

COUNTRY PROFILE

**TAKING OF EVIDENCE BY VIDEO-LINK UNDER THE
HAGUE CONVENTION OF 18 MARCH 1970 ON THE TAKING OF
EVIDENCE ABROAD IN CIVIL OR COMMERCIAL MATTERS**

STATE NAME: [Armenia](#)

PROFILE UPDATED ON (DATE): [30.12.2021](#)

PART I: STATE

1. Contact details	
<i>The contact details provided in this section <u>will be published</u> on the Hague Conference website</i>	
CHAPTER I (LETTERS OF REQUEST)	
<i>As with any other Letter of Request under Chapter I of the Evidence Convention, the requesting authority should contact the Central Authority(ies) of the requested State when seeking to obtain evidence by means of a Letter of Request, whether using video-link or not.</i>	
a) Are the contact details of the Central Authority(ies) designated by YOUR STATE up-to-date on the Evidence Section of the Hague Conference website?	<input checked="" type="checkbox"/> Yes. <input type="checkbox"/> No. Please provide the contact details on a separate Word or PDF document for uploading on the Evidence Section of the Hague Conference website.
b) Would YOUR STATE be in favour of specifying a person or department within the Central Authority(ies) who would assist in processing Letters of Request where the use of video-links has expressly been requested (e.g., to arrange the video-link or provide technical assistance)?	<input checked="" type="checkbox"/> Yes. If YOUR STATE has already done so, please specify the contact details: Mrs. Armenuhi Harutyunyan Head of Department of Mutual Legal Assistance <input type="checkbox"/> No. Please explain why: <i>Comments:</i>
c) What arrangements are there for ensuring that there is a contact person with whom the requesting authority can liaise and who is available on the day of the hearing to operate the video-link facilities (e.g. is there a booking system)?	

CHAPTER II (TAKING OF EVIDENCE BY DIPLOMATIC OFFICERS, CONSULAR AGENTS AND COMMISSIONERS)

Permission by a designated authority may be required to apply certain provisions under Chapter II. To know if such a permission is required for a particular State, see the practical information chart (accessible from the [Authorities](#) page) AND / OR the declarations (accessible from the [Status Table](#) page) of the relevant State available on the [Evidence Section](#) of the Hague Conference website.

If permission is not required, applicants should contact the diplomatic and consular mission (Arts 15/16) or the commissioner (Art. 17) to explore whether or not evidence may be obtained by video-link under this Chapter.

If permission is required, applicants should contact the authority that was designated to grant permission AND the relevant diplomatic and consular mission or commissioner, to explore, where necessary, whether or not evidence may be obtained by video-link under this Chapter.

d) Would YOUR STATE be in favour of specifying **an entity or authority, in addition to the relevant authority / diplomatic or consular agent / commissioner**, that would assist in processing applications where the use of video-links has expressly been requested (e.g., to arrange the video-link or provide technical assistance)?

- Yes.
If YOUR STATE has already done so, please specify the contact details:
- No.
Please explain why: **No specified authority is linked to assist in processing the application.**

Comments:

e) What arrangements are there for ensuring that there is a contact person with whom the Court of Origin can liaise and who is available on the day of the hearing to operate the video-link facilities (e.g. is there a booking system)?

Arrangements will be made case by case

PART II: RELEVANT LEGISLATION AND COURT SYSTEM

Legal basis	
<p>a) Does YOUR STATE, in the application of Article 27 (<i>i.e.</i> internal law or practice), allow for a foreign Court to directly take evidence by video-link?</p>	<p><input type="checkbox"/> Yes. Please specify:</p> <p><input checked="" type="checkbox"/> No. Please specify: Armenian legislation and practice does not provide for such opportunity.</p> <p><i>Comments:</i></p>
<p>b) Please indicate the legal basis or applicable protocols (<i>i.e.</i>, relevant laws, regulations, practice, etc.) for the use of video-links in the taking of evidence in YOUR STATE, either under the Convention or independent of the Convention (see, <i>e.g.</i> Art. 27 (b) and (c)):</p> <p><i>Please also attach a copy of, or provide a link to, the relevant provisions, where possible in English or French.</i></p>	<p>Pursuant to part 5 of Article 74 of the Civil Procedure Code, a material received electronically or via other means of communication shall be submitted on paper. The court may establish a different procedure for submitting the material received electronically or via other means of communication.</p> <p>Pursuant to Article 145 of the Civil Procedure Code:</p> <ol style="list-style-type: none"> "1. Upon the reasoned motion of a participant of proceedings, the court may permit him or her or another participant of proceedings to participate in the court sitting via means of video and audio telecommunication, where a system that enables such communication is installed in the courtroom. The translator may not participate in the court sitting via means of video and audio telecommunication, likewise, a face-to-face interrogation may not be conducted in such a manner. 2. A motion may be filed to the court by the participant of the case on participation in the court sitting via means of video and audio telecommunication at least seven days prior to the sitting. During the court sitting a motion regarding the next court sitting may be submitted. 3. The motion on participating in the court sitting via means of video and audio telecommunication shall be examined within a three-day period without having to convene a court sitting. The motion submitted during the court sitting shall be examined at that court sitting. 4. The court shall render a decision based on the findings of examination of the motion. 5. The decision on permitting participation in the court sitting via means of video and audio telecommunication shall be forwarded to the relevant court not later

	<p>than the next day.</p> <p>6. The decision on permitting participation in the court sitting via means of video and audio telecommunication shall be executed through the court staff having received the assignment, which shall enable the video and audio communication with the court examining the case, verify the presence and establish the identity of the participant of proceedings, in cases provided for by this Code, take a signature from the participant of proceedings in connection to giving false testimony or refusing to give testimony or to attest that he or she has been warned about the criminal liability for giving an obviously false opinion or professional explanation. The document on warning the participant of proceedings shall, within a five-day period, be forwarded to the court examining the case and shall be attached to the minutes of the court sitting.</p> <p>7. The Court shall reject the motion on participating in the court sitting via means of video and audio telecommunication, where:</p> <p>(1) it is technically impossible to participate in the court sitting via means of video and audio telecommunication;</p> <p>(2) the motion has been submitted in violation of the time limit prescribed by part 2 of this Article;</p> <p>(3) an in-camera sitting is being held.”</p> <p>Pursuant to part 2 of article 177 of the Civil Procedure Code, the interrogation of a witness, expert and specialist may be conducted via means of video and audio telecommunication in the manner prescribed by this Code.</p>
<p>c) Does YOUR STATE have any agreements with other Contracting States that derogate from the Convention when taking evidence by video-link (see Art. 28 and Art. 32)?</p>	<p><input type="checkbox"/> Yes. Please attach a copy of, or provide a link to, the relevant provisions, where possible in English or French:</p> <p><input checked="" type="checkbox"/> No.</p> <p><i>Comments:</i></p>
<p>Court system</p>	
<p>d) Please indicate which courts permit, or have the facilities for, the taking of evidence by video-link. If possible, indicate where relevant information on videoconferencing</p>	<p><input checked="" type="checkbox"/> All courts.</p> <p><input type="checkbox"/> All courts of a specific type / level. Please specify:</p> <p><input type="checkbox"/> Only specific courts.</p>

<p>facilities in courts can be found online:</p>	<p>Please specify which courts, or provide a link to/attach a full list:</p> <p><input type="checkbox"/> None.</p> <p><i>Comments:</i></p>
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PART III: TECHNICAL AND SECURITY ASPECTS (APPLICABLE TO BOTH CHAPTERS)

<p>a) Does YOUR STATE use licensed software (which ensures support for technical and security matters) for the taking of evidence by video-link?</p>	<p><input type="checkbox"/> Yes. Please specify:</p> <p><input checked="" type="checkbox"/> No.</p> <p><i>Comments:</i> There is no specific software and free software is used instead, such as the Zoom application</p>
<p>b) What are the specifications of the video-link technology in use in YOUR STATE, including, if any, the minimum standards or mechanisms used to secure the communications and any recordings made?</p> <p><i>States are encouraged to provide as much information as possible when responding to this question. As such, it may be useful to consider liaising with the relevant IT experts.</i></p>	<p>Codec (<i>i.e.</i>, manufacturer, model, transmission speed, bandwidth):</p> <p>Video and audio standards (<i>e.g.</i> Standard Definition, High Definition, etc.):</p> <p>Type of network (<i>e.g.</i>, ISDN, IP, etc.):</p> <p>Type of encryption for signals in secure transmissions:</p> <p>Split screen capability:</p> <p>Document cameras:</p> <p>Multipoint connections:</p> <p>Additional specifications or capabilities:</p> <p>Protocols or other practices:</p> <p><i>Comments:</i> There are no standards or mechanisms established by Armenian legislation.</p>
<p>c) Can evidence be taken via commercial providers (<i>e.g.</i>, Skype™)?</p>	<p><input checked="" type="checkbox"/> Yes. Please specify: Courts are allowed to decide themselves what providers to use</p> <p><input type="checkbox"/> No.</p> <p><i>Comments:</i></p>
<p>d) Does YOUR STATE have a procedure for testing connections and the quality of transmissions before the hearing?</p>	<p><input type="checkbox"/> Yes. Please specify: Testings can be carried out when it is necessary. Technical assistant is tasked to test the connections and the quality of transmissions before starting of hearing.</p> <p><input checked="" type="checkbox"/> No.</p> <p><i>Comments:</i></p>

e) Does YOUR STATE have any requirements as to the hearing room, *e.g.*, should be located in a court, should have a camera view of the whole room or a view of all the parties, etc.?

- Yes.
Please specify:
- No.

Comments:

There are no requirements for the hearing rooms established by Armenian legislation. The courts are allowed decide themselves.

PART IV - LEGAL CONSIDERATIONS (BOTH CHAPTERS)

PART IV: USE OF VIDEO-LINKS UNDER BOTH CHAPTERS – LEGAL CONSIDERATIONS

Restrictions	
a) Must a court order directing the use of video-links first be obtained from the requesting State (Chapter I) / State of Origin (Chapter II)?	<input type="checkbox"/> Yes. Please specify: <input checked="" type="checkbox"/> No. <i>Comments:</i>
b) Are there any restrictions on what type/s of evidence can be taken by video-link or how it is to be taken?	<input checked="" type="checkbox"/> Yes. Please specify: Please have reference to the information provided in response to question "b" of the part II (Relevant legislation and Court System). <input type="checkbox"/> No. <i>Comments:</i>
c) Are there any specific restrictions on how evidence gathered via video-link can be handled and distributed, or do the usual rules for evidence obtained in person apply?	<input type="checkbox"/> Yes, there are specific restrictions. Please specify: <input checked="" type="checkbox"/> No, the normal rules for evidence apply. <i>Comments:</i>
d) Are there any restrictions on the type of person who may be examined by video-link?	<input checked="" type="checkbox"/> Yes. Please specify: Please have reference to the information provided in response to question "b" of the part II (Relevant legislation and Court System) <input type="checkbox"/> No. <i>Comments:</i>
e) Is it necessary to seek the consent of the parties to use video-link to take evidence?	<input checked="" type="checkbox"/> Yes. Please specify the conditions under which parties may refuse the use of video-link: Please have reference to the information provided in response to question "b" of the part II (Relevant legislation and Court System) <input type="checkbox"/> No. <i>Comments:</i>
f) Are there any restrictions on the location where the person should be examined (e.g. in a courtroom, on the premises of an Embassy or diplomatic mission)?	<input type="checkbox"/> Yes. Please specify: <input checked="" type="checkbox"/> No.

PART IV - LEGAL CONSIDERATIONS (BOTH CHAPTERS)

	<i>Comments:</i>
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PART IV - LEGAL CONSIDERATIONS (BOTH CHAPTERS)

<p>g) Can a witness / expert be compelled to use video-links to give evidence?</p>	<p><input checked="" type="checkbox"/> Yes. If so, please specify what coercive measures may be used: Pursuant to part 6 of Article 43 of the Civil Procedure Code, giving false testimony or refusing to give testimony by a witness shall entail liability envisaged by the Criminal Code of the Republic of Armenia. Part 2 of this Article also prescribes the list of persons released from the obligation to give testimony.</p> <p><input type="checkbox"/> No. Please explain:</p> <p><i>Comments:</i></p>
<p>h) Please briefly outline the procedure/s, under Chapter I and Chapter II, for actually notifying or summoning the witness / expert to give evidence by video-link, including any references to relevant laws, regulations or practice.</p> <p><i>Please also include, where applicable, the differences between notifying or summoning a willing witness / expert and notifying or summoning a witness / expert that is to be compelled.</i></p>	<p>Chapter I: Pursuant to Article 94 of the Civil Procedure Code:</p> <p>"1. The participants of proceedings shall be notified on the time and venue of the court sitting by means of a subpoena, unless other procedure is prescribed by this Code.</p> <p>2. The subpoena shall contain:</p> <p>(1) name of the court;</p> <p>(2) name of the person summoned to court;</p> <p>(3) indication of the stage of the case and proceedings whereon the person is notified;</p> <p>(4) indication of venue and time for appearing at the court sitting;</p> <p>(5) indication of the procedural status of the person;</p> <p>(6) indication of consequences of failure to appear at the court or to inform the court on the reasons for failure to appear;</p> <p>(7) The address and the e-mail of the court examining the case, or information on other means of electronic communication, by which the participant of proceedings may communicate information and submit procedural documents to the court.</p> <p>4. The court subpoena shall be:</p> <p>(1) sent by a registered mail with notification on delivery;</p> <p>(2) handed in person;</p> <p>(3) forwarded through electronic communication."</p> <p>Chapter II: Not applicable</p> <p><i>Comments:</i></p>
<p>i) The law of which State governs the use of privileges?</p>	<p>Chapter I:</p>

PART IV - LEGAL CONSIDERATIONS (BOTH CHAPTERS)

<p><i>Please tick all that apply.</i></p> <p><i>See Articles 11 and 21(e) of the Convention</i></p>	<p><input checked="" type="checkbox"/> The law of the Requesting State.</p> <p><input checked="" type="checkbox"/> The law of the Requested State.</p> <p><input type="checkbox"/> The law of another State. Please specify:</p> <p>Chapter II:</p> <p><input type="checkbox"/> The law of the State of Origin.</p> <p><input type="checkbox"/> The law of the State of Execution.</p> <p><input type="checkbox"/> The law of another State. Please specify:</p> <p><i>Comments:</i> not applicable</p>
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PART V: USE OF VIDEO-LINKS UNDER CHAPTER I (LETTERS OF REQUEST) – LEGAL CONSIDERATIONS

Legal obstacles	
<p>a) Does YOUR STATE consider that there are legal obstacles to using video-link to assist in the taking of evidence under Chapter I of the Convention?</p> <p><i>The Special Commission has noted that the use of video-link and similar technologies is consistent with the current framework of the Convention (see C&R No 55 of the 2009 SC and C&R No 20 of the 2014 SC).</i></p>	<p><input type="checkbox"/> Yes. Please specify:</p> <p><input checked="" type="checkbox"/> No.</p> <p>Comments:</p>
Direct and indirect taking of evidence	
<p>b) Under Chapter I of the Convention, does YOUR STATE allow for the direct taking of evidence by judicial personnel of the <i>requesting</i> State (<i>i.e.</i>, the State in which the proceedings are pending)?</p>	<p><input type="checkbox"/> Yes.</p> <p><input checked="" type="checkbox"/> No.</p> <p>Comments:</p>
<p>c) Under which provisions of Chapter I of the Convention is indirect taking of evidence by video-link possible in YOUR STATE?</p>	<p><input checked="" type="checkbox"/> Art. 9(1) – The judicial authority of the requested State obtains evidence (<i>e.g.</i>, a witness / expert examination) which is located in a (distant) location within its own State.</p> <p><input type="checkbox"/> Art. 9(2) – As a special method or procedure. Please also outline whether any specific conditions must be satisfied:</p> <p><i>See also questions on presence.</i></p> <p>Comments:</p>
Legal safeguards for witness / expert	
<p>d) What are the legal safeguards in place for witnesses / experts in YOUR STATE when evidence is taken by video-link under Chapter I (<i>e.g.</i> protective measures for the witness / expert, provision of interpretation, right to legal counsel, etc.)?</p>	<p>All legal safeguards provided for witnesses and experts shall also be applicable in the case, when they are interrogated through means of telecommunication.</p> <p>Pursuant to part 4 of Article 16 of the Civil Procedure Code: "The court shall, at the expense of the state funds, make available services of an interpreter to the person participating in a case, the expert assigned upon the initiative thereof, a specialist or a witness invited upon the motion thereof, where the relevant person has no command of Armenian and the person participating in the case proves that he or she does not have sufficient means to afford paid translation services."</p> <p>Pursuant to part 1 of Article 73 of the Criminal Procedure Code: "A special protection</p>

PART V - LEGAL CONSIDERATIONS (CHAPTER I)

	<p>measure shall be applied to the person involved in criminal proceedings, as well as his or her family member or other close person (hereinafter referred to as "the protected person" in this Chapter), where in connection to the proceedings actual threat may be reasonably posed to the life, health or legitimate interests thereof".</p> <p>Pursuant to Article 74 of the same Code: "The special protection measures to be applied during the proceedings shall include:</p> <ol style="list-style-type: none"> (1) restriction with relation to approaching the protected person or communicating with him or her; (2) securing the identification data of the protected person; (3) safeguarding the protected person, his or her apartment or property; (4) providing individual protection means to the protected person; (5) changing the place of residence of the protected person; (6) substituting identification documents of the protected person or alteration of his or her appearance; (7) changing the place of work, service or education of the protected person; (8) removing him or her from the courtroom or holding an in-camera court sitting; (9) interrogating the protected person in court under a special procedure. <p>2. The special protection measure applied shall be proportional to the nature of threat posed to protected person and possible consequences thereof. Where necessary, more than one special protection measures may be applied to the same person."</p>
<p>Presence</p>	
<p>e) Are the rules for the presence of the parties and their representatives when physically in a single location the same for when evidence is taken via video-link?</p> <p><i>See Article 7 of the Convention</i></p>	<p><input checked="" type="checkbox"/> Yes. If so, please specify if they are allowed to actively participate: They are granted the same rights as the parties who are physically in a single location</p> <p><input type="checkbox"/> No.</p> <p><i>Comments:</i></p>
<p>f) Under Chapter I of the Convention, does YOUR STATE allow for the cross-examination of a witness / expert by video-link by the</p>	<p><input checked="" type="checkbox"/> Yes. <input type="checkbox"/> No.</p>

PART V - LEGAL CONSIDERATIONS (CHAPTER I)

<p>representatives located in the <i>requesting</i> State (<i>i.e.</i>, the State in which the proceedings are pending)?</p>	<p><i>Comments:</i> They are granted the same rights as the parties who are physically in a single location. Pursuant to part 1 of Article 434 of the Civil Procedure Code: "Performing procedural actions in the territories of foreign states involving requests to the courts of the Republic of Armenia, as well as delivery of subpoenas, decisions, judgements and other documents and carrying out of other activities provided for by this Code, including performing in the territory of the Republic of Armenia by the courts of the Republic of Armenia of procedural actions upon requests of competent courts of foreign states, shall be carried out compliant to international treaties ratified by the Republic of Armenia and in the manner prescribed by this Code".</p>
<p>g) Does YOUR STATE allow for the presence of the judicial personnel of the requesting State via video-link? <i>See Article 8 of the Convention</i> <i>Please note that a declaration may be made under this provision.</i></p>	<p><input checked="" type="checkbox"/> Yes. If so, please specify if they are allowed to actively participate: In accordance with Article 8 of the Convention, Republic of Armenia declares that members of the judicial personnel of the requesting authority of another Contracting State may be present at the execution of a Letter of Request only with prior authorization by the competent authorities of the Republic of Armenia;</p> <p><input type="checkbox"/> No.</p> <p><i>Comments:</i></p>

PART VI - LEGAL CONSIDERATIONS (CHAPTER II)

PART VI: USE OF VIDEO-LINKS UNDER CHAPTER II (BY DIPLOMATIC OFFICERS, CONSULAR AGENTS AND COMMISSIONERS) – LEGAL CONSIDERATIONS

The questions in this Part are only for States that have not wholly excluded the application of Chapter II

Please note that Chapter II may be subject to a reservation in whole or in part under Article 33. Check the reservations that YOUR STATE has made under this Chapter in the status table, available on the [Evidence Section](#) of the Hague Conference website.

Legal obstacles and legal framework

<p>a) Does YOUR STATE consider there to be any legal obstacles to the taking of evidence by video-link under Chapter II of the Convention?</p> <p><i>The Special Commission has noted that the use of video-link and similar technologies is consistent with the current framework of the Convention (C&R No 55 of the 2009 SC and C&R No 20 of the 2014 SC).</i></p>	<p><input type="checkbox"/> Yes. Please specify:</p> <p><input checked="" type="checkbox"/> No.</p> <p>Comments:</p>
<p>b) Under which provisions of Chapter II of the Convention is taking of evidence by video-link possible in YOUR STATE?</p>	<p><input checked="" type="checkbox"/> Art. 15 <input checked="" type="checkbox"/> Art. 16 <input checked="" type="checkbox"/> Art. 17</p> <p>Comments:</p>
<p>c) Is prior permission from YOUR STATE required when taking evidence under Chapter II of the Convention on the territory of YOUR STATE?</p>	<p><input checked="" type="checkbox"/> Yes. Please outline the procedure for seeking such permission, including any specific conditions that must be satisfied: In accordance with Articles 16 and 17 of the Convention, Republic of Armenia declares that a diplomatic officer or consular agent and a person duly appointed as a commissioner may take the evidence in the territory of the Republic of Armenia without compulsion with prior permission by the competent authorities and on the conditions which competent authority has specified; In accordance with Article 18 of the Convention the Republic of Armenia declares that a diplomatic officer or consular agent and commissioner authorized to take evidence under Articles 15, 16 or 17 may apply to the competent authority of the Republic of Armenia for appropriate assistance to obtain testimony by compulsion;</p> <p><input type="checkbox"/> No.</p> <p>Comments:</p>

PART VI - LEGAL CONSIDERATIONS (CHAPTER II)

<p>d) Please indicate who administers the oath or affirmation and how perjury and contempt are dealt with when evidence is taken under Chapter II of the Convention on the territory of YOUR STATE.</p>	<p>Administration of the oath or affirmation:</p> <p>Dealing with perjury and contempt: the normal rules for evidence apply</p>
<p>Direct and indirect taking of evidence</p>	
<p>e) Diplomatic and consular agents are usually located in the State where the witness / expert resides. It may be, however, that a witness / expert is located in a neighbouring country or in a place distant from the Embassy or Consulate. In these circumstances, does YOUR STATE consider it possible to use video-link to obtain evidence under Chapter II of the Convention?</p>	<p><input type="checkbox"/> Yes. Please specify:</p> <p><input type="checkbox"/> No.</p> <p><i>Comments:</i></p>

PART VI - LEGAL CONSIDERATIONS (CHAPTER II)

Legal safeguards for witness / expert	
<p>f) What are the legal safeguards in place for witnesses / experts in YOUR STATE when evidence is taken by video-link under Chapter II (e.g. protective measures for the witness / expert, provision of interpretation, right to legal counsel, etc.)?</p>	<p>Please have reference to the information provided in response to question "d" of the part V (USE OF VIDEO-LINKS UNDER CHAPTER I (LETTERS OF REQUEST) – LEGAL CONSIDERATIONS)</p>
Presence	
<p>g) Under the law of YOUR STATE, who may be present via video-link when evidence is taken by diplomatic and consular agents?</p> <p><i>Please tick all that apply.</i></p>	<p> <input type="checkbox"/> The parties. <input type="checkbox"/> The parties' representatives. <input type="checkbox"/> Judicial personnel. <input type="checkbox"/> Someone else. Please specify: </p> <p><i>Comments:</i></p>
<p>h) Under the law of YOUR STATE, who may be present via video-link when evidence is taken by commissioners?</p> <p><i>Please tick all that apply.</i></p>	<p> <input type="checkbox"/> The parties. <input type="checkbox"/> The parties' representatives. <input type="checkbox"/> Judicial personnel. <input type="checkbox"/> Someone else. Please specify: </p> <p><i>Comments:</i></p>
Applicable law	
<p>i) The law of which State governs the administration of an oath or affirmation when evidence is taken by video-link under Chapter II?</p>	<p> <input type="checkbox"/> The law of the State of Origin <input type="checkbox"/> The law of the State of Execution <input type="checkbox"/> It depends on whether evidence is taken by a consular or diplomatic agent or a commissioner. Please specify: </p> <p><i>Comments:</i></p>
<p>j) The law of which State governs perjury and contempt when evidence is taken by video-link under Chapter II?</p>	<p> <input type="checkbox"/> The law of the State of Origin <input type="checkbox"/> The law of the State of Execution <input type="checkbox"/> It depends on whether evidence is taken by a consular or diplomatic agent or a commissioner. Please specify: </p> <p><i>Comments:</i></p>

PART VII PRACTICAL CONSIDERATIONS

COMMON TO BOTH CHAPTERS	
Notice	
a) What does YOUR STATE consider to be the minimum amount of time required between the request and the actual hearing in order to make the arrangements to take evidence by video-link?	Chapter I: There is no such limitation provided by Armenian legislation. The time depends on the complexity of the request, including the possibility to communicate with the relevant persons. Chapter II:
Interpretation services	
b) Who is responsible, under Chapter I and Chapter II, for the use of interpretation services and who arranges these services in YOUR STATE when video-link is used?	Chapter I: According to Article 16 of the Civil Procedure Code: 3. Persons participating in the case have the right to appear in court in the language of their choice if they provide an Armenian translation. 4. The court provides the person participating in the case, the expert appointed on their initiative, the specialist summoned by them, or the witness with the services of an interpreter at the state's expense funds if the relevant person does not speak Armenian and if the person participating in the case proves that they do not have enough means to pay for translation. Chapter II:
c) Are professional accredited interpreters required in YOUR STATE, and where can relevant contact details be found?	<input checked="" type="checkbox"/> Yes. Please specify: When the interpreter is involved at the state's expense, he is selected from the list of qualified interpreters posted on the official website of the Ministry of Justice of the Republic of Armenia. <input type="checkbox"/> No. Comments:
d) Under the law of YOUR STATE, is interpretation to be <i>simultaneous</i> or <i>consecutive</i> when a witness / expert is examined via video-link?	Simultaneous interpretation is not mandatory under the Georgian legislation.
e) Where may the interpreter be located when a witness / expert is examined via video-link? <i>Please check all that apply.</i>	<input checked="" type="checkbox"/> In the room with the witness / expert. <input checked="" type="checkbox"/> In the room with those conducting the examination. <input type="checkbox"/> Elsewhere in the requesting State (Chapter I) / State of Origin (Chapter II). <input type="checkbox"/> Elsewhere in the requested State (Chapter I) / State of Execution (Chapter II).

PART VII – PRACTICAL CONSIDERATIONS (BOTH CHAPTERS)

	<input type="checkbox"/> In a third State. <input type="checkbox"/> Other. Please specify: <i>Comments:</i>
Reporting and recording	
f) Is a written report of the video-link hearing or testimony prepared?	<input checked="" type="checkbox"/> Yes. Please specify by whom: Please also outline the specific rules or regulations, if any, that are applicable to the handling/storage/distribution of the report: <i>If there is an installed unique computer recording system in the courtroom, the protocol shall be kept through simultaneous computer and audio recording. The summary is the notes on the actions taken in the courtroom</i> <input type="checkbox"/> No. <i>Comments:</i>
g) Are facilities and equipment made available in order to record the hearing or testimony?	<input checked="" type="checkbox"/> Yes, with audio and video. <input type="checkbox"/> Yes, only with video. <input type="checkbox"/> Yes, only with audio. <input type="checkbox"/> No, but the recording of hearings/testimonies is permitted. If a recording is produced, please also outline the specific rules or regulations, if any, that are applicable to the handling/storage/distribution of the recording: <input type="checkbox"/> No, because the recording of hearings/testimonies is not permitted under internal law. <i>Comments:</i>
Documents and exhibits	
h) What arrangements are to be made for showing or referring to documents or exhibits when taking evidence by video-link?	<i>In case the witness refuses to give a referred document or an exhibit which needs to be physically presented, a separate Letter of Request should be issued on taking that evidence (document or exhibit) under the Convention.</i>

PART VII – PRACTICAL CONSIDERATIONS (CHAPTER I)

PRACTICAL CONSIDERATIONS UNDER CHAPTER I	
Practical obstacles	
<p>i) Does YOUR STATE consider that there are practical obstacles to using video-link to assist in the taking of evidence under Chapter I of the Convention?</p>	<p><input type="checkbox"/> Yes. Please specify:</p> <p><input checked="" type="checkbox"/> No.</p> <p>Comments:</p>
Identification of all relevant actors	
<p>j) What is the procedure for verifying the identity of the parties, the witness / expert, and all relevant actors in YOUR STATE when video-link is used under Chapter I?</p>	<p>No unique procedure of verification is proscribed by Armenian legislation. The general rules apply.</p>
Standard Forms	
<p>k) Do the authorities of YOUR STATE use a standardised request form under Chapter I that makes specific reference to the use of video-links?</p> <p><i>The use of the Model Form of the Evidence Convention is recommended when taking evidence under Chapter I.</i></p> <p><i>While the Model Form has no explicit reference to the use of video-link, a request to this effect may be included in item 13 of the Form.</i></p>	<p><input type="checkbox"/> Yes. Please specify:</p> <p><input type="checkbox"/> The standardised form used makes no reference to video-link.</p> <p><input type="checkbox"/> No standardised form is used.</p> <p>Comments:</p>
<p>l) Does YOUR STATE require the inclusion of any particular practical or technical information from the requesting State in the request in order to conduct / arrange a witness / expert examination by video-link under Chapter I? (e.g. contact details for IT support, technical specifications, etc)</p>	<p><input type="checkbox"/> Yes. Please specify:</p> <p><input type="checkbox"/> No.</p> <p>Comments:</p>
Costs	
<p>m) Are there any costs associated with the taking of evidence via video-link under Chapter I in YOUR STATE?</p>	<p><input type="checkbox"/> Yes. Please provide an approximate estimate of these costs and / or specify the criteria used to determine these costs:</p> <p><input type="checkbox"/> No.</p> <p>Comments:</p>

PART VII – PRACTICAL CONSIDERATIONS (CHAPTER I)

<p>n) Who is responsible for bearing the costs occasioned by the use of video-link under Chapter I in YOUR STATE? <i>See Art. 14(2) of the Evidence Convention</i></p>	<p><input type="checkbox"/> The moving party (requesting the use of video-link).</p> <p><input type="checkbox"/> The requesting authority (in the requesting State).</p> <p><input type="checkbox"/> The requested authority (in the requested State).</p> <p><input type="checkbox"/> Other. Please specify:</p> <p><i>Comments:</i></p>
<p>o) How are these costs generally expected to be paid and/or reimbursed?</p>	<p><input type="checkbox"/> Payment in cash</p> <p><input type="checkbox"/> Payment by (credit) card</p> <p><input type="checkbox"/> Electronic/wire transfer</p> <p><input type="checkbox"/> Other. Please specify:</p> <p><i>Comments:</i></p>
<p>p) Who pays for the interpretation services under Chapter I in YOUR STATE when video-link is used and how are these costs to be paid and/or reimbursed?</p>	

PART VII – PRACTICAL CONSIDERATIONS (CHAPTER II)

PRACTICAL CONSIDERATIONS UNDER CHAPTER II	
Only for States that have not excluded in whole the application of Chapter II	
Practical obstacles	
q) Does YOUR STATE consider that there are practical obstacles to using video-link to assist in the taking of evidence under Chapter II of the Convention?	<input type="checkbox"/> Yes. Please specify: <input type="checkbox"/> No. <i>Comments:</i>
Identification of all relevant actors	
r) What is the procedure for verifying the identity of the parties, the witness / expert, and all relevant actors in YOUR STATE when video-link is used under Chapter II?	
Standard Forms	
s) Do the authorities of YOUR STATE use a standardised request form under Chapter II that makes specific reference to the use of video-links? <i>Although the use of the Model Form of the Evidence Convention is recommended when taking evidence under Chapter I, it may also be used, with the necessary amendments when applying for permission to take evidence under Chapter II.</i> <i>While the Model Form has no explicit reference to the use of video-link, a request to this effect may be included in item 13 of the Form.</i>	<input type="checkbox"/> Yes. Please specify: <input type="checkbox"/> The standardised form used makes no reference to video-link. <input type="checkbox"/> No standardised form is used. <i>Comments:</i>
Assistance and facilities	
t) Are the Embassies and Consulates of YOUR STATE (acting as the State of Execution) able to assist applicants in arranging a video-link?	<input type="checkbox"/> Yes. Please specify how, e.g., via a booking system: <input type="checkbox"/> No. Please specify who else would assist, if anyone: <i>Comments:</i>
u) Is it possible to hold a video-link session requested under the Convention at the premises of the Embassies or Consulates of YOUR STATE abroad?	<input type="checkbox"/> Yes. Please specify: <input type="checkbox"/> No. <i>Comments:</i>
v) Does YOUR STATE require the inclusion of any particular practical or technical information from the State of Origin in the request in order to conduct / arrange a witness or expert examination by video-link under Chapter II? (e.g. the use of interpreters, stenographers, or recording devices)	<input type="checkbox"/> Yes. Please specify: <input type="checkbox"/> No. <i>Comments:</i>

PART VII – PRACTICAL CONSIDERATIONS (CHAPTER II)

Costs	
<p>w) Are there any costs associated with the taking of evidence via video-link under Chapter II in YOUR STATE?</p>	<p><input type="checkbox"/> Yes. Please provide an approximate estimate of these costs and / or specify the criteria used to determine these costs:</p> <p><input type="checkbox"/> No.</p> <p><i>Comments:</i></p>
<p>x) Who is responsible for bearing the costs occasioned by the use of video-link under Chapter II in YOUR STATE?</p>	<p><input type="checkbox"/> The moving party (requesting the use of video-link).</p> <p><input type="checkbox"/> The State of Origin</p> <p><input type="checkbox"/> The Diplomatic mission or Consulate in the State of Execution.</p> <p><input type="checkbox"/> The commissioner</p> <p><input type="checkbox"/> Other. Please specify:</p> <p><i>Comments:</i></p>
<p>y) How are these costs generally expected to be paid and/or reimbursed?</p>	<p><input type="checkbox"/> Payment in cash</p> <p><input type="checkbox"/> Payment by (credit) card</p> <p><input type="checkbox"/> Electronic/wire transfer</p> <p><input type="checkbox"/> Other. Please specify:</p> <p><i>Comments:</i></p>
<p>z) Who pays for the interpretation services under Chapter II in YOUR STATE when video-link is used and how are these costs to be paid and/or reimbursed?</p>	