

Regulatory Guillotine: Supporting Better Regulation in Armenia



“Regulatory Guillotine” is a reform that counts, reviews and simplifies the national regulatory framework (OSCE/Gohar Avagyan)

The OSCE was asked by the Government of Armenia to support reform of the country's regulatory framework in order to stimulate economic development. In response to this request, the OSCE Office in Yerevan invited a leading international expert in regulatory reform to assess Armenia's regulatory environment and its impact on businesses. The assessment found that outdated and often contradictory regulations hinder business development in the country.

Based on these findings, the Government of Armenia initiated a comprehensive review of the legal instruments associated with the regulatory framework. This process, known as the Regulatory Guillotine, first inventories the legal instruments in the country. These instruments are then assessed individually on the basis of three criteria: legality, necessity, and conduciveness toward economic development. In addition to creating a more effective regulatory framework, the planned reform will improve the legislative base of the country.

On 17 September, the President of Armenia officially launched the Guillotine process. Subsequently, letters of intent were signed in November by several members of the donor community and the OSCE Office in Yerevan in order to support this effort. It is anticipated that the entire process will last two years.

Human Rights in the Armed Forces

In order to establish effective crime prevention and human rights policies in the army, the Office worked closely with the Ministry of Defence on identifying the factors contributing to criminal activity in the armed forces and proposed recommendations. Based on these discussions, a package of legislative and institutional changes will be instituted in order to decrease crime and improve human right compliance in the Armed Forces.

The Office also assisted the Ministry of Defence in revealing causes of early demobilization. As a result, a package of recommendations on overcoming gaps in legislation as well as on improvement of monitoring and enforcement process was provided to the Ministry of Defence. The issue was discussed within the Standing Committee on Defence, National Security and Internal Affairs of the National Assembly in December 2011.

The Office initiated a project to support the Ministry of Defence improve Leadership and Management capacities in the Armenian Armed Forces. The project foresees the publication of a textbook on

formal and informal leadership in the armed forces. This textbook will be included in the curricula of key military institutions and be used as the basis for a special training course for officers in 2012.



Issues related to human rights in the armed forces were in the focus of a discussion co-organized by the Office (OSCE/Gayane Ter-Stepanyan)

OSCE starts prosecutorial reform project in Armenia

On 24 August 2011 Ambassador Sergey Kapinos, the Head of the OSCE Office in Yerevan, and Aghvan Hovsepyan, the Armenian Prosecutor General penned a Memorandum of understanding on prosecutorial reform in Armenia. Under the agreement, the OSCE will support the Prosecutor's Office revise relevant legislation and ensure that implementation complies with international norms and standards. The Memorandum also envisages an independent assessment of the reforms process, which will augment the activities of the Prosecutor General's Office towards furthering efficiency and transparency.

"Prosecutors play a crucial role in the administration of justice and in ensuring fair trials. We hope that this initiative will enhance the criminal justice reforms and strengthen human rights protection in the country," said Ambassador S. Kapinos at the signing ceremony. "The assessment of the

ongoing reforms, will provide recommendations on improving the legislative field and on furthering the reform process, based on international experience" said Mr. A. Hovsepyan

As a first step in the project, an OSCE international expert is preparing an analysis of the role and functions of the Prosecutor General's Office pursuant to European standards and best practices in the OSCE region.



Ambassador Kapinos (l) and Aghvan Hovsepyan at the signing ceremony. (OSCE/Gohar Avagyan)

Findings of trial monitoring of juvenile cases discussed

Children need a protective environment and not just from the government, but from the entire society. Alongside prevention, in accordance with international standards, policies should be in place which encourage the use of alternatives to deprivation of liberty. Although juvenile crime in Armenia is rather low in comparison with other countries, there remains a need for the improvement of the juvenile justice system.

On 1 November a report detailing the

findings from 37 court proceedings involving juveniles was promulgated. The report analysed domestic legislation and practices, as well as co-operation between agencies. The report revealed gaps in juvenile justice system and offered recommendations for improvement. The project was implemented by the Civil Society Institute with the support of the OSCE Office in Yerevan. Additionally, participants discussed a study entitled "Juvenile Justice in Armenia: Perspective of Children in Conflict with the Law".

Legislative reform

60 representatives of religious organizations and communities, National Assembly members, civil society actors, and international organizations debated a new draft law on religious freedoms and other amendments on 19 August. The aim was to provide a forum where stakeholders could discuss harmonizing national legislation with the international commitments in the areas of freedom of religion and freedom of association.

On 15 November the Office together with the U.S. Department of Justice, the Constitutional Court of the Republic of Armenia, Ministry of Justice, and the Yerevan State University organized a workshop to

review and discuss the theoretical and practical issues pertaining to the new draft criminal procedure code.



Roundtable participants discuss the draft legislation on religious freedoms, 19 August 2011. (OSCE/Gohar Avagyan)

*Human rights and democracy are a cornerstone of the OSCE's comprehensive concept of security. All OSCE States have agreed that lasting security cannot be achieved without respect for human rights and in the absence of functional democratic institutions. Participating states have committed themselves to a comprehensive catalogue of human rights and democracy norms. These form the basis of what the OSCE calls the **human dimension** of security. The OSCE's work in this area covers anti-trafficking, democratization, elections, gender equality, human rights, media freedom, minority rights, rule of law and tolerance and non-discrimination.*

Promoting human rights education

Thirty secondary school teachers participated in a three-week intensive course on human rights that started on 26 July in Vanadzor, Armenia. Organized by the regional non-governmental organization, Armenian Constitutional Right-Protective Centre (ACRPC) with the support of the OSCE Office in Yerevan, the course sought to strengthen social science teachers' knowledge and teaching skills. The three week training will be followed by a one-year distance-learning course which will assist the teachers put the knowledge into practice in the school room.

Events on Human Rights Day in Yerevan

The Office supported a number of events for international Human Rights Day, including (1) a competition on short films based on the articles of the Universal Declaration of Human Rights and the European Convention on Human Rights; (2) a rock concert held on the same day targeting youth; (3) a human rights Expo organized by the Human Rights Defender's Office; and (4) a Human Rights Defender's Ad-Hoc Report on the Protection of the Rights of National Minorities.

Support to the Human Rights Defender's Office

The Office supported the National Preventive Mechanism Council adjunct to the Armenian Human Rights Defender's Office to conduct visits to the regions of Armenia. In the course of the visits members of the Council, comprising of the staff members of the institution and civil society representatives visited closed institutions, such as police detention centers, penitentiary institutions, psychiatric hospitals, military units and a boarding school. OSCE also supported its annual report on the activities of national preventive mechanism and provided an outreach opportunity for the Defender's Office to rural communities throughout Armenia, thereby enhancing visibility and increased capacities.

New Police Education System

In order to modernize Armenia's police force, a three-tiered Educational Complex was established in 2011. The lowest tier – the Police Training Centre – provides a six-month induction training for non-commissioned officers; the intermediate tier – the Police College – provides a two-year course for the middle-group police officers; and the top tier – the Police Academy – provides both BA and MA programmes for Police leadership.

In October and November 2011, the police educational complex began accepting applications and admitting candidates. To ensure an impartial admission process, a new testing system was instituted. An independent Admissions Commission was established consisting of representatives and officials from the police, other state institutions, civil society and international organizations.

Notably, based on OSCE policy recommendations, the number of female

candidates admitted has increased significantly. In the first class at the Police College the percentage of women has increased from 5 to 20%. Moreover, contrary to established traditions where female police officers are relegated predominantly to administrative duties, both female and male police graduates are now required to work as street police for one year before continuing to any other police service or Police Academy.



New computer testing system was developed and introduced in the Police with the OSCE assistance (OSCE/Gohar Avagyan)

Wildfire Management and Response

Within the Environment and Security Initiative (ENVSEC), the OSCE supported a second phase of the National Wildfire Initiative in Armenia from 12 to 14 September. The initiative is the result of a fire assessment performed by the Global Fire Monitoring Centre, which recommended improvements to the regional wildfire prevention and response capacities in the South Caucasus. This ENVSEC project is based on these recommendations and directly supports the national wildfire prevention and response elements in all three South Caucasus countries.

Around 50 fire brigade representatives received practical training on forest fire management in Syunik (OSCE/Karen Arzumanyan)

The most recent phase of the ENVSEC project in Armenia involved: training for Syunik firefighters, support for a co-ordinated large wildfire response exercise, and the organization of a national roundtable on wildfire management. All of these activities were co-ordinated with the Armenian Government and UNDP.



Roundtable on Anti-trafficking

Since 2010, the OSCE has brought together civil society organizations, law enforcement officials, and government stakeholders in an effort to improve the effectiveness of Armenia's national referral mechanism on anti-trafficking. Improved implementation of the National Action Plan on Anti-Trafficking has been prioritized. Most recently, on 26 October, the OSCE organized a roundtable in Yerevan to present a training manual for trainers of law enforcement agencies, prosecutors, judges, police, border guards, as well as labour inspectors. It can also be used as basis for studying anti-trafficking by universities and other institutions. In addition to a prescriptive methodology, the manual includes training materials and activities pertaining to Armenia's legislative framework and practices in the field of anti-trafficking. For 2012 the Office is planning follow up training.

Supporting the Right to Free Expression

In October 2011 the OSCE Office in Yerevan co-organized a series of workshops for Armenian lawyers and judges on international freedom of expression standards. The workshops were designed in response to an increased number of court cases filed against Armenian media providers and journalists following the decriminalization of defamation and insult in Armenia in 2010. Whilst decriminalization is a positive step in Armenia's democratic development, several of these cases have resulted in disproportionately high fines in civil court. The training workshops focused on defamation and insult, privacy, contempt of court, court reporting, and regulation of freedom of expression in the context of elections.

Trainings

Capacity-building for Women in Politics

In the run up to parliamentary elections in May 2012, the OSCE Office in Yerevan in conjunction with ODIHR organized a conference dedicated to Increasing Participation of Women in Political Life on 2 December. Political party leaders, campaign managers, and influential party members attended. The roundtable was followed by a two-day training for women candidates focusing on effective campaigning, leadership skills, and effective public relations.

Workshops on reporting on religious issues

Together with the NGO - Collaboration for Democracy Centre - two three-day workshops on national legislation and international standards on freedom of religion or belief were organized. Approximately 40 journalists and students participated.

Training for Armenian human rights defenders

Increasing human rights knowledge and strengthening the monitoring capacities of members of civil society organizations was the aim of a three-day training course that was held in October and November in Armenia. The initiative was organized jointly with the Helsinki Committee of Armenia NGO.

Building capacity of Yerevan municipality

The Office, as part of its ongoing assistance to Yerevan municipality, organized an extensive 4-week training from 28 November to 23 December. Each week a different group of 15 municipal staffers was trained on topics as varied as municipal management and town planning, the development and management of investment programmes and public/private partnership schemes as well as the administration of local services (water and waste management, transport, education and health services).

Democratic control of the Armed Forces

Enhancing democratic control of the armed forces remains a primary long-term objective in politico-military dimension of the Office, and this priority is conducted in light with one of the main OSCE mechanisms to address global security challenges. Adopted in 1994, the OSCE Code of Conduct on Politico-Military Aspects of Security commits OSCE participating States to developing a comprehensive mechanism of civilian control over their armed forces, including the military, paramilitary and security forces, intelligence services and the police.

Recently, the Office together with the Drastamat Kanayan Institute for National Strategic Studies presented a publication consisting of articles on the Code of Conduct, its history and political context, and the experience of Armenia and other countries in implementing the Code.

Youth against Corruption

Under the auspices of OSCE support and in co-operation with Coca-Cola HBC Armenia, the Anti-Corruption Student Working Group organized a slogan contest on its Facebook page. Approximately 1500 students participated. The winning slogan "Buying Your Education Your Sell Your Future" was printed on a number of promotional items and is widely used in the Group's awareness-raising campaign.

In partnership with the Ministry of Education and Science, the Office organized a three-day seminar on the subject of anti-corruption action plans for University officials. International experts from Malta and Serbia shared their experiences in promoting transparency and integrity in higher education and in increasing student participation.

Model OSCE Conference

The Model OSCE Conference was held on 18-19 November 2011 in Yerevan. The mock OSCE Permanent Council meeting brought together over 60 students from across Armenia in order to discuss the issues of cyber threats and to develop an understanding for the OSCE's comprehensive approach to stability and security.

Witness protection report

International standards in the field of witness protection, domestic legislative provisions and practical recommendations for its improvement were the subject of an OSCE-supported report that was promulgated on 18 October in Yerevan. The study was prepared by the Helsinki Citizens' Assembly Vanadzor Office with the support of the OSCE Office in Yerevan. The recommendations drew on the findings of a survey of investigators and advocates as well as an analysis of relevant cases. On-site visits to police stations in Shirak, Lori and Tavush regions of Armenia were also conducted in order to observe the adherence to witness protection.

Interpretations of the Cassation Court decisions

The Office supported a publication that comprised legal reviews, analysis, and interpretations of selected decisions of the Cassation Court of the Republic of Armenia. The publication was designed by the Association of Judges in partnership with the Cassation Court as a contribution to the ongoing judicial reform and strengthening of judicial independence, integrity, and competence. The publication comprises a detailed analysis of 30 decisions on most controversial criminal cases relating to human rights issues. The aims of the publication is help reduce the number of Cassation Court appeals and to contribute to a unified application of law in the country.



Some 50 schoolchildren from Yerevan schools participated in an interactive game co-organized by the OSCE Office on 24 November 2011, designed to raise awareness on human rights (OSCE/Photolur)

Upcoming events/announcements

Na/Ne Annual Media Competition Announcement

The OSCE Office in Yerevan together with the British Council, British Embassy, UNFPA, World Vision, the Armenian Young Women Association, and BMI have announced the 4th Na/Ne annual media competition. This annual competition is a unique opportunity for media representatives to earn a distinction that contributes to the development of gender sensitive journalism in Armenia and promotes positive women role models (for more information visit our website <http://www.osce.org/yerevan/85096>).

About the OSCE

The Organization for Security and Co-operation in Europe (OSCE) works for **stability, prosperity** and **democracy** in its 56 participating States through political dialogue on shared values and through practical work that makes a lasting difference.

The OSCE Office in Yerevan was established in 2000 to assist Armenia in the implementation of its OSCE commitments in all three aspects of security: politico-military, economic and environmental and the human dimension.

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