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**15th COLLOQUY ON INFORMATION TECHNOLOGY AND LAW IN EUROPE
“E-JUSTICE: INTEROPERABILITY OF SYSTEMS”**

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National Report of Armenia

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1. INTRODUCTION

The Republic of Armenia was a part of former-USSR for about 75 years. In 1991 Armenia gained independence and during last 10 years the country was in hard social-economic crisis and the primary goals of the government were the stabilization of economic and political situation. With the purpose of resolution of above mentioned problems, It was necessary to revise the legislation, creating a system, which would comply the standards of a democratic country. Therefore, the need of reforms in all Governmental circles was obvious. One of the aims of the reforms was the creation of interoperability between systems, which would assure more effective collaboration.

2. FREEDOM OF INFORMATION

As it is known, in former-USSR there were some limitations for freedom of information. One of the preconditions in gaining independence and becoming democratic country for Armenia was the freedom of information. Human rights and freedom cannot be realized on condition of limitation of freedom of searching, receiving and dissemination of information. Every citizen deserves right to be informed and that is the only way to control the government activity and to participate in process of creation of democratic country. The general accessibility of information is the way to provide the society to realize its rights. Only having enough information, society can control the activity of state and local authorities, officials and public organizations.

3. LEGISLATION AND FREEDOM OF INFORMATION

According to the Second part of the 24th Article of the Constitution of the Republic of Armenia citizens of the Republic of Armenia shall be guaranteed the right to receive, store and disseminate complete, reliable and timely information on activities of the state bodies and public associations, on political, economic, cultural and international life, and on the state of the environment.

4. FINANCING

In 2000 The World Bank gave about 11 million dollars credit, for the improvement of the Republic of Armenia judicial reform project. About 700,000 dollars stipulated for the strengthening of the institutional and operational capacity of agencies, responsible for maintaining authoritative texts of official legal materials, their systematization and codification, developing an electronic database, developing a Government strategy for facilitating competitive and effective dissemination of legal information and other similar tasks.

Taking into consideration all above mentioned facts, we can say, that there are all preconditions for providing interoperability of information systems in the Republic of Armenia.

5. INTEROPERABILITY OF INFORMATION SYSTEMS

Interoperability means communication, using open standards, between several information technology systems held by various institutions or organizations of the justice sector, including message-based transfer of information between systems, interconnection of systems and replication of data. This applies principally to the courts, prosecution and law enforcement (police) authorities, as well as to certain



other institutions, such as public registers, lawyers, the penitentiary system and civil status authorities that come into contact with the court system and where the interoperability of information system is of strong relevance.

6. THE ADVANTAGES AND DISADVANTAGES OF CREATION OF INTEROPERABILITY OF SYSTEMS IN THE REPUBLIC OF ARMENIA

Interoperability of information systems in the justice sector considerably improves the functioning of the system. In particular, interoperability helps assure

- faster data exchange
- increased cost efficiency of data exchanges,
- higher security of information
- automatic update of data from a unique single information source

However, as it was mentioned before, the Republic of Armenia, during its 10 years of independence was in social-economy crisis and as a result, the number of staff in almost all organizations decreased rapidly. Hence, the introduction of interoperability of information systems will favor the staff reduction. This is probably the only disadvantage of the introduction of Interoperability of systems in Armenia.

7. CURRENT SITUATION OF INTEROPERABILITY OF INFORMATION SYSTEMS IN ARMENIA

Presently the registration of laws and other legal acts in the Republic of Armenia is carried out manually by means of collecting printed texts of laws and regulations. There is no unified electronic database of laws and registrations and the need of such electronic database is obvious. Furthermore, there is no classification system operative in Armenia at present. Several different classification systems are in use by various government agencies and private legal databases, some of them based on the former Soviet-era classification regime. Therefore, large number of normative acts in new files of law (e. g. bankruptcy, securities, law, etc.) become increasingly hard for paper-based indexing systems to absorb. The lack of unified classification for legislation also infringes comparative analysis of legal acts, and updating of the existing laws and regulations to make them consistent with the newly adopted ones.

In order to improve accuracy and informity of the legal information and its timely accessibility to all users (public and private) it is important to develop a comprehensive strategy of dissemination of the legal information to specific users and the public in general.

Currently, the package of law proposals is being developed by the staff of the Republic of Armenia Ministry of communications. In nearest future it will be submitted for discussions in the government and then to the National Assembly for approval.

8. INTEROPERABILITY SYSTEMS INTRODUCTION PROJECT IN THE REPUBLIC OF ARMENIA

The ways of creation of interoperability between several information systems are conditioned by technological advancement level of each country, common principles may be identified related to all developing countries upon which a general strategy could be developed.

One of the most common tasks is the classification of information based on the level of access by the population.

We propose to classify the information into three groups:



1. State secret or confidential (for authorized use) information
2. Information with provision of access to population
3. Information with unclear status in terms of access by population

The first group is clearly identified and characterised by national security requirements. Delivery of this kind of information through the Internet is not acceptable and therefore dedicated networks are constructed for this purpose.

The second group, that is also clearly identified, includes an information necessary for the normal activity of the society. The Internet is the most convenient means for the distribution of such kind of information.

The third group, in general, has a lower volume in the countries with more advanced level of democracy, which is conditioned by the more developed legislation of these countries. The exchange of this kind of information through the Internet is allied with a risk, as the publicity may harm the society. On the other hand, this information could be delivered via Intranet with the use of protective measures. Technical means specialized to carry such kind of tasks are widely used and are in permanent development process.

After this classification of information, the basic structure of the state joint information system appears (see Appendix). Within every budgetary organization a PC network with Internet server is installed. This server contains all the information, which is not a secret or confidential one. The Internet network server links to Internet with a firewall and receives all the information with mandatory provision of access from Internet server. For either of cases the information search principal is the same one: every document receives a classifier. The search process is performed by a search engine to make the system reliable it's feasible to have several search engines. The archivation of the information in the system is also considered.

The development of the system should be carried parallel to the legislative development and should include 2 necessary directions:

- to increase the volume of the information with mandatory provision of access to population to the most possible extend
- to define clearly the level and conditions of access to the information with unclear access status

The above approach would enable to start the construction of the joint system right today, without having any delay, and further development of the system would enhance the existing legal relationships within society.

Referring to all above-mentioned, the Republic of Armenia hopes to be supported by Council of Europe and member-countries, as we are a new country in the European community.



APPENDIX

