Summary

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Last year, a new type of disease shocked the humankind, which was unprecedented in its spreading scale and coverage. On March 11, 2020, the World Health Organization (WHO) declared Covid-19 a global pandemic. The pandemic had impact on all sections of society, not least on those in prison.

In general, prisoners all over the world are an extremely vulnerable group, who are at risk because of the penetration and spread of the virus in closed institutions. Measures to prevent Covid-19 are often simply not available to detainees, and maintaining social distance is unrealistic and impractical. Inadequate living conditions, overcrowding, lack of or limited personal space in prisons often contribute to this. Covid-19 has had catastrophic consequences all over the world.

According to various studies, as of February 18, 2021, more than 523 thousand prisoners in 122 countries of the world tested positive for Covid-19, and more than 3,500 died from the virus.

The pandemic has affected different systems and institutions to varying degrees. Particularly the public administration and judicial systems, which are already rigid in nature, respond to Covid -19 with difficulty.

In general, criminal justice systems were in crisis before the global pandemic. Governments in almost every country in the world are now struggling to restrain the virus in prisons, endangering both lives of the people who are in penitentiaries (staff and prisoners) and the general population.

The purpose of this report is to study the process of counteraction of the criminal justice system in the Republic of Armenia and the peculiarities to Covid-19 (if any), especially the practice of the use measures of restraint and sanctions alternative to imprisonment. Particular attention was paid to the practice of release on parole; the comparative analysis of the figures of those released before and after Covid-19 was carried out.

The following three main factors were emphasized during the study:

1) The practice of the use of alternatives to imprisonment (detention)

2) The practice of the use of imprisonment for a definite term.

3) The practice of the release on parole to convicts.

The primary objectives of this study were:

1) Find out the impact of Covid-19 pandemic on the decisions of the courts on alternatives to imprisonment, as well as decisions on parole.

2) Find out the justifications of the motions, reports and other materials of the criminal justice bodies, which are the ground for making those decisions, in the context of the Covid-19 pandemic.

3) Find out the impact of the general lockdown due to Covid-19 on the extension (ungrounded) of the applied imprisonment.

4) Present the differences in cost-efficiency of imprisonment and alternatives to imprisonment and the social impact of alternative measures.

5) Present the standards, documents and experience recommended by international organizations for prison systems due to the Covid-19.

6) Present recommendations based on research findings to the respective stakeholders in the field, decision-makers, in order to reform the field.

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The report consists of four sections.

The first section discusses the features of the use of detention as a measure of restraint, the use of punishment in the form of imprisonment, as well as the practice of applying the institute of parole.

The second section presents the financial and social benefits of the use of alternatives to imprisonment, analyzes the cost data of custodial measures, and compares them with non-custodial measures.

The third section includes response, strategies, requirements and recommendations on prison systems of the International Committee of the Red Cross (ICRC), the World Health Organization (WHO), the United Nations Office on Drugs and Crime (UNODC), and the Council of Europe Committee for the Prevention of Torture (CPT), Penal Reform International (PRI), Confederation of European Probation (CEP), etc. This section of the study also presents data from different European countries on alternatives to imprisonment in the light of Covid-19.

The fourth section presents recommendations that may be applicable to policy makers and practitioners in the field.

As for the analysis carried out in the Report, it should be noted that the report examines the numerical indicators of the use of imprisonment by the courts of the Republic of Armenia in 2018-2020. Particular attention was paid to the motions submitted to the court on the use of detention as a measure of restraint by the investigative bodies, as well as the decisions of the court granting these motions in full or partially The balance between the use of custodial and non-custodial sanctions, the use of conditional release, in the overall number of court cases with a verdict in light of the periods presented above was considered. In order to make the comparison and analysis more remarkable, other factors have been considered in the context of the philosophy of universal imprisonment and practice.

Analysis of the statistics on the official website of the judiciary shows that compared to 2018 and 2019, in 2020 the selection and the use of custodial sanctions decreased in favor of the use of non-custodial sanctions or not applying the custodial sanction conditionally and fine as a punishment.

In fact, in 2018, the courts delivered 2295 verdicts, the number of convicts was 1963, in 2019, the courts delivered 1973 verdict, the number of convicts was 1556; then the verdict was delivered in 2325 cases out of 2607 cases completed in 2020. The total number of convicts according to the verdicts is 1954, of which:

• 960 were sentenced to imprisonment (49% of the total number of convicts).

• 109 were sentenced to arrest as a sanction (6% of the total number of convicts). In total, 1,069 people were sentenced to custodial sanctions, which is 55% of the total number of convicts.

• 863 were fined (44% of the total number of convicts).

• The imprisonment was not conditionally applied to 722 persons, which is 68% of the total imprisonment (1069 persons).

The study of this part of the report demonstrates that:

1) In 2020, more than half of the total number of convicts (1954) were sentenced to a custodial sanction.

2) Taking into account the current practice, it is assumed that the punishment is not applied conditionally, mainly in case of imprisonment for a certain period, but not in the case of arrest as a type of sanction. Therefore, it is assumed that in case of 75% of 960 persons sentences to imprisonment, the sentenced was not applied conditionally, which is encouraging.

3) Nevertheless, a total of about 238 prisoners were actually imprisoned (i.e about 25%).

4) Although, at present, the Probation Service of the Ministry of Justice of the Republic of Armenia does not submit pre-sentencing reports to the court, nevertheless, these convicts could have (probably) been released under the supervision of the mentioned service, based on the reports on the criminogenic needs and risks of the person submitted by the Probation Service .

5) There are still challenges in the process of transiting from punitive to restorative justice as envisaged in the strategy of the Armenian penitentiary and probation spheres for 2019-2023. The most common form of punishment remains imprisonment, which needs to be addressed in a long-term and targeted perspective. In the Republic of Armenia, the dynamics of the use of pre-trial custodial measures differs from the practice of the use of custodial sanctions and conditional non-application of custodial sanctions or the application of alternative sanctions. If in 2018-2020, along with the reduction of the use of custodial sanctions, the number of cases of conditional non-application of these punishments and leaving the perpetrators in the society has increased, the picture for the same period is slightly different in the practice of choosing detention as a measure of restraint. If in 2018, according to the reports on the activities of the courts of first instance of the Republic of Armenia in judicial cases related to judicial control over pre-trial proceedings, judicial acts and the execution of court assignments, 21610 cases were received in the courts of first instance of the Republic of Armenia (including 935 cases transferred from the preceding reporting year), of which 2043 motions (case) on detention as a measure of restraint (case), out of which 2041 cases were completed, and in 2019, 21729 cases were received in the courts of first instance of the Republic of Armenia (including 1335 cases from the previous year), of which 1984 motions (case) on the use of detention as a measure of restraint, of which 1981 case was completed, then in 2020, the courts of general jurisdiction of the Republic of Armenia received 1976 motions to choose detention as a measure of restraint, of which 1975 motions were examined and completed. The study shows that during 2018-2020, both the number of motions to use detention as a measure of restraint and the numerical indicators of their satisfaction have decreased. It should be noted that compared to 2018, in 2020, the number of motions and their satisfaction have decreased proportionally. In particular, in 2020, the number of motions for detention as a measure of restraint decreased by 242 or about 8% (3363 to 3121) and the rate of granting these motions also decreased by the same per cent: from 91% to 83%. At the same time, in 2018-2020, the rates of motions on bail and their satisfaction decreased. It should be noted here that on April 14, 2020 in accordance with Article 9 of the Armenian Law on Making Amendments to the Criminal Procedure Code of the Republic of Armenia, was made in the institute of bail as a measure of restraint. As a result of these amendments, Article 143 of the Armenian Criminal

Procedure Code has been redrafted, as a result of which bail is considered not only an alternative to detention, but also an independent measure of restraint that can be applied by the body conducting the criminal proceedings. However, the relevant indicators in the existing reports have not changed yet, as a result of which it is difficult to conclude which of the 454 bail motions were applied by the pre-investigation bodies or the court in 2020.

Thus, referring to the motions on the custodial measure of restraint in the Republic of Armenia and the practice of their application, it can be concluded that:

1) Comparisons and analysis over three years show that during 2018-2020, the practice of filing and granting motions on applying pre-trial detention has changed. A certain decrease is observed in these figures.

2) It is very important that as of April 2020, bail can be used as an independent measure of restraint; the process of replacing the applied pre-trial detention with bail will remain in the past. In this sense, it is very important that criminal justice bodies make adequate changes to their reports to indicate the body requesting or applying the bail (including the pre-trial body). 3) The analysis of the indicators shows that, compared to the mentioned three years, due to the Covid-19 pandemic, the process of filing motions on pre-trial detention and it application has not changed much. The numerical indicators of both motions and its application remain almost unchanged.

4) One of the problematic factors here is that, unlike reports on sentences, there are no gender-segregated, age or other criteria for detainees. As a result, it is difficult to conclude to how many people aged 50-60 this means were applied in the conditions of Covid-19 pandemic. This age has been recognized by the WHO as the most risky group, also in places of deprivation of liberty.

5) The fact that 80-90% of the motions submitted to the court on pre-trial detention are granted is still problematic. Of course, this indicator may indicate very effective work of the investigative bodies and the submission of more reasoned motions, but the very fact that a custodial measure of restraint is granted by the court in almost all cases, may also indicate more "punitive" approaches. It may also be evidence that imprisonment is not treated as exceptional and last-resort measure.

6) However, in this direction, multi-layered analyses are needed, which we think will be carried out in the future, taking into account the general dynamics of the crime, the cases investigated and completed in the given year, the number of defendants involved, the crime committed by them, and then motions on the use of pre-trial detention and the process of resolving them.

7) For all this, it is necessary to review the sample reports from the entire criminal justice system, making them more integrated, consistent, measurable, predictable, transparent.

8) Existing public reports still lack systematic information on all measures of restraint and the practice of applying them (apart from bail and detention).

9) We believe that the regulation of the Armenian Criminal Procedure Code that the key ground for choosing this measure of restraint is the crime committed and the punishment defined by the Armenian Criminal Code still has an impact on the use of detention or its possible abuse,. Especially if a sentence of more than one year is envisaged, almost all crimes can be considered as a "basis" for a motion for detention.

10) The issue that the investigation body and courts are overloaded is also important. During the year, only the judges of the first instance examine more than 20 thousand cases on operative-investigative

motions, use of measures of restraint and other urgent cases. 60 judges with a criminal specialization have on average about 30 such cases per month (for example, in 2020 only the motions for pre-trial detention and bail amounted to 3575 cases). In spite of the fact that this Report is not intended to examine, compare or analyze the effectiveness of the cases investigated, however, any issue relating to the deprivation of liberty of a person as an exceptional and last-resort approach to the perpetrator must be dealt with in due course and in an adequate manner.

As for the release on parole, one of the indicators of liberalization of punishment and the decrease in the punitive policy is not only the process of filling up the penitentiaries, but also ensuring the return to society from the penitentiary institution. Especially in the context of the Covid-19 pandemic, WHO and other organizations have offered member states the activation of the institute of release from punishment. Therefore, the Report also referred to the practice of release on parole in the Republic of Armenia in 2020.According to the survey, in 2020, 336 applications for parole were received, to which 39 cases transferred from the previous year were added. Out of 375 motions examined during the year, 328 were completed, 43 remained unfinished, and three motions were left without examination. Out of 328 cases (motions) completed during the year, 150 or 46% of the completed cases were granted, and 170 or 52% of the completed cases were denied.

Despite the pandemic situation in the country, the approaches of the Penitentiary and Probation Services to the process of liberalization of the punishment or the transition from the policy of punishment are still problematic, as the majority of the reports on parole prepared by the Probation Service and provided to the Penitentiary Service were assessed as "negative". Thus, in 2020, the Probation Service supervised 1611 persons, of which 365 proceedings were carried out on parole. 195 people were released on parole. During the mentioned period, the Probation Service prepared 698 reports, of which 121 (or 17.3%) were positive and 577 (or 83.7%) were negative. It is noteworthy that 204 of the reports were compiled twice or more.

The process of release from prison or returning the person to society involves the preparation of work with him or her, which is an incentive change in the conditions of serving a sentence, changing the degree of isolation of the penitentiary institution (from closed to semi-closed, from semi-closed to semi-open, from semi open to open correctional facilities) bringing the person closer to society. Thus, in 2020, by the decision of the Commission for the Placement of Convicts in the Central Body of the Penitentiary Service of the RA Ministry of Justice, 51 persons were transferred from a semi-closed correctional facility to a semi-open correctional facility, and 22 persons from a semi-open correctional facility to open correctional facility.

In general, state-sponsored measures aimed at preventing the spread of new coronavirus infection in prisons are very important. As a result of the actions taken, according to the information provided by the Penitentiary Department of the RA Ministry of Justice, in April-December 2020, 39 of the detainees (including convicts and arrested) were infected. Moreover, no prisoner has been infected at all in seven penitentiaries of the RA Ministry of Justice ("Nubarashen", "Vanadzor", "Yerevan-Kentron", "Goris", "Artik", "Abovyan", "Armavir").

Thus, the study on the processes of release on parole and preparation of a person for return to society proves that:

1) In fact, no special changes have been made in this system in the context of the Covid-19 pandemic. The courts examined the same number of cases, made decisions, the penitentiary institutions and the territorial subdivisions of Probation took the necessary actions to release the convict on parole, etc. At

least in the DATALEX system, the decisions on the release on parole (secondary) did not contain a valid cause or basis for the pandemic.

2) In contrast to 2019, in 2020 the rates of denied motions for the release on parole increased in the courts of first instance of the Republic of Armenia.

3) It is more characteristic and problematic that the penitentiary institutions that worked with the convicts for years or at least the Probation Service, which conducted a detailed study during the 80 days prior to the motion to release on parole, made 80-85% negative reports.

4) Despite the changes in the system of release on parole in Armenia release on parole over the years, many issues related to the toolkit for assessing a person's risk, scoring system and other processes remain problematic.

5) The analyses show that it is necessary to separate the release on parole from replacing unserved part of the sentence with a milder type of sanction both in law and in practice (even at the level of the tools used) . Both mechanisms contribute to the convict's closer access to society and freedom; nevertheless, they imply different degrees of security for the individual, the likelihood of re-offending in society, and guarantees of reintegration into society. Therefore, it is advisable to have different approaches when assessing them, especially in the case of persons serving life sentences who have been assessed as dangerous to the general public in one way or another. In this regard, it is necessary to make a drastic change in the Penitentiary Code and the implementation of all institutions in the field (including release on parole, Release on parole placement procedure, short-term departures, etc.), ensure not on the basis of the severity of the crime, but on the basis of the dynamics of the person, his behavior, the level of possible danger in society.

6) Probation services promote public safety and proper justice. Therefore, by providing reports and other information, "service is provided" especially to decision-makers (at the stage of preliminary investigation - to prosecutors / or judges, at the stage of judicial examination - to judges). For example, in the case of release on parole, the Probation Service provides a report to the court, assisting in making a more impartial and unbiased decision. Therefore, the court shall request a report directly from the Probation Service, and not from the penitentiary institution or other competent body.

7) The Probation Service is body proving advisory and professional opinion, which expresses itself based on the court's demand, by providing a report to the decision-making body. It is required when the court has to make a decision on release on parole in certain "difficult cases" (depending on the person, the evaluation of the effectiveness of the work carried out in the penitentiary institution, the length of the sentence that has not been served, etc.). Therefore, both in terms of content, semantics and financial costs (transport, salary, paper, personal affairs, etc.), it is not expedient for the Probation Service to compile reports on all convicts preparing for release, especially for those who have only a few months left to serve the whole sentence.8) The reports prepared by both the penitentiary institution and the Probation Service, instead of being "positive" and "negative", are strictly self-centered studies; they are very different from case to case. In the case of penitentiaries, these reports refer to the dynamics of the convict's conduct (from the date of entry into the penitentiary or the entry of sentence into force until the date of submission of the motion for release on parole), how the conduct and other circumstances have changed throughout the sentence. And in the case of Probation, those reports refer only to bilateral responsibilities: on the one hand, the responsibility of the convict, who agrees to the fulfillment of the conditions and responsibilities offered by the probation officer in the society; The guarantees are very person-centered, if for one person, for example, 'education' or 'family relations' may be strictly obligatory and primary, in the other case the lack of 'education' may be secondary and not so important from the point of view of social rehabilitation.

The final decision is made by the court based on the analysis made in the Report. Therefore, it is very important that the reports do not contain an assessment as "positive" or "negative" by any other body.

9) Practice and the analysis of the submitted reports shows that the position of the penitentiary bodies on "correction" in particular needs some changes. As a rule, it is considered as the final goal especially by the penitentiary institutions, moreover, that final goal must be achieved during the imprisonment. This can often be the reason for the practice that more than 80% of the reports of convicts supervised by them for years are negative. In fact, the correction of a person is a long lasting process and it cannot and should not end in the penitentiary institution itself, otherwise the extensive re-socialization programs implemented by the Probation Service in the society are meaningless. In this sense, it is also necessary to amend Article 16 of the current Penitentiary Code, considering the correction as a process, not an end result.

10) In Part 2 of Article 115 of the RA Penitentiary Code, the convict's right to reason with the application on the agreement to release him is incomprehensible, at least from the point of view of practical use. It is more important and from the point of view of state responsibility, it is especially applicable to reveal the reasons for denying the release on parole.

11) Paragraph 2 of Part 3 of Article 115 envisages notifying the Department of Penitentiary of the RA Ministry of Justice after receiving the convict's application, which adds a new link in the release on parole process. It is not clear, the possible response forms of the Department after receiving, further actions of the penitentiary institutions, etc. This regulation and the addition of an additional body may in practice be highly inexpedient, inefficient and costly, taking into account at least the following circumstances.

a) The oversight functions defined by the Charter of the Penitentiary Department do not directly imply awareness of all convicts held in penitentiaries by employees of all departments of the Department (at least security, social, psychological and legal work, registration departments of detainees and convicts). Therefore, reviewing hundreds of cases in paper form cannot lead to effective work.

b) The number of employees of the above-mentioned subdivisions of the department and their operational load cannot be sufficient to carry out such a large amount of work. If we take into account the fact that as a result of the changes made to the release on parole since 2006, all the penitentiary institutions except Abovyan and Goris penitentiaries will submit hundreds of cases to the Board.

c) Such paperwork on the same person, possible transport, postal and other costs cannot be considered efficient.

12) Moreover, if necessary, when notifying the Probation Service, it is necessary to provide the exact documents that are intended to be submitted to the Penitentiary Department, so that before entering the penitentiary, the probation officer can have an understanding in advance who he will meet with.

13) In the same place, the regulation provided for in the first paragraph of Part 4 introduces a requirement for "mandatory reports" on all convicts, which not only does not follow from the Probation Rules of the Committee of Ministers of the Council of Europe 2010/1, but is fraught with the risk of inefficiency. It is inefficient to spend 80 days, for a person under control for a few days or months, human, technical and financial resources, etc.

14) The regulation of part 10 of the same article presupposes the "collection" of reports in the penitentiary institution, moreover, the penitentiary institution assesses whether the given report is "positive" or "negative", in order to make a decision on whether to submit the case to court or not. This regulation

violates the meaning and mission of the Probation Service to assist decision-makers (not the sentencing body) in being more impartial and effective. Apart from the above-mentioned legal and substantive inconsistencies, semantic misunderstandings, this regulation is fraught with other dangers as well. For example, there is a great danger that the Probation Service, instead of being an alternative to the "prison", will be considered part of the same "forceful, punitive" structure, which will greatly hinder the public's correct perception of the Probation, with the ensuing consequences. In this regard, it will be more difficult to establish contact, respect, mutual trust between the release on parole and the probation officer, which is not only the approach of the CE 2010/1 Rules, but also a guarantee of effective work.

15) In this sense, Parts 6, 7, 8, 9 of Article 115 stipulate that the assessment of the reports submitted by the probation service of the penitentiary institution is "positive" and "negative". In addition to the fact that the reports are not "positive" or "negative", moreover, the penitentiary institution is not authorized (can not be) to evaluate the report given by another specialized structure. There is a great danger of abuse of power or that the penitentiary institution will not be able to accurately assess whether the report is positive or negative, as a result of which the rights of convicts held under the supervision of the penitentiary institution may be violated. The two mentioned structures are very different in their content, features, functions and philosophy, there is no need to balance or counterbalance them.

16) Article 115 Part 8 provides that the decision of the penitentiary institution not to send a motion on release on parole to court may be appealed by the convict in court. This regulation, no matter how much it is aimed at the rights of the convict, nevertheless has a theoretical and formal nature. Even if there is a great desire, the court cannot, for example, grant that complaint, because in the case of two "negative" reports, the institution could do nothing but make a decision not to file. The content of the reports that are the basis for such a decision is not discussed here, but the decision as a separate individual act. It is therefore necessary to remove from the content of the text "The decision may be appealed to the Court of First Instance within ten days after receiving the decision." words or clarify the subject of the trial as a result of the appeal.

17) Part 9 of the same article envisages the role of this structure, the Prosecutor's Office, in the release on parole process, thus turning this process into a multi-chain (Penitentiary-Probation-Department-Prosecutor's Office-Ministry-Court), bureaucratic, paper-filled and seemingly endless cycle. As a result, many problems will be faced by the penitentiary institution working directly with the convict, the Probation Officer and the convict himself (at least due to the delay of the day of early release, due to postage or extensive administration, due to the need for new recalculations). Moreover, it is not regulated in how many days the prosecutor or the deputy submits a motion in case of violation of rights, it is not specified for how many days the Minister examines and answers, which can lead to many problems.

18) In part 10 of the same article, it is necessary to replace the excerpt from the personal file in the documents submitted to the court with the actual personal file, taking into account the fact that the court will need to study the data analyzed in the reports, their grounds, etc. It is not excluded that, for example, the fact of being disciplined several times on the grounds of keeping a mobile phone will be considered non-dangerous by the court, although this issue could have been assessed differently in the reports.

The report also touched upon the issues of financing the Penitentiary Service of the RA Ministry of Justice and the Probation Service. The analysis made on this issue proves that:

1) Probation, in contrast to the penitentiary service, performing a larger number and different functions, controlling about 2 times more convicts, has at least 21 times less budget than the Penitentiary Service in terms of 2020.

2) Both in the Penitentiary Service and in the Probation Service, the lion's share of the budget is the salary fund (in the case of Probation, 371819700, which makes up 70% of the total budget).

3) The direct cost per convict in penitentiary institutions is more than 2700 AMD.

4) If we consider the current status of the RA Probation Service in the sense that it, having a very limited budget, does not have the status of a separate structure, does not carry out its own budget, does not independently delegate services to direct beneficiaries, it can be argued that Probation Service beneficiaries in terms of direct cost are calculated 0 (zero) dram for the state.

5) However, considering the entire budget of the Probation Service as an indirect expense for the beneficiary, it can be assumed that the average daily expenditure of one beneficiary of the Probation Service is about 312 (three hundred and twelve) AMD (530179700/4661/365 = 312), which is about nine times less than the average daily expenditure of a prisoner (2742 AMD).

Thus, summarizing the entire study, the following recommendations can be made:

1) Review crime statistics, making it richer, more visible, more predictable.

2) Use alternatives to imprisonment more often, especially in cases of minor and medium-gravity crimes.

3) Make an amendment to the Criminal Code, envisage a separate type of punishment "supervision in the society for up to 3 years", especially in cases of minor and medium-gravity crimes. This regulation will make it possible to reduce the decisions on unnecessary deprivation of liberty and then not to apply that deprivation of liberty conditionally.

4) It is proposed to rename Article 70 of the RA Criminal Code with the heading "conditional non-application of imprisonment". This will allow not only to avoid the "punitive" approach of equating punishment with imprisonment, but also to treat the Probation Service in essence, as it is, in fact, the body that executes the punishment (also other means of coercion), exclusively in society.

5) As a result of the revision of the RA Criminal Procedure Code, the RA Law on Probation, as an alternative to imprisonment, for the purpose of promoting punishments and measures, to introduce and to develop the mechanism of preparation of pre-sentencing reports, to be submitted to the court with a view to ensure the most impartial, effective, self-centered judicial act for the safety of the community.

6) As a short-term solution, it is proposed to develop a guide for the criminogenic needs of the perpetrator and risk indicators, especially for the courts, and a guide for their assessment, as a result of which the courts will be able to more accurately assess the degree of public danger and choose the most effective punishment for the latter.

7) Review the approaches of the investigation bodies and judicial and on submitting motions on detention as a measure of restraint and granting them respectively, really considering it as the last-resort and extreme measure. In this sense, although the new Criminal Procedure Code adopted by the National Assembly of the Republic of Armenia in the first reading has eliminated the link between the maximum punishment provided by the Criminal Code for detention, nevertheless, it is necessary to review Article 135, Part 2 of the current RA Criminal Procedure Code - "for which the maximum term of imprisonment is more than one year".

8) It is necessary to review the reports submitted by all criminal justice bodies, at least in terms of crime, its investigation, measures of restraint, verdicts, integrating all the information between the Police, Investigative Bodies, Prosecutor's Office, Court, Penitentiary and Probation Services. The reports should

record the reaction of the various bodies of the republic to the crime in general, to the criminal interventions applied to them, in particular.

9) In this sense, this Report can be one of the grounds for a more comprehensive and in-depth analysis of detention. At the very least, it is necessary to consider the motions for arrest in the crimes registered in that year, the investigation of those crimes, the cases completed and sent to court, the number of defendants in those cases, mediation of detention on them, and then the whole process of resolving those motions. But for that, it is necessary to see at least from the reports how much of the 24678 cases registered in the republic in 2018 remained in the criminal justice system, at what stage, how to separate the selected criminal means in comparison with the cases of the current and previous year, etc.

10) Another important factor is the workload of the courts. However, here, in an institutional sense, the factor that could have contributed to both reducing the overload of the courts (contributing to possible unnecessary delays in detention) or delivering more self-centered justice, we believe (in parallel with or instead of increasing the number of judges) is the institutional development of extrajudicial solutions (diversion - extrajudicial solution or mediation - the institute of reconciliation in criminal cases). These solutions enable, especially in the case of minor or medium-gravity crimes, to complete (or suspend) the criminal case in the investigative or prosecutorial circles, reducing both the workload of the courts and the possible tense and strong emotional feelings of the participants in the court session.

11) Therefore, we propose to envisage the expansion of the institute of private accusation in the RA Criminal Procedure Code (especially for juveniles up to 21 years old) by terminating or suspending criminal cases under the terms of reconciliation with the victim, greatly filtering the number of cases reaching court.