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DECISION OF THE GOVERNMENT OF THE REPUBLIC OF ARMENIA ON ESTABLISHING ANTI-CORRUPTION COUNCIL AND EXPERT TASK FORCE, ON APPROVING THE COMPOSITION OF THE COUNCIL AND RULES OF PROCEDURE FOR THE COUNCIL, EXPERT TASK FORCE AND ANTI-CORRUPTION PROGRAMMES MONITORING DIVISION OF THE STAFF OF THE GOVERNMENT OF THE REPUBLIC OF ARMENIA

GOVERNMENT OF THE REPUBLIC OF ARMENIA

DECISION

No 165-N of 19 February 2015

ON ESTABLISHING ANTI-CORRUPTION COUNCIL AND EXPERT TASK FORCE, ON APPROVING THE COMPOSITION OF THE COUNCIL AND RULES OF PROCEDURE FOR THE COUNCIL, EXPERT TASK FORCE AND ANTI-CORRUPTION PROGRAMMES MONITORING DIVISION OF THE STAFF OF THE GOVERNMENT OF THE REPUBLIC OF ARMENIA

The Government of the Republic of Armenia hereby ***decides***:

1. To establish the Anti-Corruption Council (hereinafter referred to as "the Council").

2. To approve the composition of the Anti-Corruption Council, pursuant to Annex 1.
3. To prescribe that permanently functioning Expert Task Force (hereinafter referred to as "the Task Force") composed of independent experts shall be established adjunct to the Council.
4. To approve the rules of procedure for the Anti-Corruption Council, Expert Task Force and Anti-Corruption Programmes Monitoring Division of the Staff of the Government of the Republic of Armenia, pursuant to Annex 2.
5. To prescribe that:
 - (1) the Prime Minister of the Republic of Armenia shall call on the heads of opposition factions of the National Assembly of the Republic of Armenia and the Chairperson of the Union of Communities of Armenia to include in the Council one representative from each opposition faction of the National Assembly of the Republic of Armenia and one representative from the Union of Communities of Armenia, respectively, within a 15-day period;
 - (2) civil society representatives shall be involved in the Council on a competitive basis;
 - (3) where representatives of opposition factions of the National Assembly and of non-governmental organisations are not included in the Council as prescribed by subpoints 1 and 2 of point 5 of the present Decision, the Council shall be deemed to be established;
 - (4) the competition for the selection of independent experts shall, under the procedure of and in accordance with the standards prescribed by the Council, be held by the Staff of the Government of the Republic of Armenia, where the remuneration of experts will be provided at the expense of the funds of the State Budget of the Republic of Armenia. In case where the remuneration of experts is

provided by donor organisations, the selection of experts shall be carried out under the procedure agreed with them;

(5) the material and technical support to the Task Force shall be ensured by the Staff of the Government of the Republic of Armenia, and the activities shall be organised by the Anti-Corruption Programmes Monitoring Division of the Staff of the Government of the Republic of Armenia.

6. To assign the Minister-Chief of Staff of the Government of the Republic of Armenia to organise, after the entry into force of the present Decision, activities for the involvement of non-governmental organisations in the Council and to submit the list of members of the Council to the Prime Minister of the Republic of Armenia for approval.

7. To assign the Minister of Justice of the Republic of Armenia to submit — within a three-day period after the entry into force of the present Decision — the draft Decision of the Prime Minister of the Republic of Armenia "On prescribing the procedure for competition and rotation of non-governmental organisations" to the Staff of the Government of the Republic of Armenia.

Prime Minister of the Republic of

Armenia

H. Abrahamyan

3 March 2015

Yerevan

Annex 1
to Decision of the Government
of the Republic of Armenia
No 165-N of 19 February 2015

COMPOSITION
OF THE ANTI-CORRUPTION COUNCIL

Prime Minister of the Republic of Armenia (Chairperson of the Council)

Minister-Chief of Staff of the Government of the Republic of Armenia

Minister of Justice of the Republic of Armenia

Minister of Finance of the Republic of Armenia

Prosecutor General of the Republic of Armenia (upon consent)

Chairperson of the Ethics Commission for High-Ranking Officials (upon consent)

One representative from each opposition faction of the National Assembly of the Republic of Armenia (upon consent)

President of the Public Council (upon consent)

One representative from the Union of Communities of Armenia (upon consent)

Two civil society representatives (upon consent)

Minister-Chief
of Staff of the Government
of the Republic of Armenia

D. Harutyunyan

Annex 2
to Decision of the Government
of the Republic of Armenia
No 165-N of 19 February 2015

RULES OF PROCEDURE

FOR THE ANTI-CORRUPTION COUNCIL, EXPERT TASK FORCE AND ANTI-CORRUPTION PROGRAMMES MONITORING DIVISION OF THE STAFF OF THE GOVERNMENT OF THE REPUBLIC OF ARMENIA

I. GENERAL PROVISIONS

1. The present Rules shall regulate relations pertaining to activities of the Council, Task Force and Anti-Corruption Programmes Monitoring Division of the Staff of the Government of the Republic of Armenia.

II. MAIN FUNCTIONS OF THE COUNCIL

2. The Council shall:

- (1) consider and endorse the anti-corruption strategy;
- (2) submit recommendations for amending and supplementing the anti-corruption strategy;
- (3) consider and endorse sector-specific programmes developed on the basis of the anti-corruption strategy;
- (4) submit recommendations on amending and supplementing the sector-specific programmes developed on the basis of the anti-corruption strategy;

(5) co-ordinate the implementation of actions arising from the anti-corruption strategy and the international obligations and commitments assumed by the Republic of Armenia, the process of developing and implementing sector-specific anti-corruption programmes by requesting and receiving from state bodies the necessary materials and information, organising and holding meetings, discussions, hearings, considering issues existing in the field of fight against corruption and recommending possible solutions to them;

(6) exercise control over the implementation of actions arising from the anti-corruption strategy and the international obligations and commitments assumed by the Republic of Armenia, the process of developing and implementing sector-specific anti-corruption programmes by submitting recommendations to the responsible bodies, requesting reports and analyses, organising and holding discussions, meetings, hearings;

(7) consider the results of evaluation (monitoring) of anti-corruption programmes, and submit recommendations to the responsible bodies on the basis of reports summarised by the Task Force;

(8) co-operate, in the process of fight against corruption, with international and regional organisations, civil society representatives, organisations representing the business sector, bodies taking part in the implementation of the anti-corruption policy, as well as institutions contributing to the prevention of corruption, including through co-ordinated meetings. Here, discussions are held during co-ordinated meetings on actions carried out, existing issues, possible solutions, ensuring, at the same time, proper communication and efficient co-operation between state and local self-government bodies. Opinions expressed during discussions may be included by the Council in its recommendations.

(9) approve the working procedure of the Council;

(10) approve the working procedure of the Task Force;

(11) prescribe the procedure for the selection of experts, as well as the standards set for them.

3. The recommendations of the Council submitted to the responsible bodies on the basis of reports summarised by the Task Force shall be realised through decisions of the Government of the Republic of Armenia, legal acts adopted by the Prime Minister of the Republic of Armenia or the responsible bodies. The recommendations of the Council may also serve as a basis for legal acts of the National Assembly of the Republic of Armenia and of local self-government bodies.

III. ORGANISATION OF ACTIVITIES OF THE COUNCIL

4. The Chairperson and members of the Council shall participate in the works of the Council on a voluntary basis.

5. The activities of the Council shall be based on the principles of lawfulness, transparency and publicity.

6. The principle of rotation shall apply to the civil society representatives (hereinafter referred to as "non-governmental organisations") being involved in the Council on a competitive basis. The procedure for competition and rotation of non-governmental organisations shall be prescribed by the Decision of the Prime Minister of the Republic of Armenia.

7. The Council may comprise non-governmental organisations, which:

- (1) have experience of at least the last five years in the anti-corruption field;
- (2) have specified in their Statutes the fight against corruption as a line of activity;
- (3) have experience of co-operation with international organisations of at least the last five years in the anti-corruption field;

(4) will submit information on at least 5 programmes implemented with international agencies and/or on their own initiative in the field concerned;

(5) will submit recommendation letters provided by partner organisations on the efficiency of programmes implemented with international agencies.

8. The Council shall carry out its activities through sessions. The information on the session shall be posted on the official web page of the Government of the Republic of Armenia within a 10-day period after the completion of each session of the Council.

9. Sessions of the Council shall be convened on the initiative of the Chairperson of the Council or one third of the members of the Council, where necessary, but not less than once each quarter.

10. The session of the Council shall have a quorum, where more than half of the members of the Council are present. Minutes shall be drawn up on the sessions of the Council, which shall be signed by the person presiding over the session and the Head of the Anti-Corruption Programmes Monitoring Division of the Staff of the Government of the Republic of Armenia.

11. Decisions of the Council shall be adopted by an open vote by the majority of votes of members present at the session. In case of a tie, the Chairperson of the Council shall have the casting vote. Where a member of the Council has a special opinion on the decision adopted by the Council, it shall be attached in writing to the Decision of the Council, and a record thereon shall be made in the minutes of the session of the Council.

12. The Chairperson of the Council shall:

(1) organise the works of the Council;

(2) carry out distribution of work among members of the Council;

(3) provide the President of the Republic of Armenia with information on the activities of the Council, including the results of co-ordinated meetings, the steps taken and the results achieved;

(4) convene and chair the sessions of the Council or assign any member of the Council to chair the session;

(5) set the agenda, which, together with the necessary materials on other issues to be discussed, shall be handed over to members of the Council not later than three days before the session.

13. Members of the Council shall:

(1) participate in the sessions of the Council;

(2) submit recommendations on items to be included in the agenda of the Council, anti-corruption strategy and sector-specific programmes developed on its basis, as well as on other issues considered by the Council;

(3) perform other functions based on the Decisions of the Council and the powers of the Council prescribed by the present Rules.

14. Where it is impossible to participate in the session of the Council, the member of the Council shall inform thereon the Chairperson of the Council. Where it is impossible for the member of the Council to participate in the works of the Council or where the member of the Council fails to attend more than half of the sessions of the Council within one year without any valid reason, the Chairperson of the Council shall submit the issue of replacing the respective member to the Council for consideration. In case of existence of the relevant decision of the Council, the Chairperson of the Council shall call on the body that has nominated the Council member concerned or that has the competence to appoint the Council member concerned to solve the issue, and replace the person concerned, where necessary, or shall initiate a competition as prescribed.

15. At the invitation of the Council representatives of the civil society and the mass media, as well as other persons may participate in the sessions of the Council.

16. The Council shall ensure the coverage of its works.

IV. EXPERT TASK FORCE

17. The Task Force shall:

(1) support the development of anti-corruption strategy and sector-specific draft anti-corruption programmes, submit recommendations to the Council on amending and supplementing the Strategy and/or sector-specific anti-corruption programmes;

(2) conduct monitoring, evaluation of programmes, summarise the reports on programme implementation;

(3) prepare reports, reviews on the progress of programme implementation and submit recommendations to the Council;

(4) conduct — in the fields predetermined by the Council, as well as prescribed by the anti-corruption strategy — investigation and analysis of corrupt practices and causes of corruption, and submit recommendations aimed at more efficient solutions;

(5) carry out — upon assignment by the Council — actions aimed at contributing to the increase and dissemination of the knowledge of the public about the prevention of corruption by participating in the preparation of informational and educational materials, appearing on the mass media and performing other functions. While performing this function, the Task Force shall co-operate with state bodies, educational institutions, as well as the mass media;

(6) ensure — in the process of fight against corruption — the co-operation of the Council with regional and international organisations, civil society, organisations representing the local business sector, bodies taking part in the implementation of

the anti-corruption policy, as well as with institutions contributing to the prevention of corruption;

(7) develop — upon assignment by the Council — guidelines and submit them to the Council for their endorsement, provide methodological and other assistance to the responsible bodies;

(8) carry out other assignments given by the Council.

18. The Task Force shall submit to the Council a report on its activities once in each quarter.

19. Experts shall:

(1) participate in the development of anti-corruption strategy and sector-specific anti-corruption programmes;

(2) participate in the implementation of monitoring and evaluation of the programme, as well as in the programme implementation processes;

(3) prepare reports on the area of his or her specialisation;

(4) prepare reviews on the progress of programme implementation in the area of his or her specialisation;

(5) submit recommendations for solving issues existing in the area of his or her specialisation;

(6) investigate and analyse corrupt practices and causes of corruption in the area of his or her specialisation;

(7) submit recommendations aimed at more efficient solutions to the corrupt practices and causes of corruption in the area of his or her specialisation;

(8) participate in conferences, workshops, round tables, discussions and other events held on the fight against corruption;

(9) participate in the development of educational programmes, informational materials, guidelines in the field of fight against corruption;

(10) perform other functions prescribed for the Task Force;

(11) perform other functions prescribed by employment contracts.

20. Powers of experts shall terminate as prescribed by the employment contract. Rescission of the employment contract on the initiative of the employer shall be effected upon the consent of the Council.

V. ANTI-CORRUPTION PROGRAMMES MONITORING DIVISION OF THE STAFF OF THE GOVERNMENT OF THE REPUBLIC OF ARMENIA

21. The Anti-Corruption Programmes Monitoring Division of the Staff of the Government of the Republic of Armenia (hereinafter referred to as "the Monitoring Division") established to ensure the efficiency of organisational and technical works of the Council and the Expert Task Force shall perform the following functions:

(1) ensure the implementation of organisational and technical works of the Council;

(2) organise the works of the Expert Task Force and ensure liaison between experts and responsible persons of state authorised bodies operating in the given field;

(3) conduct monitoring of reviews on the realisation of the Republic of Armenia Anti-Corruption Strategy and its implementation action plan and of the reports, as well as on fulfilment of obligations assumed under international treaties in the fight against corruption;

(4) exercise control over the progress of the realisation of the action plan and priorities of the Government of the Republic of Armenia for the given year relating to the fields of its activities, and submit information thereon to the Council;

(5) carry out professional expert assessment of draft legal acts — submitted to the Government of the Republic of Armenia and the Prime Minister of the Republic of Armenia for consideration or opinion — relating to anti-corruption programmes approved (prescribed) by the anti-corruption strategy, sector-specific anti-corruption programmes and other legal acts, as well as professional expert assessment of individual issues, deliver opinions on draft legal acts on developing the relevant field and improving the efficiency of activities;

(6) organise and hold events with representatives of state and local self-government bodies, as well as of sectoral local and international organisations, including discussions, round tables, dissemination of informational materials and guidelines, that will contribute to raising the public awareness in the field of fight against corruption.

**Minister-Chief
of Staff of the Government
of the Republic of Armenia**

D. Harutyunyan