislation of the Republic of Armenia.

## **II. THE BACKGROUND**

5. The phase of fundamental reforms in the system of criminal justice and criminal punishment in the Republic of Armenia has been mainly triggered by the recently implemented legal and judicial reforms. For those reforms, the adoption of the Decree of the President of the Republic of Armenia N-NK-96-A, from 30 June 2012, “On Approval of the 2012-2017 Strategic Program for the legal and judicial reforms and the Plan of Actions deriving from it” (hereinafter – ‘the Program’) was of key importance. The Program was aimed at strengthening the Armenian legal system in compliance with the supremacy of law and the criteria of a modern state. To achieve this principal goal, the Program envisaged reforms in several directions, including increase of efficiency of the system of criminal justice and criminal punishment. In particular, as a result of the activities performed in the above mentioned main directions:



- 1) The “Law on Probation” was adopted;
- 2) The procedure for early conditional release, at the level of its legislative regulation, was improved;
- 3) The list of diseases incompatible with serving the sentence and the standards thereof have been clarified at the legislative level and brought into compliance with the 10<sup>th</sup> revised version of International Classification of Diseases (ICD-10).

At the same time, though, it is to be noted that **the steps taken within the framework of the Program have progressed only in the legislative domain – failing to ensure their practical application to the full extent.** It is the goal of the Government under this Strategy to improve, along with the legislative reforms, also the current practices in the field of penitentiary and probation – having as a basis the protection of the rights of the convicts and probation beneficiaries and the resocialization of thereof, as well as overcoming the criminal subculture, decrease of the recidivism and overcoming corruption.

6. The Governmental Program has stressed that continuous efforts would be taken in order to ensure fundamental rights of the persons deprived of liberty, including the right to strengthening the links with the outside world and bettering the conditions of incarceration, as well as to in order to improve the quality of medical assistance and services provided to them and to increase effectiveness of the resocialization process. The Government is resolute to enroot the principles of restorative justice. In this context, the Government will be taking measures aimed at envisioning the necessary legislative safeguards for application of the alternative to imprisonment types of punishment and alternative to detention measures of restraint, and ensuring the necessary measures for the practical application thereof, as well as will stimulate application of such measures.

7. It is to be noted that a number of international legal instruments (such as the European Convention for the Protection of Human Rights and Fundamental Freedoms, the European Convention for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment, the United Nations Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, the United Nations Standard Minimum Rules for the Treatment of Prisoners, the European Prison Rules, and other international documents) have also enshrined the requirement of the need of presence of a penitentiary and probation system compliant with international standards and of the appropriate system for the protection of the rights of detainees and convicts. It is of utmost importance, in this context, to solve in practice the problems identified in the reports of the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) and to take specific measures aimed at realization of the legal positions of the European Court of Human Rights. In its last (2015) Report on Armenia the



CPT recommended that the Republic of Armenia continues taking effective measures to ensure full implementation of the international human rights standards on keeping the persons deprived of their liberty, including the UN Standard Minimum Rules for the Treatment of Prisoners (the ‘Nelson Mandela Rules’), namely:

1) to reinforce the efforts aimed at improving the living conditions of the penitentiary institutions and, in this context, to solve, among others, the problem of unequal living conditions, and to reinforce in future the efforts aimed at preventing overcrowdedness, in particular – by more extensive application of the measures not connected with imprisonment – as measures alternative to imprisonment, in the light of the United Nations Standard Minimum Rules for Non-custodial Measures (the Tokyo Rules);

2) to improve the accessibility and quality of healthcare, including psychiatric assistance in all places of deprivation of liberty, including for life prisoners, to provide appropriate medical equipment, to increase the number of the professional medical personnel in all places of keeping the detainees and to ensure their independence and impartiality;

3) to effectively carry out the legal and institutional regulation of the probation, adopt clear procedures for early release due to health condition of the convicts, to ensure due examination of such requests by an authorized commission, to provide for an opportunity of appealing against the negative decisions of the commissions authorized for examination of the requests for early release and early conditional release and to address the issue of their independence and impartiality, by ensuring *inter alia*, more balanced membership to such commissions, and to develop or to continue reinforcing the currently operational programs aimed at preparing for social rehabilitation and release – in order to ensure social reintegration of the convicts upon their release.

8. The problems existing in the system of criminal justice of the Republic of Armenia are often addressed to in a number of judgments issued in relation to the Republic of Armenia by the European Court of Human Rights that pertain to the issue of properly ensuring the protection of the rights and freedoms of detainees and convicts, including conditions of keeping under incarceration, provision of medical assistance and services, etc. In particular, in its judgments in *Ashot Harutyunyan vs Armenia*, and *Davtyan vs Armenia*, the European Court of Human Rights has pointed out the need to ensure honoring of the obligation to protect the rights of the persons deprived of liberty, namely by safeguarding the right to a physical integrity, including the obligation to provide the necessary medical assistance and to ensure availability of necessary drugs, and in judgments in *Kirakosyan vs Armenia*, *Karapetyan vs Armenia*, and *Tadevosyan vs Armenia*, the European Court of Human Rights has found, in relation to the lack of a minimum personal living space, a violation of Article 3 of the “European Convention for the Protection of Human Rights and Fundamental Freedoms.”



9. Taking as a basis the new conceptual attitude to the goals of punishment reflected in the Draft new Criminal Code of the Republic of Armenia, as well as taking into consideration the recommendations of the CPT and the legal positions of the European Court of Human Rights, and recognizing the urgency of ensuring fundamental, sustainable and continuous reform of the penitentiary and probation system, and of modernizing it to the full extent – it is necessary to identify those target directions the efficient realization of which will solve the key problems facing the system.

### **III. THE OVERALL GOAL AND THE DIRECTIONS OF THE STRATEGY**

10. **The overall goal of the Strategy.** The goal of this Strategy is: establishment of a penitentiary and probation system compliant with international standards: transition from punitive policy to restorative justice, enrooting the principles of restorative justice in the field of criminal punishment, effective realization of the purposes of punishment, overcoming the criminal subculture, overcoming corruption in the penitentiary and probation system, decrease of recidivism and ensuring public safety.

11. **Directions of the Strategy.** To undertake the reforms aimed at improving the situation in the penitentiary and probation system of the Republic of Armenia, identification of the areas to be targeted in the field, based also on the problems existing in the field, is of key importance. These direction are as follows:

**11.1. Improvement of the RA legislation regulating the penitentiary and probation field.** The strategic goals of this direction are aimed at introduction, via legislative regulation, of mechanisms that would render protection of the incarcerated persons and probation beneficiaries real, rather than illusory. Appreciating the role of the RA Penitentiary Code in the legal system of the country, it is worth to note, at the same time, that in contemporary conditions it is already objectively unable to adequately realize the democratic achievements of the lawful state. In this regard, within the course of fifteen years of application of this Code, developments in the social and political life of the country took place – presupposing the inescapable amendments to the main legal act in the field of enforcing and serving criminal punishment. The need of these changes has become more essential in the light of assessments by the international organizations with participation of Armenia (CPT, UN Human Rights Committee, etc.). It is necessary to ensure incorporation in the Penitentiary Code of the requirements deriving from the judgments



of the European Court of Human Rights against Armenia (*Kirakosyan v. Armenia*, *Tadevosyan v. Armenia*, *Davtyan v. Armenia*, etc.). Making alterations and supplements to the main law regulating the penitentiary field, as well as to other field related legal also is necessitated by the Constitution of the Republic of Armenia with amendments from 2015 – with the main focus on bringing the mentioned legal acts into line with the principles of legal certainty, legality and proportionality, prescribed by in the Constitution.

**11.1.1.** With adoption of the new Criminal, Criminal Procedure and Penitentiary Codes, a new stage of legislative reforms will be launched, during which a special focus should be taken on ensuring that the suggested legal regulations are brought into correspondence, to the extent possible, to international legal standards; and effective mechanisms should be introduced on the level of the bylaws to ensure efficient operation of the new institutions.

**11.1.2.** On 17 May 2016, the Law “On Probation” was adopted, by which the institute of probation was introduced in the Republic of Armenia, and the Probation Service, independent of the Penitentiary Service, was established. It is to be noted that introduction of the institute of probation and establishment of the Probation Service took place due to the necessity of transition, in the criminal justice field, from the punitive policy to that of restorative criminal justice, where the rehabilitation and reintegration of the offenders are considered as mandatory elements. The 2018 Special Public Report of the Human Rights Defender (hereinafter – ‘*Defender*’) on the Monitoring of the activities of the RA Probations Service<sup>1</sup>, declares that it is unchallengeable reality that for the previous decades the penitentiary justice carried exclusively punitive features, and the administration of penitentiary institutions, when ensuring enforcement of imprisonment as a punishment, focused only on ensuring the regime, discipline, and prevention of prisonbreaking. There were almost no resocialization activities with convicts, the risks and needs of the convicts were not being identified or evaluated, and no rehabilitation programs were being implemented. As a result, the imprisonment was more conducive to recidivism, rather for its prevention. In this context, the Defender reported that in spite of the fact that the legislation prescribed the idea of restorative justice, nevertheless, tangible efforts were still needed to have the restorative justice duly established in practice. It is worth mentioning that the problems highlighted during the short period of operation of the Probation Service should be solved during the coming years. In particular, to this end, it is envisaged, *inter alia*, to evaluate the practical applicability of the functions vested in the Probation Service and the availability of the necessary toolbar for application of those functions, and to develop, based on the results of such evaluation, a Draft legislative

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<sup>1</sup> See at: <http://www.ombuds.am/resources/ombudsman/uploads/files/publications/c3fc33641c2871502066374406df2198.pdf> (25.07.19).





package on making alterations and supplements to the “Law on Probation” and the collateral laws. As a part of reform of the probation field related legislation, changes will need to be made also to the RA Criminal Procedure Code by providing for measures of restraint alternative to deprivation of liberty.

**11.1.3. Within the framework of improvement of the core laws, revision of a number of legal acts is also envisaged.** It is necessary to revise the acts adopted back in 2006, such as: Internal Regulations of the places of keeping the arrestees and those of the penitentiary institutions; Rules of Operation of the structural units conducting social, psychological and legal activities with the detainees and convicts; Rules of Operation of the Distribution Commission acting within the Central body of the Penitentiary Service of the Ministry of Justice of the Republic of Armenia; Rules of Formation and Operation of the Group of non-governmental public observers monitoring the penitentiary institutions and authorities of the Ministry of Justice of the Republic of Armenia.

**11.1.4.** It is necessary to take efforts at the penitentiary institutions **aimed at duly recording the results of medical examinations in relation to torture and ill-treatment, ensuring legislative regulations on establishing a fact of torture or ill-treatment, and improving the mechanisms for restitution of non-pecuniary damages – based on such an established fact.** It is necessary to approve the Form on recording the results of medical examinations in relation to torture and ill-treatment at the penitentiary institutions, as well as to develop and approve the guideline for filling-in the Form with the results of medical examinations carried out in relation to torture and ill-treatment in the penitentiary institutions.

**11.2. Improvement of conditions for keeping incarcerated persons, optimization and modernization of the penitentiary institutions, improvement of building conditions of and technical equipping of the penitentiary institutions and Probation Service.** The strategic goals of this direction are aimed at ensuring building and technical support to the penitentiary institutions and the Probation Service, and developing the infrastructure, in a result of which the incarcerated persons will be provided with keeping conditions that are compliant with international standards, and the penitentiary institutions will be refurbished with modern engineering and technical means of security and control, which will be conducive to introducing the idea of efficient management of institutions. It is also necessary to undertake continuous efforts to provide each person deprived of liberty with personal living space in line with domestic and international standards. Furthermore, this issue should be viewed from the perspective both of the minimum living space (four square meters) for person deprived of liberty and in the light



of ensuring personal space with conditions that are compatible with human dignity. It is to be noted that since 2016 the Ministry of Justice has been already taking measures to solve the issue of overpopulation by putting into operation the six units of ‘Armavir’ penitentiary institution with capacity to house 1,240 inmates, which gave opportunity to transfer here the inmates from other penitentiary institutions as well. As a result, more than 690 inmates, including 34 life prisoners, have been moved to ‘Armavir’ penitentiary institution of the RA MOJ. Characteristically, **the issue of overcrowdedness has been fully solved in a result of efforts by the new Government.** As of 1 April 2019, there are 2,287 persons kept across the penitentiary institutions, which is less by 1,248 for the same period of 2018. **According to the statistics brought by the 2018 Annual Report of the Council of Europe (SPACE I), decrease of the imprisonment rate in Armenia was notable (8.7%)<sup>2</sup>.** In addition to solving the problem of overcrowdedness, the new Government has also undertaken to **optimize and modernize the penitentiary institutions.** Currently, there are 12 penitentiary institutions operating in Armenia, with a housing capacity for **5346** detainees and convicts sentenced to punishments connected with deprivation of liberty. It is worth mentioning that keeping the small institutions in operation when they are in the same location or located close to each other is inefficient, since the tangible part of expenses being incurred for maintenance of the institutions, including security related expenditures, is not adequate to the number of inmates. Such an attitude is not justified also from the perspective of economic efficiency and savings of the financial means. Given the territory (size) of the Republic of Armenia, it is economically efficient to build and operate the penitentiary institutions under the uniform principles. For instance, in order to make the work of the preliminary investigation bodies easier and more efficient to the extent possible, there should be, one way or another, institutions for keeping detainees in various parts of Armenia. In this regard, it is most expedient to have such institutions located in or at the vicinity of: Vanadzor (North), Artik (West), Sevan (North- East), Goris (South), as well as Yerevan.

**11.2.1.** It is a matter of priority to improve building conditions of and ensure logistical support to a number of penitentiary institutions. For example, the building conditions of the MOJ’s ‘Prison Hospital’ and ‘Noubarashen’ penitentiary institutions are extremely inadequate, and the mentioned institutions are subject to closure due to their incompliance to technical parameters. Moreover than that, the ‘Noubarashen’ penitentiary institution of the RA Ministry of Justice is situated on the so-called ‘sliding lands’, which also calls for an urgent response. Based on the foregoing, it is necessary to carry out infrastructure reforms, because the current state of the buildings/premises is inadequate. In terms of economic efficiency, it is expedient, during the coming years, to put into operation a new penitentiary institution with a capacity of housing

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<sup>2</sup> See at: [http://wp.unil.ch/space/files/2019/06/FinalReportSPACEI2018\\_190611-1.pdf](http://wp.unil.ch/space/files/2019/06/FinalReportSPACEI2018_190611-1.pdf) (25.07.19).



approximately 1,200 inmates. The Group of non-governmental public observers monitoring the penitentiary institutions and authorities of the Ministry of Justice stated in its 2014-2015 report that, to address the living conditions in penitentiary institutions, building new penitentiary institutions is not sufficient, and systemic changes are needed to improve legislation and the practices, namely by promoting the use of non-custodial sentences and measures alternative to pre-trial detention, expanding the available types of alternative sentences, and decriminalizing certain offences. In this situation, it is envisaged to build, within the territory of the city of Yerevan, namely – in its ‘Silikian’ district, a new penitentiary institution with a capacity for 1,200 inmates (200 beds are planned for persons in need of medical care). The main necessary components for building a new penitentiary institution are as follows: construction of buildings/premises, construction of ventilation and heating systems, construction of security and video-surveillance systems, construction of outer security systems, performance of set up activities and furnishing. In case of closure of the RA MOJ’s ‘Goris’ penitentiary institution, it is envisioned to build a new facility with a capacity of housing 350 inmates (the design is ready, and the institution is planned to be built in Khndzoresk). Besides that, it is planned to transfer the RA MOJ’s ‘Yerevan-Kentron’ penitentiary institution from the administrative building of the RA National Security Service to the former ‘Erebuni’ penitentiary institution's building. It is also to be noted that it is necessary to liquidate the RA MOJ’s ‘Hrazdan’ penitentiary institution and to build within the territory of the RA MOJ’s ‘Sevan’ penitentiary institution a facility with a capacity prescribed for RA MOJ’s ‘Hrazdan’ penitentiary institution to keep persons under the closed and semi-closed regimes as well as the detainees, including the premises for convicts sentenced to detention as a measure of criminal punishment. In such conditions, there is a need to ensure proportionate distribution of the inmate population across the penitentiary institutions. At the same time, it is planned to provide ‘Armavir’ penitentiary institution of the RA Ministry of Justice with conditions necessary for a correctional facility of a semi-open regime to house up to 200 inmates. Inherently, **construction of the new and optimization of currently operational penitentiary institutions will be considered in combination with the rest of strategic directions.** Construction of a new penitentiary institution and improvement of conditions of keeping the inmates in compliance with international standards are aimed at reaching the goal of the Strategy: **the proposed efforts will be conducive to ensuring human rights at the penitentiary institutions especially in conformity with international standards, and also to overcoming the criminal subculture and corruption, and decreasing the level of recidivism.**

**11.2.2.** Within the framework of this direction it is necessary to conduct modernization of the management and evaluation model of the Penitentiary Service and penitentiary institutions by combining the current model with the management and evaluation models that exist in



international practice and are effectively applied. It is also important to ensure mechanisms of economic management at the penitentiary institutions.

**11.2.3.** In the field of re-equipping penitentiary institutions with technical means the following are also important: development of the operational plan for the emergency situations at the penitentiary institutions; development and approval of the operational plan for situations of emergency caused by a threat of natural or human-made disasters threatening the penitentiary institutions; increase of the resistance level of the penitentiary institutions in emergency situations.

**11.2.4.** The administrative building and the territorial divisions of the Probation Service need to be improved. Due to the lack of spaces, there are a number divisions not having seats. In particular, the administrative building of the Probation Service needs renovation, it is necessary to ensure availability of rooms specifically equipped for archives and for operation of the electronic surveillance means. At the Ashtarak seat of the Aragatsotn regional division there is a need for a 80-100 sq.m space; the Aparan seat does not have a space, hence, there is a need to rent a 30-40 sq.m office or to build a new one; at the Talin seat also there is a need to rent a 30-40 sq.m office or to build a new one. At the Artashat seat of the Ararat regional division there is a need for a 80-100 sq.m space; at the Ararat (city) seat there is a need to rent a 30-40 sq.m office or to build a new one; at the Vedi seat there is a need to rent a 30-40 sq.m office or to build a new one, and the same – at the Masis seat. At the Armavir seat of the Ararat regional division there is a need to rent a 30-40 sq.m office or to build a new one; at the Ejmiatsin seat, in case of construction of a new building, there is a need for a 80-100 sq.m space. At the Sevan seat of the Gegharkunik regional division, in case of construction of a new building, there is a need for a 80-100 sq.m space; the Gavar seat does not have a space, and there is a need to rent a 30-40 sq.m office or to build a new one; the Martuni and Vardenis seats do not have a space, and for both there is a need to rent a 30-40 sq.m office or to build a new one; in case of the Tchambarak seat also there is a need for renting a 30-40 sq.m office or to build a new one. At the Vanadzor seat of the Lori regional division, in case of construction of a new building, there is a need for a 80-100 sq.m space; at the Spitak seat there is a need to rent a 30-40 sq.m office or to build a new one; the Alaverdi, Stepanavan and Tashir seats do not have a space, and for all three there is a need to rent a 30-40 sq.m office or to build a new one. At the Hrazdan seat of the Kotayk regional division there is a need to rent a 40-50 sq.m office or to build a new one; at the Abovyan seat there is a need to rent a 40-50 sq.m office or to build a new one. At the Gyumri seat of the Shirak regional division, in case of construction of a new building, there is a need for a 80-100 sq.m space; the Artik seat does not have a space, and there is a need to rent a 30-40 sq.m office or to build a new one. At the Kapan seat of the Syunik regional division, in case of construction of



a new building, there is a need for a 80-100 sq.m space; the Goris seat does not have a space, and there is a need to rent a 30-40 sq.m office or to build a new one; at the Sisian and Meghri there is a need to rent a 30-40 sq.m office or to build a new one. At the Yeghegnadzor seat of the Vayots Dzor regional division, in case of construction of a new building, there is a need for a 80-100 sq.m space. At the Kapan seat of the Syunik regional division, in case of construction of a new building, there is a need for a 80-100 sq.m space; the Dilijan, Noyemberyan and Berd seats do not have a space, and for all three there is a need to rent a 30-40 sq.m office or to build a new one. Construction of the offices will cost 200,000 AMD per sq.m. Renting offices in the regional capital cities amounts to 60,000-70,000 AMD, and in other regional cities - to 20,000-30,000 AMD per month.

**11.2.5.** The Probation Service needs to be equipped with technical devices providing the probation officers with adequate working conditions necessary for proper performance of their duties. It is also necessary to ensure availability of internet at the territorial divisions of the Probation Service. Besides that, the Probation Service needs to be equipped with the devices, which are necessary for the means of electronic surveillance. The electronic surveillance equipment will enable practical implementation of the restraint measures not connected with deprivation of liberty (house arrest, administrative supervision, etc.). The Governmental Program has also underlined that **the Government should take measures to enshrine legislative safeguards for application of criminal punishments alternative to imprisonment and of measures of restraint alternative to detention, as well as to provide the necessary means for their practical implementation and to stimulate application of such measures.**

**11.3. Ensuring accessible conditions for keeping persons with disabilities at the penitentiary institutions.** The strategic goals under this direction are aimed at ensuring, as a matter of priority, adequate conditions for keeping the persons with disabilities in the penitentiary institutions. Within the course of development and implementation of the policies for improvement of situation at the penitentiary institutions, the analyses of the problems facing the vulnerable groups, and specifically – the inmates with disabilities, and the search for the solutions of those problems, become of utmost importance.



**11.3.1.** In 2010, by ratifying the UN Convention on the Rights of Persons with Disabilities, adopted by the General Assembly on 13 December 2006 (hereinafter – ‘the Convention’<sup>3</sup>), the Republic of Armenia undertook a commitment to enable persons with disabilities to live independently and participate fully in all aspects of life, by taking appropriate measures to ensure to persons with disabilities access, on an equal basis with others, to the physical environment, to transportation, to information and communications, including information and communications technologies and systems, and to other facilities and services open or provided to the public. Article 25 of the Convention provides that “States Parties recognize that persons with disabilities have the right to the enjoyment of the highest attainable standard of health without discrimination on the basis of disability.” Under Article 13 of the Convention, “[I]n order to help to ensure effective access to justice for persons with disabilities, States Parties shall promote appropriate training for those working in the field of administration of justice, including police and prison staff.” Based on the international regulations, a number of countries have legislatively prescribed a number of provisions specific to the vulnerable groups. For instance, in the United Kingdom of Great Britain and Northern Ireland, every penitentiary institution has a designated officer responsible for disability matters. This officer is obliged to help persons with disabilities in participating in the institution's activities, to provide appropriate consulting and to inform the personnel of the penitentiary institution on the needs of a person with a disability.

**11.3.2.** The imperatives of ensuring accessible environment in the penitentiary institutions for persons with disabilities (ramps, handles, accessible water closets, etc.), and reasonable accommodation means (special recovery equipment or assistive devices for persons with auditory, vision or speech disabilities) are set forth in the RA Government Decision N 483-N from 4 May 2017 “On Approving the 2017-2019 Plan of Actions deriving from the National Strategy on Protection of Human Rights” and the RA Government Decision N 1025-L from 27 September 2018 “On Approving the 2019 Annual Plan and the List of Activities for Social inclusion of persons with disabilities.” In this regard, it is to be mentioned that the CPT stated within the framework of its Report on the visit to Armenia in 2015, that it is necessary to take into account the needs of elderly persons and/or persons with disabilities.

**11.3.3.** It is necessary to ensure accessibility of healthcare services and professional care for the convicts with disabilities, and hence, it is necessary that the penitentiary officers are trained to communicate with persons with disabilities. If medical care to the persons who need it is provided by another inmate, the latter should receive special training. In this regard, in its 2013 report on Italy, the CPT urged for caution in

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<sup>3</sup> See at: <http://www.un.org/disabilities/documents/convention/convoptprot-e.pdf> (25.07.19):



engaging other inmates in organizing the care of inmates with limited abilities. The CPT noted that the state must take measures to properly train inmates involved in the provision of care to inmates with limited abilities. Even under such circumstances, when they deliver the care, their work should be properly supervised by the properly trained personnel from the administration of the penitentiary institution. It is worth noting that special focus should also be on the issue of ensuring protection of the rights of imprisoned persons who are in need of special protection. In this respect, it is necessary to conduct assessment of the legislative regulations aimed at ensuring protection of the rights of imprisoned persons in need of special protection, and to develop a Draft legal act accordingly.

**11.4. Improvement of the conditions of keeping the juveniles deprived of liberty.** The strategic goals under this direction are aimed at carrying out measures to improve conditions of keeping juveniles deprived of liberty. It is worth mentioning that the necessity of envisaging such measures is prescribed by international legal documents. In particular, the Convention on the Rights of the Child highlights the need to comply with the United Nations Standard Minimum Rules for the Administration of Juvenile Justice. In addition, according to the UN Standard Minimum Rules for the Administration of Juvenile Justice (the Beijing Rules), while in custody, juveniles shall be provided with care, protection and all necessary individual assistance – social, educational, vocational, psychological, medical and physical – that they may require in view of their age, sex and personality, as well as shall be kept separate from adults – being detained in a separate institution or in a separate part of an institution also holding adults. The Recommendation R (2006) 2 of the Council of Europe Committee of Ministers from 11 January 2006, “On the European Prison Rules”, in its turn, stresses the need to provide to juveniles held in correctional institutions all the care, protection, and social, psychological, physical, education, and vocational assistance that they may require in view of their age, sex, person, and complete development interests. According to the standards of the CPT, a well-designed detention center for juveniles should provide positive and individualized conditions for holding young adults in custody, respecting their dignity and privacy. All rooms should be properly furnished and have sufficient natural light and ventilation. As a rule, juveniles should be placed in separate sleeping cells. Justification should be presented as to why it may be in a juvenile's best interests to be placed in a sleeping cell with another inmate. Before requiring to share a cell with another inmate, a juvenile should be consulted and allowed to specify whom he would like to share the cell with. Besides that, juveniles should have unhindered access to the sanitary facilities, which should have adequate conditions of hygiene and separation. In his 2018 Special Report “On Ensuring at the penitentiary institutions the rights of women and juveniles deprived of liberty” the Defender pointed out that in cases of absence



of other imprisoned juveniles at a penitentiary institution it is necessary to ensure the necessary human communication for the imprisoned juveniles kept in isolation, and to allocate special cells for keeping imprisoned juveniles, along with ensuring proper conditions of keeping<sup>4</sup>.

**11.5. Overcoming corruption and criminal subculture.** The strategic goals under this direction are aimed at excluding all corrupt practices and overcoming the criminal subculture in the system. In addition to other measures envisioned under this Strategy, **it is planned to conduct general audit in order to reveal corruption related manifestations.** The audit will enable identifying all the violations and abuses and bringing those responsible for to liability. In this context, the penitentiary institutions need to be refurbished with surveillance equipment. Modernization of the surveillance tools first of all presupposes re-equipping the penitentiary institutions with modern video-surveillance systems, which will enable to **establish an Operational Management Center and exclude through the on-line surveillance such corrupt practices as: additional walking time, reduced keeping in quarantine, open cells, refrain from checking the parcels, etc.** Refurbishing the penitentiary institutions with modern engineering and technical means (metal detectors, scanners, etc.) will enable preventing such manifestation of corruption as inflow of contraband. Characteristically, the criminal subculture, that exists at the penitentiary institutions, is also conducive to formation and enrooting of the corruption environment. It is to be mentioned, that the issue of criminal subculture at the penitentiary institutions has been addressed by widely recognized international entities. Thus, the CPT delegation, in the course of the 2015 visit, again observed that there was a general tendency for the management and staff in the prisons visited to partially delegate authority to a select number of inmates who were at the top of the informal prison hierarchy, the so-called ‘watchers’, and use them to keep control over (and maintain discipline among) the inmate population. In order to exercise their authority, the ‘watchers’ were apparently afforded certain privileges, such as the possibility to move relatively freely within the establishments and to enter any cells. The issue of criminal subculture was also referred to by the UN Committee against torture in the 4<sup>th</sup> Periodic report on Armenia (2017). The Committee has found that the high incidence of inter-prisoner violence in penitentiary institutions may be the result of the existence of a criminal subculture and informal hierarchy in prisons. Therefore, steps should be taken to end the practices of making use of the informal hierarchical relationships as a means of maintaining order at the penitentiary institutions. No prisoner should have an opportunity to exercise authority towards other prisoners. **The Government is resolute to prevent corruption related manifestations that have been enrooted in the system for years and to eradicate the ‘conducive conditions’ for the existence of criminal subculture. There should not be such prisoners at the penitentiary institutions that would be in a privileged condition.**

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<sup>4</sup> See at: <http://www.ombuds.am/resources/ombudsman/uploads/files/publications/b1290ae68d58b1d1d0c065ac84c7827b.pdf> (25.07.19).





**11.6. Revision of the human resource policy of the Penitentiary Service and of the status of the Probation Service, strengthening of cooperation between the Penitentiary and Probation Services.** The strategic goals under this direction are aimed at developing a pool of cadre with the requisite professional capabilities, as well as revising the status of the Probation Service and, accordingly, at changing the mechanism for recruitment of human resources and the system of social guarantees. In addition, development of the philosophy of cooperation between the Penitentiary and Probation Services is considered to be of importance.

**11.6.1.** One of the problems in the penitentiary field is the presence of ineffective mechanisms for hiring and training high quality professionals for the penitentiary service, as well as the absence of effective guarantees for social security and protection for the penitentiary staff. Worth to be considered are also the problems of social security of the employees of the penitentiary system. Setting the required level of social security will enhance attractiveness of the service in the penitentiary system and hence, will guarantee both filling the vacant positions and recruitment of a quality personnel. In this situation, it is necessary to conduct assessment of the social needs (including the housing needs) of the penitentiary officers, develop an efficient system of social security for the penitentiary officers, and revise the salary policy. It is important to carry out a comprehensive evaluation of the mechanisms for recruitment, assignment and promotion of the personnel. The Defender, the Group of Observers and the non-governmental organizations working in the field have also come up with recommendations pertinent to regulation of this field, stressing that social guarantees are crucially important in this field. As they report, it is necessary to essentially increase the wages for the penitentiary officers and attract the quality cadre, to increase social guarantees for the employees, increase the number of security personnel at the penitentiary institutions, to create conducive occupational conditions for them and to improve the existing ones (room for rest, cafeteria, office), make personnel related changes, in particular – by transferring employees from one penitentiary institution to another at certain periodicity. Besides that, it is necessary to take appropriate efforts and invest resources in order to fill the positions of the administration staff, increase the number of positions to the required threshold, ensure social guarantees and proper working conditions for the employees and arrange their professional training.

**11.6.2.** According to Article 52(2) of the RA Law “On Probation”, the probation officers are civil servants. It follows, that the provisions of the RA Law “On Civil Service” are applicable to probation officers. This Law defines the procedure of filling the vacant positions in the Probation Service, training of the probation officers, relations of taking reward and disciplinary measures, which in practice creates problems



from the perspective of making the employment with the Probation Service more attractive, as well as in terms of recruiting quality specialists, namely – lawyers, psychologists, social workers, criminologists, and certified specialists of other collateral professions to perform activities at the Probation Service. This issue has been raised also by the Defender<sup>5</sup>. Moreover than that, while being a body that enforces punishments, the Probation Service does not, however, have such a status and does not enjoy the social guarantees accessible to, for instance, the Penitentiary Service. This does not mean, though, that the officers of the Probation Service should have a status equal to that of military servicemen. However, there is a need to consider opportunities for changing the status of the Probation Service and revising the system of social guarantees provided to the probation officers. Such a recommendation has been made also by the international experts with vast experience in the field of probation. By changing the status and introducing a new system of social guarantees, appropriate conditions will be created also for ensuring overcoming corruption in the probation system.

11.6.3. Within the framework of ideology of reinforcing restorative justice, importance is given to involving more social workers and psychologists in the Probation Service. In order to ensure effectiveness of the Probation Service, it is necessary to have 25 positions, out of which 22 should be filled by social workers and 3 – by the psychologists (4 social workers and 3 psychologists – for Yerevan city territorial division, 2 social workers – for Aragatsotn territorial division, 1 social worker – for Ararat territorial division, 2 social workers – for Armavir territorial division, 2 social workers – for Gegharkunik territorial division, 2 social workers – for Lori territorial division, 2 social workers – for Kotayk territorial division, 2 social workers – for Shirak, 2 social workers – for Syunik territorial division, 1 social worker – for Tavush territorial division).

11.6.4. The opportunity of introducing effective cooperation mechanisms between the Penitentiary and Probation Services is considered as highly important. It is necessary to ensure philosophy of equal partnership of these services – following the logic of the Council of Europe Probation Rules 2010/1, Recommendation 2003/22 on Early Release (parole), and other priority documents (during development of the individual rehabilitation plan at the penitentiary stage, preparation of the report on early conditional release from serving the punishment to be submitted to the court, etc.).

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<sup>5</sup> See the 2018 Special Public Report of the Defender ‘On the Monitoring of the activities of the State Probation Service’, at: <http://www.ombuds.am/resources/ombudsman/uploads/files/publications/c3fc33641c2871502066374406df2198.pdf> (25.07.19).



**11.7. Introduction of electronic management tools in the penitentiary and probation system.** In reflection of the current trends of development of innovative technologies, and aiming to increase efficiency of the Penitentiary and the Probation Services, to reduce the document paper-flow, and to ensure efficient, transparent and accountable management, it is necessary to **introduce the ‘e-penitentiary’ and ‘e-probation’ electronic management systems**. The electronic management systems will enable to digitalize the results of each activity performed with the detainees, the convicts and the beneficiaries of the Probation Service. The ‘e-probation’ system is still awaiting for software solutions, whereas those for the ‘e-penitentiary’ system are already developed. The ‘e-penitentiary’ system fully embraces the information on all legally prescribed functions performed in relation to detained and convicted persons, as well as on the necessary documents, on early conditional release from serving the punishment, on changes of the regime of serving the punishment, on visitations, work and education, as well as any other relevant information. Besides that, the whole process of taking photos and fingerprints, as well as that of making video-recordings will be conducted in a digitalized form and archived in the personal folder of each person. Another advantage of the automated system is the opportunity of generating reports and conducting analytical work in any preferred format. Putting the ‘e-penitentiary’ system into full-fledged operation will require creation of a corporate network (there is a need to establish a cable connection between the central body of the Penitentiary Service and the 12 penitentiary institutions (DATA), furnish the penitentiary institutions with the necessary technical equipment, including: computer sets (there is a need to obtain 65 computers for 12 penitentiary institutions and 5 divisions of the central body of the Penitentiary Service); ID readers (there will be a need to obtain 130 units of ID readers for 12 penitentiary institutions and the divisions of the central body of the Penitentiary Service); fingerprint readers (there will be a need to obtain 14 devices for 12 penitentiary institutions, out of which 2 readers will be reserve devices to be used when replacing temporarily, if need be, the broken ones); mobile videocameras with a capacity of making digital photos and video recordings (there will be a need to obtain 14 devices for 12 penitentiary institutions, out of which 2 will be reserve devices to be used when replacing temporarily, if need be, the broken ones); scanning devices and printers (there will be a need to obtain 14 devices for 12 penitentiary institutions, out of which 2 will be reserve devices to be used when replacing temporarily, if need be, the broken ones); data collection center (consists of two servers, 1 of which will be used to ensure reserve (back up) collection of data, and also – to ensure availability of a sufficient memory size); UPS devices; server cabinet and other technical devices necessary for furnishing the server room. Analogous solutions will be necessary for the ‘e-probation’ system as well.



**11.8. Resocialization of convicts and probation beneficiaries.** The strategic goals under this direction are aimed at creation and improvement, within the penitentiary and probation system, of such preconditions that would enable implementing the idea of restorative justice and ensuring purposefulness of the enforcement of punishment. In order to solve this problem, it is necessary to improve the policy of reintegrating the persons who have committed crimes into society – both during their time at the penitentiary institution, and during the time of supervision and after serving the sentence – by introducing programs for resocialization and reintegration into society of detainees and convicts, as well as those released of punishment, including persons under supervision<sup>6</sup>. For the sake of solving this issue, it is necessary to improve the

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<sup>6</sup> While this issue is still a priority problem, nevertheless it is worth noting that several key steps have been taken, e.g. in 2018, aiming to increase efficiency of the process of resocialization of persons deprived of liberty. In particular, with funding from the Bureau of International Narcotics and Law Enforcement Affairs (INL) office of the U.S. Embassy, the “Civil Society Institute” has implemented at the RA MOJ’s ‘Abovyan’ penitentiary institution a program called “‘Abovyan’ Prison: Establishing a Culture of Transparency, Efficiency and Rehabilitation.” Within the framework of this Program, several rooms were allocated for educational purposes designed for the courses organized therein. A number of courses were conducted as a part of this Program, in particular:

- 1) Computer class (during the several months long computer classes the female convicts not only obtained computer skills, but also performed book digitalization activities for practical application of their knowledge);
- 2) Cooking class;
- 3) Spinning of woolen thread;
- 4) Crochet class;
- 5) Carpet weaving class;
- 6) Fitness class, Yoga class;
- 7) Hairdressing class;
- 8) Career planning and entrepreneurship class;
- 9) English language class.

Characteristically, during the 3 months of computer classes the female convicts not only obtained computer skills, but also performed **digitalization of books** in order to practically apply their knowledge. In addition, **the gym was equipped** to host yoga and fitness classes. Within the framework of the Program also the cafeteria was renovated and furnished. **Cooking classes were held at the cafeteria**, and the convicts will receive certificates of a cook assistant upon completion of the course.

It is to be noted that a Handwork Club (crochet, carpet weaving) has been launched at the RA MOJ’s ‘Abovyan’ penitentiary institution with the assistance of the “Women’s Development Resource Center”.

It is also worth mentioning that within the framework of the “Aesthetic upbringing of the offenders” Project, the “Centre for implementation of legal education and rehabilitation programmes” SNCO implements the following courses at ‘Abovyan’ and ‘Armavir’ penitentiary institution: a) Applied decorative arts, Ceramics, Drawing, Applied ornamental arts, Batik; b) English language; c) Computer skills; d) Business literacy, Armenian language and literature.

- 1) Pottery and ornamental art;
- 2) Ceramics, technology of painting and firing;
- 3) Contemporary applied arts, woodcutting;



activities conducted at the penitentiary institutions and in the society with the aim of correcting the convicts and probation beneficiaries, as well as to perform with them social and psychological activities aimed at making them fully empowered members of the society, and to ensure their educational and working occupation. In this context, the individual planning of the punishment and supervision, and the consistent development and implementation of the inmate risk and needs assessment tool will become of key importance. Besides that, within the mentioned processes the juveniles should be given special treatment: the measures of general nature that could be special for the adult convicts cannot be applied to the juveniles; it is necessary to take into consideration the risks and needs that are inherent to juveniles, and then – to conduct individual planning of the punishment or supervision – guided by the best interests of the juvenile. Characteristically, the importance of this direction has been stressed by the CPT, and the Defender, as well as the Group of Observers and the non-governmental organizations working in the field.

**11.8.1.** Necessary steps need to be taken at the penitentiary institutions aimed at promoting reintegration of the convicts and detainees, and ensuring their out-of-cell occupation (for instance, engagement in work, active participation in cultural and sport events, etc.). When addressing the issue of occupation of prisoners, the CPT mentioned the need of performing activities aimed at ensuring occupation, recreation, etc. in practice. According to the CPT, the lack of purposeful activities is especially harmful for imprisoned juveniles, who have a particular need for physical activity and intellectual stimulation. Juvenile inmates should be provided throughout the day with a full program of education, sport, vocational training, recreation and other purposeful out-of-cell activities<sup>7</sup>. The importance of this direction has been recognized by the Defender as well, who mentioned that providing the persons kept at the penitentiary institutions with occupation and work is essential for their resocialization, reintegration into society, and finally – from the perspective of fully preparing them for release<sup>8</sup>. In his 2018 Special Public Report on the Monitoring of the activities of the RA Probations Service, the Defender specified that the key direction of the state's penitentiary policy within the penitentiary and post-penitentiary stages should be resocialization of the offender which should be implemented through introducing at the penitentiary institutions the programs of appropriate educational level and well designed and tailored courses, as well as through practical mechanisms aimed at increasing competitiveness of the former inmates on the workforce market. According to the Group of

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4) Healthy lifestyle;

5) Psychology: Self-knowledge – effective communication

6) Fairytale therapy: Analysis of characters.

<sup>7</sup> See the 24th General Report of the CPT, covering the period from 1 August 2013, to 31 December 2014, at: <https://rm.coe.int/1680696a9c> , par 107.

<sup>8</sup> See at: <http://www.ombuds.am/resources/ombudsman/uploads/files/publications/59297c7b4276c9dbf19cd1f1cfd92a8.pdf> (25.07.19), page 86.



Observers, increased attention should be paid to promoting occupation of the convicts, in particular, by creating jobs, establishing trade unions, arranging on-line and other type of sales for the products created by them. The Group of Observers has also pointed out the need for developing a manufacturing capacity of the penitentiary institutions – considering also cooperation with the private sector. Based on the foregoing, in order to ensure employment of the inmates, it is more expedient to consider establishing small-sized manufacturing activities at the penitentiary institutions. For example, experience of the Russian Federation, the Republic of Belarus, the Kingdom of Denmark, the German Federal Republic, and the United Kingdom in organizing manufacturing at the penitentiary institutions and sale of the products testifies to the fact that the list of products manufactured in the penitentiary system can be diverse – up to the processing of the raw materials necessary for manufacturing products, and even raw materials for manufacturing can be produced in the penitentiary system. The production is organized within the administrative perimeter of a penitentiary institution, and the works are supervised by the employees of the respective unit of the institution. Furthermore, the scope of diversity of the manufactured products and their markets allows accurate prediction of the sales volumes as well. Therefore, it is necessary to discuss possibility of creating a conducive business environment, and to make establishing workshops within the penitentiary institutions attractive, which will not only solve the problem of occupation of prisoners, but also that of the sale of the production. At the penitentiary institutions, it is also necessary to establish other centers of occupation for the inmates (e.g. greenhouses). Besides that, it is necessary to develop tailored resocialization measures and programs for the probation beneficiaries.

**11.8.2.** It is also necessary to increase efficiency of the management of the “Support to Prisoners” Foundation. According to the Regulations of the Foundation, the main directions of the Foundation are: ensuring work occupation of the prisoners, development of the social aspect of the Penitentiary Service, improvement of economic and living conditions, increase of educational level of the personnel of the Penitentiary Service, and increase of the educational level of the prisoners. Nevertheless, it is to be recognized, that **since its establishment, the Foundation, in fact, has never fully implemented its objectives defined under its Regulations.** Moreover than that, in a result of analyses conducted by the State Control Service at the Foundation from 8 October to 28 December 2018, **a number of violations and abuses were identified.** For instance, the State Control Service has reported that the Foundation, while operating 5 bakery units, failed to ensure at all these units involvement in the baking processes of the prisoners and probation beneficiaries. Being unable to arrange production of a sufficient quantity of bread, the Foundation obtained the bread to be procured to several penitentiary institutions (RA MOJ's ‘Abovyan’, ‘Goris’, and ‘Sevan’ penitentiary institutions) from the third persons and, actually, ‘resold’ the bread to the Penitentiary Service. In a result of inefficient management of the Foundation, as of 1 December 2018, the Foundation owed to the Penitentiary Service as much as 51,000,000 AMD in a debt



accumulated for the energy consumption, whereas the prices for the energy and the flour had already been included in the cost price of the bread production. As of 1 January 2019, the debt of the Foundation for the consumed energy amounted to 63,000,000 AMD. It can be, thus, reflected as a fact, that the gross debt of the Foundation has been accumulated in a result of wrong management. Besides that, according to the contract concluded between the Penitentiary Service and the Foundation for procurement of the bed accessories and uniform, the Foundation should have involved as many as 40-45 prisoners in the respective works, which have not been fully implemented. The Foundation received commodities of 18,881,900 AMD, which were non-compliant with the technical specifications, and then, in its turn, transferred those to the penitentiary institutions, inflicting pecuniary damages upon the state. **The Government is determined to eradicate all the violations and abuses that exist at the Foundation and to increase efficiency of its management. The Foundation needs to properly implement its obligations as defined under its Regulations, and become one of the main moving forces ensuring occupation for the prisoners and the probation beneficiaries.**

**11.8.3.** Among the resocialization activities implemented with the persons deprived of liberty of particular specificity are the efforts ensuring realization of their right to education, introduction of new programs of vocational training, within the framework of which it is necessary to conduct assessment of educational needs of the inmates, which will lead to development of the new programs or amendment of the current ones. Characteristically, reforms of this field have already started. In particular, the “Centre for implementation of legal education and rehabilitation programmes” SNCO of the MOJ, under the Decrees of the RA Minister of Education and Science NN 250-A/2 and 251-A/2, from 21 March 2018, was issued licenses to implement educational activities at the penitentiary institutions based on the general education programs. Moreover than that, Educational plans (alternative/author’s/educational programs) of a special facility of general education for the persons serving punishment connected with deprivation of liberty and/or detainees, developed by this organization, were approved under the Decree of the Minister of Education and Science N 1398-A/2, from 19 October 2018. Consequently, the persons without general education will be able to exercise their right to education – having an opportunity to study Armenian language, Russian language, computer science, Armenian literature, geography, Armenian history, History of Armenian Church, algebra, geometry, physics, chemistry, biology, physical culture, social science. On 24 July 2019, the RA Ministry of Education, Science, Culture and Sport and the “Centre for implementation of legal education and rehabilitation programmes” SNCO signed a subsidy contract, in a result of which starting from 2 September 2019, the SNCO will be providing general education to the persons serving punishment connected with deprivation of liberty and/or detainees. Preserving the outcomes of the mentioned efforts and taking the new ones will promote improvement efficiency of resocialization process.





**11.9. Improvement of the quality of healthcare and medical assistance services.** The strategic goals under this direction are aimed at modernizing the health services at the penitentiary institutions. The penitentiary system needs reforms of its healthcare and medical assistance services as well – taking into account that the right to health is a natural human right that becomes of particular importance in a state of isolation from the society. Considering the importance of solving these problems, recently the Government has made reforms of the prison health system one of its key policy directions. Ensuring the inmates’ rights to healthcare and medical assistance is taken as a priority and urgent issue. Recognizing the need for the reforms in this system, the RA Government, by its Protocol Decision N 2, from 19 January 2017, approved the Concept paper “On Modernizing medical services at the penitentiary institutions” (hereinafter – ‘the Concept’). The Concept provides for systemic solutions for the reform of the penitentiary healthcare system that are aimed at ensuring the professional independence of the personnel providing healthcare and medical assistance services, strengthening the confidence of the inmates in the medical personnel, attracting quality medical personnel to the penitentiary system, ensuring proper quality level of medical personnel, and creating efficient opportunities to integrate the penitentiary health system with that of the public health. It is worth mentioning that certain steps have already been taken to solve these issues. In particular, **within the framework of the “Strengthening the health care and human rights protection in prisons in Armenia” Project implemented jointly by the RA Ministry of Justice and the Council of Europe, contemporary accessories and equipment necessary for providing primary healthcare services for the medical units of as many as 11 penitentiary institutions were obtained, the furniture designed for medical personnel was provided, and approximately 1,000 representatives of the medical and non-medical personnel were trained on various topics.** A number of Draft legal acts, guidelines and manuals have been developed within the framework of this Project, pertaining, in particular, to: the main template standard operational procedures (standard procedure for developing standard operational procedures); the procedure and the format for maintaining the documentation management registry, standard procedure for response actions to instances of spillage of biological and chemical substances in the labs or the patient wards, treatment, manipulation and operating rooms; procedure for managing the samples of a biological substance for micro-biological examinations and approval of the forms for referring, accepting or rejecting the substances; ensuring biosafety of the labs operating with a biological substance; contemporary approaches on best practices of virus control, debacterization and hand hygiene at the entities of penitentiary institutions providing medical assistance and services; giving safe injections at the entities of penitentiary institutions providing medical assistance and services; and the system of epidemiological control of viruses caused by medical intervention. Nevertheless, it is noteworthy, that efficient solution of the problem of ensuring the right of the inmates to healthcare and medical assistance is also highly dependant on ensuring the institutional efficiency of the current penitentiary healthcare system, in a result of which necessary safeguards will be created for ensuring professional and financial independence of the





penitentiary healthcare service, its integration with the system of public health, and attracting quality personnel. Recruitment of a quality medical personnel is a matter of key importance, since due to the age limitations, prohibition of engagement in other working activities, low wages, specific occupational conditions, and the lack of professional training, the chances of attracting a quality medical personnel are significantly reduced, which in its turn affects the quality and scope of the services provided. Efforts should be taken aimed also at providing efficient medical sanitary and preventative assistance, because currently the sanitary-hygiene supervision is not exercised at the appropriate level, and the penitentiary institutions also lack specialists with necessary knowledge and qualification to control the compliance with sanitary rules and norms of hygiene. It is necessary to launch programs for assessment of the state of inmate's mental health and for prevention of its deterioration, as well as programs for performing screening examinations in connection with such assessment and prevention, and also – improve quality of psychological services provided to persons deprived of liberty. The mentioned are the minimum conditions that need to be guaranteed in the light of the mental healthcare of a person. Also the Defender, in his 2018 Annual Activity Report as a National Prevention Mechanism, pointed out to the need of involving the persons who are at the psychiatric facility for a long-term care and treatment, in the screening examination programs implemented in the country<sup>9</sup>. As the Defender stated, the issue of equipping the healthcare units of the penitentiary institutions with quality narrow medical specialists also continues to be a matter of concern. Not all of the penitentiary institutions have healthcare units with doctors possessing a qualification of dentist or psychiatrist. In this context, Rule 25 of the UN Standard Minimum Rules for the Treatment of Prisoners (hereinafter – ‘the Mandela Rules’) from 17 December 2015 provides that the health-care services shall be provided by an interdisciplinary team with sufficiently qualified personnel acting in full clinical independence and shall encompass sufficient expertise in psychology and psychiatry. The services of a qualified dentist shall be available to every prisoner. The requirement of availability of a quality medical practitioner at the healthcare unit is also set under the European Prison Rules<sup>10</sup>. According to these Rules, every prison should make use of the services of at least one qualified medical practitioner. It is also necessary to improve conditions of providing the secondary (hospital) medical assistance and services. It is of key importance, that the **availability of an independent doctor is one of the necessary safeguards for proper evaluation and recording of the results of medical examinations carried out in relation to torture and ill-treatment**. It is also worth noting that **the Government has already allocated the funding necessary for actual implementation of the activities of the “Center for Penitentiary Medicine” SNCO (hereinafter – ‘SNCO’), and the SNCO will start operating in the near future.**

<sup>9</sup> See at: <http://www.ombuds.am/resources/ombudsman/uploads/files/publications/2a945ebfa92f2536ba1d673ee964cd90.pdf> (25.07.19).

<sup>10</sup> See at: [https://pjpeu.coe.int/documents/3983922/6970334/CMRec+\(2006\)+2+on+the+European+Prison+Rules.pdf/e0c900b9-92cd-4dbc-b23e-d662a94f3a96](https://pjpeu.coe.int/documents/3983922/6970334/CMRec+(2006)+2+on+the+European+Prison+Rules.pdf/e0c900b9-92cd-4dbc-b23e-d662a94f3a96) (30.03.2019), par. 41.1.



**11.9.1.** In order to arrange the hospital medical assistance and services for the persons deprived of liberty and also taking into account the location of the penitentiary institutions, **at the regional multi-profile health facilities with 110 and higher bed capacity (Shirak, Lori, and Syunik regions) and in the city of Yerevan – at multi-profile health facilities with 500 and higher bed capacity, the Government will set aside units of at least 10 bed capacity which will be completely isolated with metal bars and doors, controlled by the video cameras and protected by the Penitentiary Service.**

**11.9.2.** There is also a need to introduce alternative flexible ways for obtaining medications, which will ensure providing them to the inmates as need be and without waste of time. In this regard, it is worth noting that the Defender in his 2018 Annual Activity Report as a National Prevention Mechanism, pointed out to the fact that availability of drugs constitutes an important element to proper organization of the medical assistance and services at the penitentiary institution. There have been cases where medical units of the penitentiary institutions lacked drugs of the required types and quantity. The medical services would mostly be in a possession of drugs necessary for primary medical care. In a result, as the Defender reported, the above mentioned situation speaks to the fact of a failure to provide the penitentiary institutions with required quantity of drugs, which can lead to a failure by the state to comply with its obligation to ensure to the persons under its control proper medical assistance, in particular – to ensure drug-based treatment under the supervision of a doctor and upon medical prescription<sup>11</sup>.

**11.9.3.** Providing the persons deprived of liberty with diet food is also of key significance and follows from the right of the prisoners to health. It has been mentioned also by the Defender in his 2018 Report. The issue of providing the inmates with diet food has also been focused on by the Group of Observers and by the non-governmental organizations working in the field. Therefore, steps will be taken to solve the issue of providing the persons deprived of liberty with diet food.

## **V. BENCHMARKS OF THE STRATEGY**

**12.** Taking into account the problems identified in the penitentiary field, the main benchmarks for the reforms will be as follows:

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<sup>11</sup> See at: <http://www.ombuds.am/resources/ombudsman/uploads/files/publications/2a945ebfa92f2536ba1d673ee964cd90.pdf> (25.07.19).



- 1) Improving the legislative framework, bringing the current legal acts into line with international legal standards;
- 2) Creating conditions for serving the sentence at penitentiary institutions in correspondence with international standards;
- 3) Modernizing the quality of medical assistance and services provided;
- 4) Implementing measures to ensure transparency and to reduce corruption risks; combating criminal environment
- 5) Refurbishing with modern engineering systems of security and protection;
- 6) Implementing measures to provide occupation and resocialization for persons deprived of liberty, introduce the risk and needs assessment tools; individual planning of the punishment;
- 7) Continuously improving professional knowledge and working skills, as well as social conditions of the penitentiary personnel;
- 8) Implementing reforms in the field of conditions of serving the punishment by juveniles;
- 9) Ensuring accessible conditions for inmates with disabilities in penitentiary institutions;
- 10) Increasing efficiency of the activities of the Probation Service, including, in particular, the continuous improvement of the legislation, revision of the status of the Probation Service, envision of social guarantees, refurbishment with technical equipment and resocialization of the beneficiaries of probation.

## **VI. EXPECTED RESULT OF THE STRATEGY**

**13.** The final objectives and expected results of the reforms in the penitentiary and probation system will include: efficient realization of the purposes of punishment; availability of meaningful safeguards for ensuring protection of the rights and freedoms of persons kept at the penitentiary institutions; continuous implementation of comprehensive and efficient measures for resocialization; essential improvement of conditions of keeping the persons at the penitentiary institutions; presence of an effective system of management, and availability of sufficient social security guarantees for the penitentiary and probation officers.

## **VII. ANALYSIS AND FINANCIAL ASSESSMENT OF THE EXPENSES NECESSITATED BY THE STRATEGY AND THE 2019-2023 PLAN OF ACTIONS FOR ITS IMPLEMENTATION**



**14.** Analysis and financial **assessment of the expenditures necessitated** by the Strategy and the 2019-2023 Plan of Actions for its implementation are based on the methodology presented below.

**14.1.** Assessments and studies are to be conducted within the first stage of many activities, based on which more precise programs of follow up actions will be developed, and only then will the precise scale, tariffs and rates become clear. Therefore, the approximate preliminary estimates and average **template** rates and tariffs have been taken as a basis.

**14.2.** When making estimates, the average or template expense modules tool has been utilized.

**14.3.** For some of the expenses, the benchmarking approach or the average template cost level have been utilized.

**14.4.** The annual inflation rate is envisaged to be at 4.3%, based on the forecast of the Central Bank. Supposedly, within the course of years some tariffs and rates will experience changes at the mentioned scale.

**14.5.** Involvement of international experts implies the need of arranging for translations and expert visits. Hereinafter in the text, these costs also will be referred to as ‘collateral costs for involving international experts.’

**14.6.** As a matter of approach, the principle is recommended that the international expert shall develop methodological basis, train local specialists, and then - within the course of the coming years – assist with introducing the system of effective implementation and monitoring of an activity. As a rule, this approach would mean that international experts are more intensively involved during the first years of activity implementation process.

**14.7.** For some of the activities, planning of specific additional resources is recommended (for instance, for development and printing of materials or manuals or for travel, if international experience needs to be studied).

**14.8.** Outsourcing is planned for creating outsourced electronic resources and for implementation of modernization projects and software solutions.



**14.9.** The following 4 types of public events are envisaged for public awareness, public discussions and the meetings to be held for other purposes:

- 1) Event planned for approximately 100-200 participants, which does not have any strong representative nature and costs 50,000 AMD, at average;
- 2) Public event planned for approximately 50-100 participants, which does have some representative features and costs 200,000 AMD, at average;
- 3) Public event of a representative nature planned for approximately 100-200 participants, which costs 1,500,000 AMD, at average;
- 4) Open publicity events, which cost approximately 5 mln AMD.

**14.10.** The average exchange rate set by the Central Bank within the time period from January to July 2019, has been taken as an exchange rate for USD and EUR.

**15.** The following implicit cost estimations have been performed for implementation of the Strategy directions (those activities have been estimated that do not require decision making based on the analysis and proposed recommendation):

**15.1.** International and local experts will be involved **within the framework of improvement of the RA penitentiary and probation legislation**. According to the averaged estimations, approximately 4 mln AMD will be required annually in 2019-2023 (of which approximately 500.000 AMD will be provided to the local expert, and approximately 3.500.000 AMD – for the involvement of the international expert). Accordingly, the total financial estimate will amount to **approximately 20 mln AMD**. The mentioned financial estimate may also include implementation of necessary analytical activities within the frame of other strategic directions of the Strategy.

**15.2. Improvement of the conditions of keeping the persons deprived of liberty, optimization and modernization, and technical equipping of the penitentiary institutions.**



1) This strategic direction will be implemented by the following financial investments:

- a. construction of a new penitentiary institution within the territory of Yerevan city – **21,288,420,000 AMD**, and for design and estimate activities – **417,420,000 AMD**;
- b. construction of the new compound for ‘Yerevan-Kentron’ penitentiary institution – **3,108,000,000 AMD**;
- c. construction of the new compound for ‘Hrazdan’ penitentiary institution within the territory of ‘Sevan’ penitentiary institution – **4,845,000,000 AMD**;
- d. construction of the new compound for ‘Goris’ penitentiary institution – **4,990,000,000 AMD** and for the estimate recalculation – **9,994,000 AMD**;
- e. construction of the semi-open correctional facility at ‘Armavir’ penitentiary institution – **35,000,000 AMD**;
- f. construction of ventilation system for ‘Armavir’ penitentiary institution – **489,496,700 AMD**.

In total, the activities will require approximately **35,183,337,000 AMD**.

2) To allocate for refurbishment of the RA penitentiary institutions with modern engineering and technical means of security:

- a. acquisition of modern engineering and technical means for all penitentiary institutions – **252,000,000 AMD**;
- b. acquisition of security systems for ‘Armavir’ penitentiary institution – **900,000,000 AMD**;

3) Introduction of e-penitentiary electronic management systems in the penitentiary system – **116,669,000 AMD**.

**15.3.** When calculating office rent expenses within the framework of **acquisition of offices or construction of new offices for the Probation Service**, it is estimated that due to different nature of functions performed by the offices located in various seats, the office space occupied in the regional capital cities will amount to 80-100 sq.m, and for the rest of the seats – 30 sq.m (except for Yerevan). Thus, based on the rates for renting spaces in residential (administrative) areas of different RA regions, it is envisaged that renting offices in the regional capital cities will amount to 60,000-70,000 AMD, and in other regional cities - to 20,000-30,000 AMD per month. Taking into account the RA administrative-territorial division, there is a need of 32 seats, out of which 10 – in the regions. Accordingly, expenses for renting office spaces will amount to 16,320,000 AMD annually. In case of construction of the new spaces, there will be a need for construction of 1,660 sq.m of space, the approximate cost of which will amount to 318,720,000 AMD (1 sq.m costs 192,000 AMD, according to market prices).



**15.4. When making calculations of the financial means necessary for acquisition of the equipment necessary for acquisition of electronic surveillance equipment,** it was expected that during the initial stage, the alternative preventative measures would be applied to at least 200 beneficiaries, and the cost for each unit of the electronic surveillance device would amount to 500 EUR or 264,500 AMD, and accordingly – to 52,900,000 AMD in total (264,500 or 500 EUR \* 200) which also includes the cost for the equipment installed at the Electronic monitoring center.

**15.5.** Currently, the Probation Service has 11 transportation means, which had been transferred to the Service in a result of termination of the activities of the Unit of Enforcement of Alternative Punishments of the RA MOJ Penitentiary Service. Out of these transportation means – 1 is assigned to the Chief of the Service, and the rest 10 (in poor condition) – to the regional units. The units of the Central body of the Service and the Yerevan city territorial division are not provided with transportation means. Due to the work specifics, frequently employees spend much time out of office, in particular – when they visiting addresses of the beneficiaries and the locations where the public works are being performed, when participating in court sessions, or visiting – when developing reports – the penitentiary institutions, places of residence of the convicts and victims or victims' representatives. This issue is even more challenging in the regional units, considering distances from residential areas to the regional capital cities and the fact that in some cities there is only 1 employee (e.g. in Vardenis, Meghri, Sisian, Talin, Martuni, Berd, Noyemberyan, Ijevan, Dilijan). Currently, these activities are mainly performed by using public transportation or the employees' personally owned vehicles. For the sake of smooth organization of the activities of the Service, it is necessary to provide the Service with more transportation means, at least in the following quantities: Yerevan city division – 3 transportation means, 10 regional divisions – 2 for each, including the currently available one, except for the Vayots Dzor regional division. It is necessary to acquire 13 passenger cars (3 – for Yerevan city division, 10 for regional divisions – 2 for each, including the currently available one, except for the Vayots Dzor regional division, 7,000,000 AMD \* 13) which will amount to 91,000,000 AMD. In case of acquisition of vehicles, there will be a need for increasing also the gas and maintenance related expenses.

**15.6.** In order to ensure proper activities of the Probation Service, it is also necessary to acquire the following technical means (presented in the chart):

	Unit	Quantity	Price
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1.	Scanning, printing, copying device (3 in 1)	30 pcs Canon MF 232	$104\,000 \times 30 = 3\,120\,000$ AMD
2.	Phone	30 pcs Panasonic	$7500 \times 30 = 225\,000$ AMD
3.	Electronic keypad entry device for the Central body of the Service.	1 piece Ellips	576 000 AMD
4.	Safe	30 pcs	$85\,000 \times 40 = 3\,400\,000$ AMD
5.	Necessary means for outsourcing protection services for the building of the Central body of the RA MOJ Probation Service to the Protection service of the RA Police		4 320 000 AMD
6.	Uniform	82 pcs	$82 \times 75000 = 6\,150\,000$ AMD
7.	Providing Internet accessibility	32 seats	$32 \times 7500 \times 12 = 2\,880\,000$ AMD
Total		20 671 000 AMD	

**15.7.** In order to exercise efficient control over the regional units of the Probation Service and to issue methodological instructions, it is necessary to ensure travel of the respective personnel to the regional units. To cover travel expenses, 5,570,000 AMD will be needed. This sum includes only accommodation and per diem expenses, estimated per 5 persons per day ( $23,000 \times 5 \times 5 \times 10$ ).

**15.8.** For the software for **e-probation** electronic management system and for putting it into operation there will be a need for approximately 24,000,000 AMD.

**15.9. For implementation of the specific resocialization projects and activities** (Expanding the scope of the “Aesthetic upbringing and education of the offenders” Project; Conducting vocational education courses at least 6 months prior to expiration of the term of imprisonment; Providing on-line distance learning for persons deprived of liberty; Providing public education to persons deprived of liberty





regardless of age; Establishment of rehabilitation centers to provide the former convicts with support on social and legal matters after serving the term of imprisonment; Conducting rehabilitation activities with persons convicted for violence exercised in the family) **there will be a need of approximately 350,000,000 AMD.**



Attachment N 2  
To the RA Government Decision  
N\_\_\_\_-L from \_\_\_\_\_

**THE 2019-2023 PLAN OF ACTIONS  
FOR IMPLEMENTATION OF THE 2019-2023 STRATEGY OF THE PENITENTIARY AND PROBATION FIELD OF THE  
REPUBLIC OF ARMENIA**

N/N	ACTIVITY	VERIFIABLE CRITERION OF IMPLEMENTATION OF THE ACTIVITY	RESPONSIBLE BODY AND CO- IMPLEMENTERS	DEADLINE FOR IMPLEMENT ATION	EXPECTED RESULT	SOURCE OF FUNDING
<b>PENITENTIARY FIELD</b>						
1.	Development of the Draft New Penitentiary Code reflecting international obligations, judgments of the European Court of Human Rights, reports of the European Committee for the Prevention of Torture and Inhuman or	1. The Draft New Penitentiary Code reflecting international obligations, judgments of the European Court of Human Rights, reports of the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) and of the RA Human Rights Defender, as well as the reports by the	RA Ministry of Justice	1. 3 <sup>rd</sup> decade of December 2019	Legislative safeguards for the protection of the fundamental rights and freedoms of man and of the citizen are strengthened, the main Law	Funds not prohibited by law



	Degrading Treatment or Punishment (CPT) and of the RA Human Rights Defender, as well as the reports by the Group of non-governmental public observers monitoring the penitentiary institutions and authorities of the Ministry of Justice	<p>Group of non-governmental public observers monitoring the penitentiary institutions and authorities of the Ministry of Justice is developed;</p> <p>2. The Draft is put into circulation, public discussions are conducted, and the Draft is submitted to the National Assembly.</p>		2. 3 <sup>rd</sup> decade of June 2020	regulating the penitentiary field is brought into compliance with international standards.	
2.	Development of the Draft RA Government Decision “On making alterations and supplements to the Decision of the Government of the Republic of Armenia N 1543-N, from 3 August 2016”, and submission of the Draft to the Office of the Prime Minister	<p>1. The Draft RA Government Decision “On making alterations and supplements to the Decision of the Government of the Republic of Armenia N 1543-N, from 3 August 2016” is developed;</p> <p>2. The Draft is put into circulation;</p> <p>3. Public discussions on the Draft are conducted;</p> <p>4. The Draft is submitted to the Office of the Prime Minister.</p>	<p>RA Ministry of Justice</p> <p>RA Prosecutor General’s Office (upon consent)</p> <p>RA Human Rights Defender (upon consent)</p> <p>Non-governmental organizations (upon consent)</p>	<p>1. 3<sup>rd</sup> decade of June 2020</p> <p>2. 1<sup>st</sup> decade of July 2020</p> <p>3. 1<sup>st</sup> decade of August 2020</p> <p>4. 3<sup>rd</sup> decade of May 2020</p>	<p>The Internal Rules of Procedure of the penitentiary institutions are revised and brought into compliance with international standards.</p> <p>At the same time, in correspondence with the RA Constitution with the amendments from 2015,</p>	No funding is required



					regulation by the Internal Rules of Procedure of the penitentiary institutions of the issues that are subject to legislative regulation is excluded.	
3.	Increase of the efficiency of the Rules of Operation of the structural units conducting social, psychological and legal activities with the detainees and convicts	<p>1. The Rules of Operation of the structural units conducting social, psychological and legal activities with the detainees and convicts are revised</p> <p>2. The Draft is deliberated on with the stakeholder bodies;</p> <p>3. The Draft is adopted.</p>	<p>RA Ministry of Justice</p> <p>RA Human Rights Defender (upon consent)</p> <p>Non-governmental organizations (upon consent)</p>	3 <sup>rd</sup> decade of August 2020	Efficiency of conducting social, psychological and legal activities with the detainees and convicts is increased	No funding is required
4.	Revision of the Rules of operation of the Distribution Commission acting within the Central body of the Penitentiary Service of the MOJ	1. The Draft Decree of the RA Minister of Justice “On approving the Rules of operation of the Distribution Commission acting within the Central body of the Penitentiary Service of the MOJ” is developed;	<p>RA Ministry of Justice</p> <p>RA Prosecutor General’s Office (upon consent)</p> <p>RA Human Rights Defender (upon consent)</p>	1. 3 <sup>rd</sup> decade of April 2020	The Rules of operation of the Distribution Commission acting within the Central body of the Penitentiary	No funding is required



		2. The Draft is deliberated on with the stakeholder bodies;  3. The Draft is adopted.	Non-governmental organizations (upon consent)	2. 1 <sup>st</sup> decade of June 2020  3. 1 <sup>st</sup> decade of July 2020	Service of the MOJ is improved.	
5.	Revision of the Rules of formation of the Group of non-governmental public observers monitoring the penitentiary institutions and authorities of the Ministry of Justice of the Republic of Armenia and rules of implementation of the public supervision	1. The Draft Decree of the RA Minister of Justice “On approving the Rules of formation of the Group of non-governmental public observers monitoring the penitentiary institutions and authorities of the Ministry of Justice of the Republic of Armenia and rules of implementation of the public supervision” is developed;  2. The Draft is deliberated on with the stakeholder bodies;  3. The Draft is adopted.	RA Ministry of Justice  Non-governmental organizations (upon consent)	1. 2 <sup>nd</sup> decade of December 2019  2. 2 <sup>nd</sup> decade of February 2020  3. 2 <sup>nd</sup> decade of March 2020	The Rules of operation of the Group of non-governmental public observers monitoring the penitentiary institutions and authorities of the Ministry of Justice of the Republic of Armenia are improved.	No funding is required
6.	Revision and clarification of detainee convoy escorting and protecting functions	1. Analysis of the legislative and by-law legal acts regulating detainee convoy escorting and protecting is carried out, and the recommendations on distinction	RA Ministry of Justice  RA Police	1. 1 <sup>st</sup> decade of May 2020	The functions of the state bodies of state governance system in the field	No funding is required



		<p>between the functions of the Penitentiary Service and the Police are presented;</p> <p>2. Based on the results of the analysis, as per necessity, a package of draft legal acts is developed, circulated and submitted to the Office of the Prime Minister.</p>		2. 1 <sup>st</sup> decade of October 2020	<p>of detainee convoy escorting and protecting are clarified and brought into line with the requirements of the Law “On Penitentiary Service”</p>	
7.	Fight against corruption in the Penitentiary system	<p>1. General audit of the activities of the Penitentiary system for the previous 3 years is conducted;</p> <p>2. Analysis of the fields of potential risks in the activities and the needs assessment of the Penitentiary Service is carried out;</p> <p>3. Based on the results of the analysis, a comprehensive program aimed at reduction and prevention of corruption risks is developed and implemented;</p> <p>4. The Draft Law “On making supplements to the RA Criminal Code” – suggesting to criminalize the actions related to the criminal subculture is developed and submitted to the National</p>	<p>RA Ministry of Justice</p> <p>RA Prosecutor General’s Office (upon consent)</p> <p>RA Investigative Committee (upon consent)</p> <p>RA Human Rights Defender (upon consent)</p> <p>RA National Security Service</p> <p>RA Police</p>	<p>1. 2<sup>nd</sup> decade of March 2020</p> <p>2. 3<sup>rd</sup> decade of May 2020 (continuous)</p> <p>3. 2<sup>nd</sup> decade of August 2020</p> <p>4. 1<sup>st</sup> decade of November 2019</p>	<p>The transparency, publicity and accountability of the activities of the penitentiary system are ensured, the necessary prerequisites for overcoming corruption are established.</p>	<p>RA State Budget</p> <p>Funds not prohibited by law</p>



		Assembly in a manner prescribed by the Law.				
8.	Ensuring efficiency of the early conditional release from serving the punishment	<p>1. Monitoring of the current system of early conditional release from serving the punishment is conducted;</p> <p>2. Based on the results of monitoring a recommendation on the need for improving the current system of early conditional release from serving the punishment, is presented.</p>	<p>RA Ministry of Justice</p> <p>RA Prosecutor General's Office (upon consent)</p> <p>RA Human Rights Defender (upon consent)</p> <p>Non-governmental organizations (upon consent)</p>	<p>1. 2<sup>nd</sup> decade of February 2020</p> <p>2. 3<sup>rd</sup> decade of March 2020</p>	Efficiency of the current system of early conditional release from serving the punishment is ensured.	<p>RA State Budget</p> <p>Funds not prohibited by law</p>
9.	Modernization of the management and evaluation model of the Penitentiary Service and penitentiary institutions	<p>1. The current model of management and evaluation of the Penitentiary Service and penitentiary institutions is analyzed in a comparison with other management and evaluation models efficiently applied in international practice;</p> <p>2. The analysis is deliberated on with the stakeholder bodies involving also representatives of civil society;</p>	<p>RA Ministry of Justice</p> <p>Non-governmental organizations (upon consent)</p>	<p>1. 1<sup>st</sup> decade of April 2020</p> <p>2. 1<sup>st</sup> decade of June 2020</p>	Efficiency of management of the Penitentiary Service and penitentiary institutions is increased.	<p>RA State Budget</p> <p>Funds not prohibited by law</p>



		3. Based on the deliberations, a recommendation is presented on improving the model of management and evaluation of the Penitentiary Service and penitentiary institutions.		3. 3 <sup>rd</sup> decade of July 2020		
810	Ensuring efficient mechanisms of economic management at the penitentiary institutions	The issue of outsourcing the services of food provision and implementation of sanitary-epidemiological measures and, if possible, other functions in the penitentiary institutions to private sector is considered and the recommendation on expediency of outsourcing the mentioned function, to the private sector is presented.	RA Ministry of Justice RA Ministry of Finance	3 <sup>rd</sup> decade of March 2020	Efficiency of economic management at the penitentiary institutions is increased.	RA State Budget
11.	Optimization of the penitentiary institutions and improvement of building conditions	1. The RA MOJ's 'Noubarashen' and 'Prison Hospital' penitentiary institutions are closed in a result of which within the territory of the city of Yerevan, namely – in its 'Silikian' district, a new penitentiary institution with a capacity for approximately 1,200 inmates (including 200 beds planned for persons in need of medical care) is constructed;  2. The RA MOJ's 'Yerevan-Kentron' penitentiary institution is transferred from the administrative building of the RA	RA Ministry of Justice RA Ministry of Finance	2020-2023	Everybody's equality before the law and justice, as well as protection of human rights guaranteed and proper conditions for keeping the persons deprived of liberty are ensured	Funds not prohibited by law





		<p>National Security Service to the former 'Erebuni' penitentiary institution's building;</p> <p>3. The RA MOJ's 'Hrazdan' penitentiary institution is liquidated and within the territory of the RA MOJ's 'Sevan' penitentiary institution a new facility is built with a capacity prescribed for the RA MOJ's 'Hrazdan' penitentiary institution to keep persons under the closed and semi-closed regimes as well as the detainees, including the premises for convicts sentenced to detention as a measure of criminal punishment;</p> <p>4. The RA MOJ's 'Goris' penitentiary institution is closed and a new penitentiary institution is built with a capacity of housing 350 inmates;</p> <p>5 The RA MOJ 'Armavir' penitentiary institution is provided with conditions necessary for a correctional facility of a semi-open regime to house up to 200 inmates</p>				
12.	Improvement of conditions for keeping the	1. The conditions for keeping the juveniles are evaluated based on	RA Ministry of Justice	1. 1 <sup>st</sup> decade of March 2022	Based on the needs of juvenile inmates	Funds not prohibited



	juveniles	international standards;  2. 'Non-prison like' environment adjusted to the needs of juvenile prisoners is established.		2. 1 <sup>st</sup> decade of March 2023	conditions are established that are conducive to serving the sentence	by law
13.	Ensuring proportionate distribution of the inmate population across the RA penitentiary institutions	1. The current occupancy of the penitentiary institutions is evaluated and the re-distribution is performed in accordance with the building capacities of the penitentiary institutions;  2. After the optimization and improvement of the building conditions of the penitentiary institutions the current occupancy of the penitentiary institutions is evaluated and proportionate redistribution is performed.	RA Ministry of Justice	1. 1 <sup>st</sup> decade of December 2019 (continuous)  2. 1 <sup>st</sup> decade of April 2023	The occupancy level is proportionately distributed across the RA penitentiary institutions.	No funding is required
14.	Refurbishment of the RA penitentiary institutions with modern engineering and technical means of security and control	1. The needs of the penitentiary institutions of necessary modern engineering and technical means are evaluated;  2. Electronic surveillance systems are obtained and installed;	RA Ministry of Justice  RA Ministry of Finance	1. 2 <sup>nd</sup> decade of January 2021  2. 2 <sup>nd</sup> decade of June 2021  3. 2 <sup>nd</sup> decade of	Appropriate conditions for ensuring security and control at the penitentiary institutions are created, based on which effective management is	RA State Budget



		<p>3. In a result of putting them into practical operation, as per necessity, the list and the number of positions are revised.</p> <p>4. Operational plan for the emergency situations at the penitentiary institutions is developed;</p> <p>5. Operational plan for situations of emergency caused by a threat of natural or human-made disasters threatening the penitentiary institutions is developed and approved;</p> <p>6. Resistance level of the penitentiary institutions in emergency situations is increased.</p>		<p>October 2021</p> <p>4. 2021-2022 (continuous)</p> <p>5. 2021-2022 (continuous)</p> <p>6. 2021-2023 (continuous)</p>	performed.	
15.	Improvement of social conditions of the penitentiary officers	<p>1. The social needs (including the housing needs) of the penitentiary officers are evaluated;</p> <p>2. Efficient system of social security for the penitentiary officers is developed and introduced;</p>	<p>RA Ministry of Justice</p> <p>RA Ministry of Labor and Social Affairs</p> <p>RA Ministry of Finance</p> <p>RA Human Rights Defender (upon consent)</p> <p>Non-governmental</p>	<p>1. 3<sup>rd</sup> decade of August 2020</p> <p>2. 2<sup>nd</sup> decade of November 2021</p>	Sufficient guarantees of social security for penitentiary officers are established.	RA State Budget



			organizations (upon consent)			
16.	Revision of the human resource policy of the Penitentiary Service	<p>1. Full evaluation of the system of selection (training), assignment and promotion of the personnel is conducted, and a recommendation is on revision of these mechanisms is presented;</p> <p>2. The mechanisms for selection (training), assignment and promotion of the personnel are revised.</p>	<p>RA Ministry of Justice</p> <p>RA Human Rights Defender (upon consent)</p> <p>“Centre for implementation of legal education and rehabilitation programmes” SNCO</p> <p>Non-governmental organizations (upon consent)</p>	<p>1. 2nd decade of February 2020</p> <p>2. 3<sup>rd</sup> decade of May 2020</p>	Efficient human rights policy is being implemented, possibility of performing analogous functions by different divisions is excluded, a merit-based system of personnel promotion is established.	No funding is required
17.	Organization of initial vocational education on ‘Prisoning’	<p>1. “Centre for implementation of legal education and rehabilitation programmes” SNCO conducts mid-level vocational “Legal Science” and initial vocational ‘Prisoning’ educational classes.</p> <p>2. “Legal Science” mid-level vocational education is organized</p>	<p>RA Ministry of Justice</p> <p>RA Ministry of Education, Science, Culture and Sport</p> <p>RA Ministry of Finance</p> <p>“Centre for implementation of legal</p>	<p>1. 2019-2023 (continuous)</p> <p>2. 2019-2023 (continuous)</p>	Efficient system for preparing cadre for the Penitentiary Service is established, the penitentiary officers possess necessary knowledge and skills.	<p>RA State Budget</p> <p>Funds not prohibited by law</p>



			education and rehabilitation programmes” SNCO			
18.	Enhancement of application of electronic management tools in the Penitentiary system	<p>1. The ‘e-penitentiary’ electronic management system is tested;</p> <p>2. Based on the results of testing, the ‘e-penitentiary’ electronic management system is improved and upgraded;</p> <p>3. Technical equipment necessary for putting the ‘e-penitentiary’ electronic management system into full-fledged operation is obtained;</p> <p>4. The ‘e-penitentiary’ electronic management system is connected with the electronic management systems of other agencies;</p> <p>5. The penitentiary officers received training aimed at providing them with skills necessary for utilization of the ‘e-penitentiary’ electronic management system;</p> <p>6. The ‘e-penitentiary’ electronic</p>	<p>RA Ministry of Justice</p> <p>RA Ministry of High-Tech Industry</p> <p>RA Ministry of Finance</p>	<p>1. 2<sup>nd</sup> decade of March 2020</p> <p>2. 3<sup>rd</sup> decade of April 2020</p> <p>3. 3<sup>rd</sup> decade of May 2020</p> <p>4. 2020-2021 (continuous)</p> <p>5. 3<sup>rd</sup> decade of June 2020</p> <p>6. 1<sup>st</sup> decade of September 2020</p>	<p>The document paper-flow in the Penitentiary system is reduced, and necessary preconditions are created ensuring transparency of each activity conducted in relation to the inmate.</p>	<p>RA State Budget</p> <p>Funds not prohibited by law</p>



		management system is fully operational.				
19.	Introduction of the inmate risk and needs assessment tool	<p>1. Analysis of international practices relevant to the inmate risk and needs assessment tools is conducted;</p> <p>2. Based on the results of analyses, the inmate risk and needs assessment tool is developed;</p> <p>3. Within the framework of a Pilot Program, the inmate risk and needs assessment tool is tested in at least 4 penitentiary institutions;</p> <p>4. Based on the results of testing, the inmate risk and needs assessment tool is improved;</p> <p>5. The inmate risk and needs assessment tool is approved under the Decree of the RA Ministry of Justice;</p> <p>6. In order to ensure application of the inmate risk and needs assessment tool, respective employees of the penitentiary institutions received training;</p>	<p>RA Ministry of Justice</p> <p>“Centre for implementation of legal education and rehabilitation programmes” SNCO</p> <p>Non-governmental organizations (upon consent)</p>	<p>1. 2<sup>nd</sup> decade of November 2019</p> <p>2. 2<sup>nd</sup> decade of February 2020</p> <p>3. 3<sup>rd</sup> decade of August 2020</p> <p>4. 2<sup>nd</sup> decade of September 2020</p> <p>5. 3<sup>rd</sup> decade of September 2020</p> <p>6. 3<sup>rd</sup> decade of October 2020</p> <p>7. 2<sup>nd</sup> decade of November 2020</p>	Based on the inmate risk and needs assessment tool, necessary preconditions are created for individual planning of serving the punishment, and predictable management of the risk of recidivism.	<p>RA State Budget</p> <p>Funds not prohibited by law</p>



		7. The inmate risk and needs assessment tool is fully operational.				
20.	Introduction of the juvenile inmate risk and needs assessment tool	The juvenile inmate risk and needs assessment tool is approved and fully applied at the penitentiary institutions	<p>RA Ministry of Justice</p> <p>“Centre for implementation of legal education and rehabilitation programmes” SNCO</p> <p>Non-governmental organizations (upon consent)</p>	3 <sup>rd</sup> decade of September 2020	In-depth assessment of the risks and needs of the juvenile inmates is ensured, based on which necessary preconditions are established aimed at application of efficient intervention measures towards the juvenile inmates	<p>RA State Budget</p> <p>Funds not prohibited by law</p>
19.	Ensuring continuity of the right to education for the juvenile inmates	The juvenile inmates exercise their right to education.	<p>RA Ministry of Justice</p> <p>RA Ministry of Education, Science, Culture and Sport</p> <p>RA Ministry of Finance</p> <p>“Centre for implementation of legal education and</p>	2019-2023 (continuous)	Continuity of the right to education for the juvenile inmates is ensured.	<p>RA State Budget</p> <p>Funds not prohibited by law</p>



			rehabilitation programmes” SNCO			
22.	Introduction of new vocational education programs for the inmates	<p>1. Assessment of the vocational education needs of the inmates is conducted</p> <p>2. Based on the needs assessment of the inmates, new vocational education programs are developed and the current ones are revised;</p> <p>3. Verifiable criteria are defined enabling verification of the efficiency of educational programs;</p> <p>4. Educational programs are implemented at all penitentiary institutions.</p>	<p>RA Ministry of Justice</p> <p>RA Ministry of Education, Science, Culture and Sport</p> <p>RA Ministry of Finance</p> <p>“Centre for implementation of legal education and rehabilitation programmes” SNCO</p> <p>Non-governmental organizations (upon consent)</p>	<p>1. 3<sup>rd</sup> decade of June 2020</p> <p>2. 3<sup>rd</sup> decade of February 2021</p> <p>3. 3<sup>rd</sup> decade of April 2021</p> <p>4. 1<sup>st</sup> decade of September 2023</p>	Availability of vocational education is guaranteed for the inmates	<p>RA State Budget</p> <p>Funds not prohibited by law</p>
23.	Ensuring occupation of the inmates	<p>1. Analyze the efficiency of inmate occupation programs and identify the main problems;</p> <p>2. Opportunities for organization at the penitentiary institutions of joint manufacturing with the private sector are considered;</p>	<p>RA Ministry of Justice</p> <p>RA Ministry of Labor and Social Affairs</p> <p>RA Ministry of Finance</p> <p>RA State Revenue</p>	<p>1. 1<sup>st</sup> decade of February 2020</p> <p>2. 3<sup>rd</sup> decade of May 2020</p> <p>3. 2<sup>nd</sup> decade of</p>	Occupation of the inmates is guaranteed	<p>RA State Budget</p> <p>Funds not prohibited by law</p>





		<p>3. Centers for ensuring occupation of inmates are created at the penitentiary institutions (workshops, greenhouses, etc.);</p> <p>4. Verifiable criteria are defined enabling evaluation of the efforts of the penitentiary institutions aimed at ensuring inmate occupation.</p>	<p>Committee</p> <p>Non-governmental organizations (upon consent)</p>	<p>November 2020</p> <p>4. 2<sup>nd</sup> decade of October 2020</p>		
24	Expanding the scope of the “Aesthetic upbringing and education of the offenders” Project	Subject curricula for the aesthetic and educational courses and action implementation plans are developed.	<p>RA Ministry of Justice</p> <p>“Centre for implementation of legal education and rehabilitation programmes” SNCO</p>	3 <sup>rd</sup> decade of March 2020	Promote, through educational programs and aesthetic upbringing, participation of the offenders in all penitentiary institutions in the resocialization process	<p>RA State Budget</p> <p>Funds not prohibited by law</p>
25	Conducting vocational education courses for the convicts, including convicts who have applied for early conditional release – at least 6	Based on the results of analysis of international practices, educational and action implementation plans for vocational education are developed.	<p>RA Ministry of Justice</p> <p>RA Ministry of Education, Science, Culture and Sport</p>	3 <sup>rd</sup> decade of November 2020	Resocialization of the persons serving punishment at the penitentiary institutions who get	<p>RA State Budget</p> <p>Funds not prohibited</p>



	months prior to expiration of the term of imprisonment (or the term envisaged for early conditional release)		“Centre for implementation of legal education and rehabilitation programmes” SNCO		prepared for the release	by law
26	Development of an on-line distance learning platform for persons deprived of liberty (convicts and/or detainees), which will enable providing these persons with formal and informal education	Based on the results of analysis of international practices, educational and action implementation plans for vocational education are developed (educational plan - time-table, per each penitentiary institution).	RA Ministry of Justice  RA Ministry of Education, Science, Culture and Sport  “Centre for implementation of legal education and rehabilitation programmes” SNCO	3 <sup>rd</sup> decade of November 2020	Ensuring resocialization of the persons serving punishment at the penitentiary institutions who get prepared for the release and their involvement in educational and upbringing processes	RA State Budget  Funds not prohibited by law
27	Implementing public education for persons deprived of liberty (convicts and/or detainees) regardless of age	Based on the results of analysis of international practices, draft amendments to the respective legal acts are developed and submitted to the Office of the Prime Minister.	RA Ministry of Justice  RA Ministry of Education, Science, Culture and Sport  “Centre for implementation of legal education and rehabilitation	1 <sup>st</sup> decade of November 2020	Ensuring right to education for persons deprived of liberty, increase of the efficiency of the resocialization process	RA State Budget



			programmes” SNCO			
28	Providing persons deprived of liberty (convicts and/or detainees) with support on social and legal matters after expiration of the term of imprisonment (based on a model of rehabilitation centers operating in Yerevan and the communities)	Based on the results of analysis of international practices, a program for providing support on social and legal matters, is developed.	RA Ministry of Justice  “Centre for implementation of legal education and rehabilitation programmes” SNCO  RA Ministry of Labor and Social Affairs	1 <sup>st</sup> decade of March 2021	Ensuring continuity of the resocialization process and prevention of the risk of recidivism by providing support on social and legal matters after the expiration of the term of imprisonment	RA State Budget  Funds not prohibited by law
29	Conducting rehabilitation activities with persons convicted for violence exercised in the family	Based on the results of analysis of international practices, methodology and program for conducting rehabilitation activities with persons convicted for violence exercised in the family are developed to be implemented with the convicts and beneficiaries of the Probation Service – both during the time of serving the punishment (performing supervision) and after the punishment is served (supervision completed)	RA Ministry of Justice  “Centre for implementation of legal education and rehabilitation programmes” SNCO  RA Ministry of Labor and Social Affairs	1 <sup>st</sup> decade of December 2020	Decrease of the number of instances of domestic violence and reduction of recidivism	RA State Budget  Funds not prohibited by law
30.	Increase of the efficiency of management of the “Support to Prisoners”	1. Evaluate the efficiency of the activities of the “Support to Prisoners” Foundation;	RA Ministry of Justice	1. 3 <sup>rd</sup> decade of January 2020	Appropriate implementation of	No funding is required



	Foundation	<p>2. Present a recommendation on increasing the efficiency of the activities of the “Support to Prisoners” Foundation;</p> <p>3. “Support to Prisoners” Foundation ensures occupation of at least 10% of the inmates within each of the penitentiary institutions.</p>		<p>2. 3<sup>rd</sup> decade of April 2020</p> <p>3. 3<sup>rd</sup> decade of March 2021 (continuous)</p>	<p>the statutory objectives of the “Support to Prisoners” Foundation is ensured, necessary preconditions are established to increase effectiveness of the process of inmate resocialization.</p> <p>“Support to Prisoners” Foundation ensures occupation of at least 10% of the inmates within each of the penitentiary institutions.</p>	
31.	Implementation of the activities aimed at ensuring accessible conditions for keeping persons with disabilities at the penitentiary institutions	1. Accessible conditions (ramps, handles, accessible water closets, etc.) and reasonable accommodation means (special recovery equipment or assistive devices for inmates with auditory, vision or speech disabilities) are ensured in the penitentiary institutions for persons with disabilities;	<p>RA Ministry of Justice</p> <p>RA Ministry of Labor and Social Affairs</p> <p>RA Ministry of Health</p> <p>RA Human Rights</p>	1. 2019-2023 (continuous)	Accessible environment is ensured in the penitentiary institutions for persons with disabilities, health rehabilitation programs are	<p>RA State Budget</p> <p>Funds not prohibited by law</p>



		<p>2. Availability of the healthcare services and professional care is ensured for the inmates with disabilities;</p> <p>3. The penitentiary officers are trained to communicate with the persons with disabilities;</p> <p>4. Penitentiary institutions are provided with Braille books, audiobooks, video materials translated into sign language, and other information materials;</p> <p>5. Technical and administrative solutions providing opportunities for receiving and transferring information are ensured for the persons with disabilities.</p>	<p>Defender (upon consent)</p> <p>Non-governmental organizations (upon consent)</p>	<p>2. 2019-2023 (continuous)</p> <p>3. 2019-2023 (continuous)</p> <p>4. 2019-2023 (continuous)</p> <p>5. 2019-2023 (continuous)</p>	<p>implemented for persons with disabilities.</p>	
32.	Ensuring the rights of inmates in need of special protection	<p>1. The legislative regulations aimed at ensuring the rights of inmates in need of special protection are evaluated and a Draft legal acts is developed, as necessary;</p>	<p>RA Ministry of Justice</p> <p>RA Human Rights Defender (upon consent)</p> <p>Non-governmental</p>	<p>1. 2020-2021</p>	<p>The necessary legal and practical prerequisites are established to ensure rights of the inmates in need of special</p>	<p>Funds not prohibited by law</p>



		2. The administration of the penitentiary institutions is trained to practically ensure realization of the rights of inmates in need of special protection and manifest a right-based approach.	organizations (upon consent)	2. 2020-2023 (continuous)	protection	
33.	Ensuring proper realization of the inmates' right to a link with the outside world	<p>1. The current system of ensuring realization of the inmates' right to a link with the outside world is evaluated and a recommendation on increasing its efficiency is presented;</p> <p>2. In order to ensure proper realization of the inmates' right to a link with the outside world, the issues of transport accessibility are analyzed and transport communication is provided</p>	<p>RA Ministry of Justice</p> <p>RA Ministry of Territorial Administration and Infrastructure</p> <p>RA Human Rights Defender (upon consent)</p> <p>Non-governmental organizations (upon consent)</p>	<p>1. 3<sup>rd</sup> decade of June 2020 (continuous)</p> <p>2. 2020-2021</p>	The inmates' right to a link with the outside world is being properly realized.	<p>RA State Budget</p> <p>Funds not prohibited by law</p>
34.	Modernization of the medical service at the penitentiary institutions	<p>1. The Draft legal acts necessary for putting the "Center for Penitentiary Medicine" SNCO into operation are adopted;</p> <p>2. The necessary social security guarantees for the Penitentiary medical service are established;</p>	<p>RA Ministry of Justice</p> <p>RA Ministry of Health</p> <p>RA Ministry of Labor and Social Affairs</p> <p>RA Ministry of Finance</p>	<p>1. 3<sup>rd</sup> decade of January 2020</p> <p>2. 3<sup>rd</sup> decade of February 2020</p> <p>3. 3<sup>rd</sup> decade of March 2020</p>	Necessary and sufficient conditions are created for ensuring independence of the penitentiary medical service, providing the inmates with hospital services in	<p>RA State Budget</p> <p>Funds not prohibited by law</p>



		<p>3. Necessary and sufficient conditions are created for providing quality medical assistance and services (improvement of building conditions, providing quality personnel and equipment);</p> <p>4. The staff of the “Center for Penitentiary Medicine” is regularly trained.</p>		4. 2019-2023 (continuous)	compliance with the European standards and with necessary sanitary-hygienic and anti-epidemic conditions.	
35.	Defining the Rules of Operation and remuneration standards of the Medical Commission adjunct to the RA MOJ and of the Working Group adjunct to the Commission	<p>1. The Draft Decision of the Government “On defining the Rules of Operation and remuneration standards of the Medical Commission adjunct to the RA MOJ and of the Working Group adjunct to the Commission” is developed;</p> <p>2. Public discussions on the Draft are conducted;</p> <p>3. The Draft is submitted to the Office of the Prime Minister.</p>	RA Ministry of Justice	<p>1. 3<sup>rd</sup> decade of January 2020</p> <p>2. 2<sup>nd</sup> decade of February 2020</p> <p>3. 3<sup>rd</sup> decade of March 2020</p>	Necessary grounds for proper performance of activities are in place for the medical commission issuing conclusions on terminating detention applied as a preventative measure and on releasing from serving the punishment imposed in a form of imprisonment, based on the severe illness (disorder or a health state) of an inmate	No funding is required
36.	Proper recording on the	1. The Form on recording the results of	RA Ministry of Justice	1. 1 <sup>st</sup> decade of	Necessary	No funding



	results medical examinations in relation to torture and ill-treatment, ensuring legislative regulations on establishing a fact of torture or ill-treatment, and improvement of mechanisms for restitution of non-pecuniary damages – based on such an established fact.	medical examinations in relation to torture and ill-treatment at the penitentiary institutions and the Guideline for filling-in the Form are developed and approved;  2. The current procedures of establishing the fact of an ill-treatment and the mechanisms for restitution of non-pecuniary damages based on such an established fact, are analyzed, and a Draft legal act is adopted, as necessary.	RA Ministry of Health  RA Prosecutor General's Office (upon consent)  RA Special Investigating Service (upon consent)  RA Human Rights Defender (upon consent)  Non-governmental organizations (upon consent)	December 2019  2. 3 <sup>rd</sup> decade of August 2020	preconditions are established for revealing instances of torture and ill-treatment at the penitentiary institutions.	is required
37.	Application of the principle of 'Do no harm' in the processes of providing the inmates with drugs obtained at the expense of the inmates or their relatives	Precise mechanisms are established for admission into the penitentiary institutions of drugs obtained at the expense of the inmates or their relatives – in accordance with the respective medical instruction and the 'Do no harm' principle.	RA Ministry of Justice  RA Ministry of Health  RA Human Rights Defender (upon consent)	3 <sup>rd</sup> decade of December 2019	Application of the principle of 'Do no harm' is ensured in the processes of providing the inmates with drugs obtained at the expense of the inmates or their relatives.	No funding is required
38.	Increasing efficiency of the process of providing inmates with the medications as per	1. A recommendation is made on introduction of alternative flexible ways for obtaining medications, which will ensure efficiency of the process of	RA Ministry of Justice  RA Ministry of Finance	1. 1 <sup>st</sup> decade of February 2020	Efficiency of the process of providing inmates with the medications as per	Funds not prohibited by law





	necessity without waste of time	providing inmates with the medications as per necessity without waste of time;  2. An alternative flexible mechanism for obtaining medications is developed and introduced.	RA Human Rights Defender (upon consent)	2. 1 <sup>st</sup> decade of August 2020	necessity is ensured.	
39.	Providing the persons deprived of liberty with diet food	1. A recommendation is made on providing the inmates with diet food in cases of certain, more frequently diagnosed diseases;  2. In cases of certain, more frequently diagnosed diseases the inmates are provided with diet food.	RA Ministry of Justice  RA Ministry of Health  RA Ministry of Finance  RA Human Rights Defender (upon consent)  Non-governmental organizations (upon consent)	1. 1 <sup>st</sup> decade of March 2020  2. 3 <sup>rd</sup> decade of August 2020	Necessary preconditions are created to ensure realization of the right of the inmates to health.	RA State Budget
40.	Prevention of instances of death, self-inflicted injury and suicide in the penitentiary institutions	1. The circumstances at the basis of instances of death, self-inflicted injury and suicide in the penitentiary institutions are evaluated;  2. A comprehensive program for prevention of instances of death, self-inflicted injury and suicide in the	RA Ministry of Justice  RA Ministry of Health  RA Prosecutor General's Office (upon consent)  RA Human Rights	1. 3 <sup>rd</sup> decade of January 2020  2. 3 <sup>rd</sup> decade of April 2020	The right of the inmates to life and health in the penitentiary institutions is guaranteed.	RA State Budget  Funds not prohibited by law



		<p>penitentiary institutions is developed and implemented;</p> <p>3. A possibility to legislatively restrict, for a necessary period of time, the accessibility of means used to cause death (such as rope, shoe laces, bed sheet, belt, etc.) to the persons considered as inclined to suicide or self-damaging, is envisaged;</p> <p>4. Training for the administration of the penitentiary institutions on identification of earlier signs of risk of suicide or self-damaging and on the necessary measures taken in this regard, is conducted.</p>	<p>Defender (upon consent)</p> <p>Non-governmental organizations (upon consent)</p>	<p>3. 3<sup>rd</sup> decade of May 2020</p> <p>4. 2019-2023 (continuous)</p>		
41.	<p>Launching programs for the assessment of the state of inmate's mental health and for prevention of its deterioration during the process of admission into a penitentiary institution, as well as programs for performing screening examinations in connection with such assessment and</p>	<p>1. International practices are analyzed;</p> <p>2. Based on the analysis, programs for the assessment of the state of inmate's mental health and for prevention of its deterioration during the process of admission into a penitentiary institution, as well as programs for performing screening examinations in connection with such assessment and prevention are developed and launched.</p>	<p>RA Ministry of Justice</p> <p>RA Ministry of Health</p> <p>RA Human Rights Defender (upon consent)</p> <p>Non-governmental organizations (upon consent)</p>	<p>1. 3<sup>rd</sup> decade of January 2020</p> <p>2. 3<sup>rd</sup> decade of August 2020</p>	<p>Necessary preconditions are created for preservation of the mental health of the inmates</p>	<p>Funds not prohibited by law</p>



	prevention					
42.	Improvement of the quality of psychological services provided to persons deprived of liberty	<p>1. The staff positions of psychologists at the penitentiary institutions are revised – bringing those, as much as possible, into correspondence with the inmate population, as well as to the scope of the necessary psychological assistance – based on the assessment on the need of the provided services;</p> <p>2. Methodological guidelines are developed to increase efficiency of psychological services at the penitentiary institutions;</p> <p>3. Professional training for psychologists is conducted.</p>	<p>RA Ministry of Justice</p> <p>RA Ministry of Health</p> <p>RA Human Rights Defender (upon consent)</p> <p>Non-governmental organizations (upon consent)</p>	<p>1. 3<sup>rd</sup> decade of April 2020</p> <p>2. 3<sup>rd</sup> decade of September 2020</p> <p>3. 2020-2023 (continuous)</p>	Necessary preconditions are created for providing inmates with appropriate psychological services.	<p>RA State Budget</p> <p>Funds not prohibited by law</p>
43.	Improvement of conditions of providing the secondary (hospital) medical assistance and services at the penitentiary institutions	<p>1. International practices are analyzed;</p> <p>2. Based on the analysis, a recommendation on improvement of conditions of providing the secondary (hospital) medical assistance and services at the penitentiary institutions is developed and presented.</p>	<p>RA Ministry of Justice</p> <p>RA Ministry of Health</p> <p>RA Human Rights Defender (upon consent)</p> <p>Non-governmental organizations (upon consent)</p>	<p>1. 2<sup>nd</sup> decade of June 2023</p> <p>2. 3<sup>rd</sup> decade of September 2023</p>	Necessary preconditions are created for improvement of conditions of providing the secondary (hospital) medical assistance and services at the	Funds not prohibited by law



			consent)		penitentiary institutions.	
44.	Introduction of mechanisms for effective cooperation between the Penitentiary and Probation Services	1. Development of methodological handbooks for conducting joint trainings;  2. Joint trainings on sectoral topics are conducted for the penitentiary and probation officers.	RA Ministry of Justice  Non-governmental organizations (upon consent)	1. 3 <sup>rd</sup> decade of November 2020  2. 2 <sup>nd</sup> decade of July 2021	Necessary prerequisites are established to introduce mechanisms for effective cooperation between the Penitentiary and Probation Services	Funds not prohibited by law
<b>PROBATION FIELD</b>						
45.	Providing legislative grounds to increase efficiency of the activities of the Probation Service	1. The Draft legislative package on making alterations and supplements to the “Law on Probation” and the collateral laws is developed;  2. The package is put into circulation;  3. Public discussions on the package are conducted;  4. The package is submitted to the Office of the Prime Minister.	RA Ministry of Justice  RA Prosecutor General’s Office (upon consent)  RA Human Rights Defender (upon consent) Non-governmental organizations (upon consent)	1. 1 <sup>st</sup> decade of December 2019  2. 2 <sup>nd</sup> decade of December 2019  3. 2 <sup>nd</sup> decade of December 2019  4. 3 <sup>rd</sup> decade of January 2020	The legislative grounds necessary for increasing efficiency of the activities of the Probation Service are provided.	No funding is required



46.	Providing alternative to detention measures of restraint	<p>1. The Draft Law “On making alterations and supplements to the RA Criminal Code” is developed;</p> <p>2. Public discussions on the Draft are conducted;</p> <p>3. The Draft is submitted to the Office of the Prime Minister.</p>	<p>RA Ministry of Justice</p> <p>RA Prosecutor General’s Office (upon consent)</p> <p>RA Supreme Judicial Council (upon consent)</p> <p>RA Human Rights Defender (upon consent)</p> <p>Non-governmental organizations (upon consent)</p>	<p>1. 1<sup>st</sup> decade of December 2019</p> <p>2. 2<sup>nd</sup> decade of December 2019</p> <p>3. 1<sup>st</sup> decade of January 2020</p>	Necessary legislative preconditions are established to decrease application of detention in practice.	No funding is required
47.	Revision of the status of the Probation Service, provision of social guarantees	<p>1. The current status of the Probation Service and the current system of the social guarantees envisaged for the probation officers are evaluated;</p> <p>2. A recommendation is presented on the expediency of changing the status of the Probation Service and the system of the social guarantees of the probation</p>	<p>RA Ministry of Justice</p> <p>RA Ministry of Finance</p>	<p>1. 2<sup>nd</sup> decade of November 2019</p> <p>2. 1<sup>st</sup> decade of December 2019</p>	Efficiency of the activities of the Probation Service is increased and the necessary and sufficient safeguards for its independence are provided.	No funding is required



		officers, and a draft legal act is developed, as necessary.				
48.	Refurbishment of the Probation Service with technical means necessary for increasing efficiency of its activities	1. Needs assessment is conducted;  2. The Probation Service is refurbished with the necessary technical means.	RA Ministry of Justice  RA Ministry of Finance	1. 1 <sup>st</sup> decade of November 2019  2. 2019-2023 (continuous)	The Probation Service is provided with the necessary technical equipment.	RA State Budget  Funds not prohibited by law
49.	Changing methodology of the practical guidelines for the probation officers and of the conduct of training courses for the staff of the Probation Service, and application of the Methodological manual.	1. The practical guidelines “RA probation officer’s practical manual”, and the “Practical manual for the senior staff of the RA Probation Service” are developed;  2. The methodological manual for the training courses for the staff of the Probation Service is developed as a guide for conducting future professional trainings;  3. A new methodology for the conduct of training courses is developed.	RA Ministry of Justice  “Centre for implementation of legal education and rehabilitation programmes” SNCO  Non-governmental organizations (upon consent)	1. 3 <sup>rd</sup> decade of November 2019  2. 3 <sup>rd</sup> decade of November 2019  3. 3 <sup>rd</sup> decade of June 2020	Probation officers are provided with practical guidelines necessary for implementation of their functions.	Funds not prohibited by law
50.	Enhancement of application of the electronic management tools in the Probation system	1. The software for the ‘e-probation’ system is designed and implemented;  2. The ‘e-probation’ electronic management system is tested;	RA Ministry of Justice  RA Ministry of High-Tech Industry	1. 1 <sup>st</sup> decade of October 2020  2. 3 <sup>rd</sup> decade of March 2021	The document paper-flow in the Probation system is reduced, and necessary	Funds not prohibited by law



		<p>3. Based on the results of testing, the ‘e-probation’ electronic management system is improved and upgraded;</p> <p>4. The technical equipment necessary for putting the ‘e-probation’ electronic management system into full-fledged operation are obtained;</p> <p>5. The ‘e-probation’ electronic management system is connected with the electronic management systems of other agencies;</p> <p>6. The probation officers received training aimed at providing them with skills necessary for utilization of the ‘e-probation’ electronic management system;</p> <p>7. The ‘e-probation’ electronic management system is fully operational.</p>	<p>RA Ministry of Finance</p> <p>Non-governmental organizations (upon consent)</p>	<p>3. 3<sup>rd</sup> decade of June 2021</p> <p>4. 2<sup>nd</sup> decade of August 2021</p> <p>5. 1<sup>st</sup> decade of September 2021</p> <p>6. 1<sup>st</sup> decade of September 2021</p> <p>7. 3<sup>rd</sup> decade of September 2021</p>	<p>preconditions are created ensuring transparency of each activity conducted in relation to the Probation beneficiaries.</p>	
51.	Putting electronic surveillance system into operation by the Probation Service	1. Develop and implement the software for application of the electronic surveillance system;	<p>RA Ministry of Justice</p> <p>RA Ministry of High-Tech Industry</p>	1. 3 <sup>rd</sup> decade of March 2020	The system of electronic surveillance is put into operation,	RA State Budget



		<p>2. Organize training courses for the probation officers to ensure application of the means of the electronic surveillance system;</p> <p>3. Conduct programs and trainings for judges, prosecutors and advocates enhancing application of the means of electronic surveillance;</p> <p>4. Put the electronic surveillance system into operation on a stage-by-stage basis.</p>	RA Ministry of Finance	<p>2. 3<sup>rd</sup> decade of June 2020</p> <p>3. 3<sup>rd</sup> decade of July 2020</p> <p>4. 2020-2023</p>	necessary preconditions are created for efficient implementation of the alternative measures of restraint and electronic surveillance.	Funds not prohibited by law
52.	Introduction of a proxy tool for the risk assessment of a Probation beneficiary	<p>1. The Proxy tool for the risk assessment of a probation beneficiary is developed;</p> <p>2. The Proxy tool for the risk assessment of a probation beneficiary is tested within the framework of a Pilot Program;</p> <p>3. Based on the results of testing, the Proxy tool for the risk assessment of a probation beneficiary is improved;</p> <p>4. The Proxy tool for the risk assessment of a probation beneficiary is approved and fully applied in the Yerevan city and regional bodies of the Probation Service.</p>	<p>RA Ministry of Justice</p> <p>“Centre for implementation of legal education and rehabilitation programmes” SNCO</p> <p>Non-governmental organizations (upon consent)</p>	<p>1. 3<sup>rd</sup> decade of October 2019</p> <p>2. 2<sup>nd</sup> decade of January 2020</p> <p>3. 2<sup>nd</sup> decade of February 2020</p> <p>4. 2<sup>nd</sup> decade of March 2020</p>	Initial and speedy risk assessment of a probation beneficiary is guaranteed.	Funds not prohibited by law





53.	Introduction of the Probation beneficiaries' risk and needs assessment tool	The Probation beneficiaries' risk and needs assessment tool is approved and fully applied in the Yerevan city and regional bodies of the Probation Service.	RA Ministry of Justice  “Centre for implementation of legal education and rehabilitation programmes” SNCO  Non-governmental organizations (upon consent)	3 <sup>rd</sup> decade of August 2020	In-depth assessment of the risks and needs of the probation beneficiaries is guaranteed, based on which necessary preconditions are created for application of effective intervention measures in relation to the probation beneficiaries.	RA State Budget  Funds not prohibited by law
54.	Introduction of the Juvenile probation beneficiaries' risk and needs assessment tool	The Juvenile probation beneficiaries' risk and needs assessment tool is approved and fully applied in the Yerevan city and regional bodies of the Probation Service.	RA Ministry of Justice  “Centre for implementation of legal education and rehabilitation programmes” SNCO  Non-governmental organizations (upon consent)	3 <sup>rd</sup> decade of September 2020	In-depth assessment of the risks and needs of the juvenile probation beneficiaries is guaranteed, based on which necessary preconditions are created for application of effective intervention	RA State Budget  Funds not prohibited by law



					measures in relation to the juvenile probation beneficiaries.	
55.	Introduction of an assessment tool for providing a report on early conditional release from serving the punishment	<p>1. The electronic tool for assessment of the circumstances laid in the basis of the report on early conditional release from serving the punishment is developed;</p> <p>2. The electronic tool for assessment of the circumstances laid in the basis of the report on early conditional release from serving the punishment is tested;</p> <p>3. Based on the results of testing, the tool is improved and fully applied across the Probation Service.</p>	<p>RA Ministry of Justice</p> <p>RA Prosecutor General's Office (upon consent)</p> <p>RA Human Rights Defender (upon consent)</p> <p>Non-governmental organizations (upon consent)</p>	<p>1. 2<sup>nd</sup> decade of December 2019</p> <p>2. 1<sup>st</sup> decade of February 2020</p> <p>3. 2019-2020</p>	Effectiveness of the practices of early conditional release from serving the punishment is ensured, and wide margin of appreciation is excluded	<p>RA State Budget</p> <p>Funds not prohibited by law</p>
56.	Envision of compensation to the probation officers for development of the reports on early conditional release from serving the punishment (visiting places of residence of the probation beneficiaries, meetings with the victims, visiting other entities, etc.)	<p>1. A recommendation is developed and presented on the choice of a model for compensating the probation officers for development of the reports on early conditional release from serving the punishment;</p> <p>2. A model for compensating the probation officers for development of the reports on early conditional release from serving the punishment is introduced.</p>	<p>RA Ministry of Justice</p> <p>RA Ministry of Finance</p>	<p>1. 2<sup>nd</sup> decade of December 2019</p> <p>2. 2<sup>nd</sup> decade of March 2020</p>	Probation officers are provided with necessary resources for proper development of the reports on early conditional release from serving the punishment.	RA State Budget



57.	Implementation and methodological alteration of target measures and projects aimed at resocialization of the probation beneficiaries	<p>1. Measures and projects for resocialization of the probation beneficiaries are developed;</p> <p>2. The developed resocialization measures and projects are tested within the framework of a Pilot Program;</p> <p>3. New methodology for implementing resocialization measures and projects is developed;</p> <p>4. Verifiable criteria are defined enabling verification of the efficiency of the resocialization measures and projects implemented by the Probation Service.</p>	<p>RA Ministry of Justice</p> <p>RA Ministry of Labor and Social Affairs</p> <p>RA Ministry of Finance</p> <p>RA Human Rights Defender (upon consent)</p> <p>“Centre for implementation of legal education and rehabilitation programmes” SNCO</p> <p>Non-governmental organizations (upon consent)</p>	<p>1. 1<sup>st</sup> decade of June 2020</p> <p>2. 1<sup>st</sup> decade of December 2020</p> <p>3. 2<sup>nd</sup> decade of February 2020</p> <p>4. 3<sup>rd</sup> decade of March 2020</p>	Necessary preconditions are created for effective organization of the process of resocialization of the probation beneficiaries.	<p>RA State Budget</p> <p>Funds not prohibited by law</p>
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**Attachment N 3**  
**To the RA Government Decision**  
**N\_\_\_\_\_ -L from \_\_\_\_\_**



## **THE PROCEDURE**

### **OF FORMATION AND ORGANIZATION OF THE ACTIVITIES OF THE COUNCIL COORDINATING THE IMPLEMENTATION OF THE 2019-2023 PLAN OF ACTIONS FOR IMPLEMENTATION OF THE 2019-2023 STRATEGY OF THE PENITENTIARY AND PROBATION FIELD OF THE REPUBLIC OF ARMENIA**

#### **I. GENERAL PROVISIONS**

1. This Attachment regulates relations connected with formation and organization of the activities of the Council coordinating the implementation (hereinafter – the ‘Coordination Council’) of the 2019-2023 Plan of Actions (hereinafter – ‘the Plan’) for implementation of the 2019-2023 Strategy of the Penitentiary and Probation field of the Republic of Armenia.

2. The Coordination Council shall perform its activities in pursuance to the Constitution of the Republic of Armenia, the legislation of the Republic of Armenia, and this Procedure.

#### **II. COMPOSITION AND FUNCTIONS OF THE COORDINATION COUNCIL**

3. The main objective of the Coordination Council is coordinating and monitoring the process of implementation of the Plan, as well as promoting the implementation of the activities.



4. The Coordination Council shall consist of: the Minister of Justice of the Republic of Armenia (Chair of the Council), the First Deputy Minister of Justice of the Republic of Armenia (Deputy Chair of the Council), the Human Rights Defender or the Coordinator for implementation of the National Prevention Mechanism - Head of the Department of Prevention of torture and other ill-treatment (upon consent), the Deputy Minister of Health of the Republic of Armenia, the Deputy Minister of Labor and Social Affairs of the Republic of Armenia, the Deputy Minister of Education, Science, Culture and Sport of the Republic of Armenia, the Deputy Minister of High-Tech Industry of the Republic of Armenia, the Deputy Minister of Territorial Administration and Infrastructure of the Republic of Armenia, , the Deputy Minister of Economy of the Republic of Armenia, the Deputy Minister of Environment of the Republic of Armenia, the Deputy Minister of Emergency Situations of the Republic of Armenia, the Deputy Minister of Defense of the Republic of Armenia, the Deputy Minister of Foreign Affairs of the Republic of Armenia, the Chief of the Office of the Security Council, the Deputy Director of the National Security Service of the Republic of Armenia, the Deputy Chief of the State Control Service of the Republic of Armenia, the Deputy Chief of the Police of the Republic of Armenia, the Deputy Prosecutor General (upon consent), the Deputy Minister of Justice of the Republic of Armenia (Secretary of the Coordination Council and the Plan Coordinator). The Coordination Council may form working groups – for implementation of the Plan or field analysis of the status of its implementation. The composition of the Coordination Group, the principles of operation of the Coordination Group and of the working groups established by the Coordination Council shall be approved within two months following the entering into force of this Decision, based on the Decree of the Minister of Justice of the Republic of Armenia.

5. The Coordination Council shall organize its activities by the way of sessions which shall be held at least once in every quarter. The sessions of the Coordination Council shall be presided over by the Chair of the Council, and in case of unavailability of the latter – by the Deputy Chair of the Council.

6. The Ministry of Justice of the Republic of Armenia, no later than 7 days prior to the day of the session, shall inform the members of the Council on the day, time, venue and agenda of the session. The necessary documents pertinent to the issues included into the agenda of the session (opinions, recommendations and other available materials) shall be transferred to the participants of the session by email, at least 3 days prior to the session.

7. The Coordination Council:



- 1) shall hear and deliberate upon the quarterly reports on the status of implementation of the Plan submitted by the authorized state bodies of state governance system and those established under the law;
- 2) shall analyze and deliberate upon the semi-annual written accounts on implementation of the activities prescribed under the Plan submitted by the authorized state bodies of state governance system and those established under the law;
- 3) shall organize public discussions on the semi-annual written accounts on implementation of the activities prescribed under the Plan submitted by the authorized state bodies of state governance system and those established under the law;
- 4) may submit, upon the analysis of and the discussion on the accounts on implementation of the activities prescribed under the Plan submitted by the authorized state bodies of state governance system and those established under the law, recommendations aim at enhancing the efficiency of the implementation of the Plan and promote implementation.

8. The decisions of the Coordination Council shall be adopted by a simple majority vote.

9. The Chair of the Coordination Council shall submit the decisions of the Coordination Council to the Office of the Prime Minister upon the end of the session.

### **III. SEMI-ANNUAL ACCOUNTS**

10. The semi-annual written accounts submitted by the authorized state bodies of state governance system and those established under the law shall include summary information on the status of implementation of the activities envisaged under the Plan, including the information on:

- 1) the work performed within the reporting period;
- 2) as per necessity, the activities envisaged under the Plan, the deadline of which does not expire within the reporting period, but some efforts have already been taken;
- 3) the risks and problems (if there are such), that impede or jeopardize successful implementation of an activity envisaged under the Plan;
- 4) the recommendations, if there are such, that can promote successful implementation of the activities envisaged under the Plan.



11. In case of necessity, the Coordination Council may demand additional clarifications and more precise information in relation to the submitted semi-annual accounts.

#### **IV. PUBLIC DISCUSSIONS**

12. After each half-year period, the Coordination Council shall organize public discussion on the status of implementation of the activities envisaged under the Plan.

13. Upon the initiative of the Coordination Council, the representatives of the state and local self government bodies not included in the Coordination Council, and of non-commercial state and community organizations, and non-governmental and international organizations may be invited to participate in a public discussion.

14. The Ministry of Justice of the Republic of Armenia (hereinafter – ‘the Ministry’), no later than 15 days prior to the day of the discussion, shall post on its webpage the information on holding a public discussion – mentioning the day, time, venue and agenda of the discussion.

15. Non-governmental organizations willing to participate in the public discussion shall file with the Ministry an electronic participation request – mentioning the name and contact information of the organization (email address and/or phone number), and the data of the participant.

16. The Ministry shall send by email the documents pertinent to the agenda of the public discussion (reports, research and analyses), to the non-governmental organizations that have registered beforehand.

17. The participants of a public discussion:

1) shall hear the presentations and accounts of the speakers;



2) may present their position and comments in relation to the status of implementation of the presented activity, as well as – come up with recommendations.

18. Upon the initiative of the Coordination Council, thematic public discussions may be held.

19. The Secretary of the Coordination Council shall be presiding over the public discussions.

#### **V. RECORDS OF THE SESSIONS OF THE COORDINATION COUNCIL AND OF THE PUBLIC DISCUSSIONS**

20. The records of the sessions of the Coordination Council and the public discussions shall be maintained by the Ministry. The minutes of the sessions shall be signed by the Chair of the Coordination Council or his/her Deputy, and the minutes of the public discussions shall be signed by the Secretary of the Coordination Council.

21. The minutes of the sessions and those of the public discussions shall reflect the main points of the discussed issues, presented reports, delivered speeches, raised opinions and presented recommendations. The minutes of the sessions and and those of the public discussions shall be attached with the documents pertaining to the issues discussed.

22. The minutes of the sessions and and those of the public discussions shall be kept at the Ministry.





## JUSTIFICATION

### **“ON THE NECESSITY OF ADOPTION OF THE DRAFT DECISION OF THE GOVERNMENT OF THE REPUBLIC OF ARMENIA “ON APPROVING THE 2019-2023 STRATEGY OF THE PENITENTIARY AND PROBATION FIELD OF THE REPUBLIC OF ARMENIA, THE 2019-2023 PLAN OF ACTIONS FOR ITS IMPLEMENTATION, AND THE PROCEDURE OF FORMATION AND ORGANIZATION OF THE ACTIVITIES OF THE COUNCIL COORDINATING THE IMPLEMENTATION OF THE PLAN”**

#### **Current situation, necessity of adoption of the legal act**

Within the context of the reforms currently underway in the Republic of Armenia, particular importance is given to effective protection of the rights and lawful interests of persons in the field of criminal punishment and to creation of safeguards for their full realization.

In this context, it is worth mentioning that such issues, as introduction of efficient infrastructure for realization of the rights of detainees and convicts, ensuring their resocialization and reintegration into society, as well as availability of quality personnel in the penitentiary and probation field – still remain topical in the penitentiary and probation system of the Republic of Armenia. It is important that the mentioned issues be solved in a way of reinforcing the idea of restorative justice, rather than by further enrooting of the punitive policies.

Based on the foregoing, the RA Governmental Program, endorsed by the decision of the RA National Assembly N AZHO-002-N, from 14 February 2019, in its Part 4 titled “Free, dignified and happy citizen”, namely, in Chapter 4.1 (“Everybody's equality before the law, the justice and protection of human rights”) stresses on the fact that the RA Government is resolute to enroot the principles of restorative justice. At the same time, considering the importance of unhindered realization of the rights of persons deprived of liberty, it was emphasized that continuous efforts should be taken in order to ensure fundamental rights of the persons deprived of liberty, including the right to strengthening links with the outside world and bettering the conditions of incarceration, as well as to improve the quality of medical assistance and services provided to them and to increase effectiveness of the resocialization process.

Characteristically, currently there is no single document (strategy, action plan or concept paper) that would comprehensively address the issues in the penitentiary and probation system and formulate the ways to solve those issues, in which situation the field reforms may sometimes be of a sporadic nature.



Taking as a basis the new conceptual attitude to the goals of punishment reflected in the Draft new Criminal Code of the Republic of Armenia, as well as taking into consideration the recommendations of the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) and the observations reflected in the Reports of the CPC (including those on the visits to Armenia), judgments of the European Court of Human Rights (including those delivered in relation to the Republic of Armenia), reports of the RA Human Rights Defender – including positions presented in a capacity of the National Prevention Mechanism, as well as the urgent, current and annual reports by the Group of non-governmental public observers monitoring the penitentiary institutions and authorities of the Ministry of Justice, the issues raised by the non-governmental organizations working in the field, as well as being guided by the urgency of ensuring fundamental, sustainable and continuous reform of the penitentiary and probation system, and of modernizing it to the full extent – it is necessary to identify comprehensively, in a standalone strategic document those target directions and deriving activities thereof, the efficient realization of which will solve the key problems facing the system.

#### **Nature of the recommended regulation**

Taking into account the need of having a field strategy and based on the requirement of the Clause 52.2 of the Attachment 1 of the Decision of the Government of the Republic of Armenia N 650-L, from 16 May 2019, a Draft Decision of the Government of the Republic of Armenia “On Approving the 2019-2023 Strategy of the Penitentiary and Probation field of the Republic of Armenia, the 2019-2023 Plan of Actions for its implementation, and the Procedure of formation and organization of the activities of the Council coordinating the implementation of the Plan” has been developed, which will promote predictable development and improvement of the penitentiary and probation field. The penitentiary and probation field strategy will envisage all the activities that are necessary to guarantee the rights of persons deprived of liberty, increase efficiency of the process of re-socialization of the convicts and the probation beneficiaries, as well as to improve the penitentiary and probation system.

#### **Expected result**

In case of adoption of the penitentiary and probation field strategy and of the list of measures deriving from it, predictable development and improvement of the penitentiary and probation field will be ensured by a single united document.



## STATEMENT

### **ON CHANGES EXPECTED IN THE INCOMES AND EXPENDITURES OF THE STATE BUDGET OF THE REPUBLIC OF ARMENIA IN CONNECTION WITH THE ADOPTION OF THE DRAFT DECISION OF THE GOVERNMENT OF THE REPUBLIC OF ARMENIA “ON APPROVING THE 2019-2023 STRATEGY OF THE PENITENTIARY AND PROBATION FIELD OF THE REPUBLIC OF ARMENIA, THE 2019-2023 PLAN OF ACTIONS FOR ITS IMPLEMENTATION, AND THE PROCEDURE OF FORMATION AND ORGANIZATION OF THE ACTIVITIES OF THE COUNCIL COORDINATING THE IMPLEMENTATION OF THE PLAN”**

Adoption of the Draft Decision of the Government of the Republic of Armenia “On Approving the 2019-2023 Strategy of the Penitentiary and Probation field of the Republic of Armenia, the 2019-2023 Plan of Actions for its implementation, and the Procedure of formation and organization of the activities of the Council coordinating the implementation of the Plan” will lead to increase of the expenditures of the State Budget of the Republic of Armenia.