



Translated from Armenian

*Annex to
Decision N 4/11-L of 11.02.2020
of the Board of
the Chamber of Advocates of the Republic
of Armenia*

*Ara Zohrabyan,
Chairman of the RA
Chamber of Advocates*



ORDER

ON ACCREDITATION OF AN ADVOCATE OF ANOTHER STATE

I. GENERAL PROVISIONS

1. This order (**hereinafter referred to as the Order**) “On Accreditation of an advocate of another state” defines the procedure and peculiarities of giving accreditation for carrying out advocacy activities in the territory of the Republic of Armenia to a person not being a member of the Chamber of Advocates of the Republic of Armenia (**hereinafter referred to as the RA Chamber of Advocates or the Chamber**), but having the right to carry out advocacy activities (**hereinafter referred to as the Advocate of Another State**).

II. ORDER OF GIVING ACCREDITATION

2. Accreditation is given to the Advocate of Another State by the Board of the Chamber or the Chairman of the Chamber in compliance with the charter of the Chamber and this order. The accreditation is handed in by the Chairman of the RA Chamber of



ORDER ON ACCREDITATION OF AN ADVOCATE OF ANOTHER STATE

Advocates.

3. The Advocate of Another State may be accredited for a term of one year or for a specific case.

4. The accreditation is given with full rights of an advocate (excluding the right to give legal aid for issues concerning the state or service secrecy of the Republic of Armenia) or with rights of an advocate of another state on condition of joint participation with an advocate (supporting advocate) being a member of the RA Chamber of Advocates.

5. For accreditation the Advocate of Another State presents the following documents to the Chairman of the Chamber:

a) an application in the form defined by the Chairman of the Chamber, which should also include a note on being familiar with conditions of the Code of Advocate's conduct, on accepting them and applying them thereto;

b) a properly (by the Notary Public or bar association) certified copy of a license issued by a bar association in another state or of other equal document certifying the status of an advocate (in case of an advocate of the Republic of Artsakh only a copy of a license);

c) a reference issued by a bar association in another state, stating that the operation period of the license of an advocate of another state who has applied for accreditation has not been suspended or terminated for a period not exceeding 30 days prior to the application;

d) a document certifying the fact of paying the fee necessary for accreditation (if the application is rejected, the amount is subject to refund), if the applicant is not exempt from the fee;

e) a copy of a passport;

f) In case of not knowing the legislation of the Republic of Armenia, the written certification of the advocate being a member of the RA Chamber of Advocates (**hereinafter referred to as the Supporting Advocate**) on providing assistance to the Advocate of Another State.

6. The documents indicated in clause 5 of this Order should be presented in Armenian or properly translated into Armenian (with translation certified in a notarial order or approved by a qualified translator). The Board of the Chamber may define an exemption from this rule.

7. The Board of the Chamber makes a decision on the issue of giving accreditation to an advocate of another state, who has applied for accreditation for the first time, within 30 (thirty) days from the day of receiving the application.

8. The accreditation with the right of participation with the Supporting Advocate is given in a simplified manner (without an interview on and checking of the RA legislation); based on the application of the Advocate of Another State, in case of written consent of the Supporting Advocate and of presenting other documents defined by the Board of the Chamber. While discussing a question of accreditation in a simplified manner, the



ORDER ON ACCREDITATION OF AN ADVOCATE OF ANOTHER STATE

existence of the Advocate of Another State is not obligatory during the session of the Board of the Chamber, excluding the case when the Board has made a decision to invite the Advocate of Another State to the session.

9. The Board of the Chamber finds out whether the Advocate of Another State knows the legislation of the Republic of Armenia via an interview, test or other method for giving accreditation with full rights of an advocate. The Advocate of Another State not knowing Armenian participates in the session of the Board of the Chamber together with a translator invited thereby and at the expense thereof. The secretary of the Qualification Commission of the Chamber compiles interview and test questions or tasks, as well as provides assistance to the Board of the Chamber while checking whether the Advocate of Another State knows the RA legislation. The secretary of the Board informs the Advocate of Another State in writing on the time, place, as well as the method of checking the fact of knowing the legislation of the Republic of Armenia. The mentioned process can be recorded (videotaped).

10. The Chairman of the Chamber makes a decision on the issue of giving accreditation to the Advocate of Another State who has applied for accreditation for the second time or once again within 15 (fifteen) days from the moment of receiving the application. In the case indicated in this clause additional documents, excluding the application, are required from the Advocate of Another State in case of need. The replacement of the Supporting Advocate indicated in the Accreditation is made by the decision of the Chairman of the Chamber.

11. **a)** Name, surname of the Supporting Advocate, **b)** license number of the Supporting Advocate and **c)** the accreditation is valid only on the condition of participation of the Supporting Advocate, are also indicated in the accreditation being given to the Advocate of Another State who does not know the legislation of the Republic of Armenia.

12. The Board of the RA Chamber of Advocates rejects accreditation of the Advocate of Another State, if

- a) requirements of the Order, particularly clauses 5 and 6, have not been met, or
- b) the authenticity of the submitted documents has not been confirmed or the person who has applied for accreditation does not have the right to be engaged in advocacy activities in the Republic of Armenia for the given case, or
- c) the Advocate of Another State who has not presented the certification of the Supporting Advocate does not know the legislation of the Republic of Armenia.

13. In compliance with the Law “On Advocacy”, the Chairman of the RA Chamber of Advocates includes the Accredited Advocate of Another State in the list of advocates of another state.

14. The Accredited Advocate of Another State is not a member of the RA Chamber of Advocates.



III. ACCREDITATION OPERATION TERMINATION ORDER

15. The Board of the RA Chamber of Advocates may recognize (terminate) the accreditation operation of the Advocate of Another State invalid, if

a) the Advocate of Another State has violated any requirement of the Law “On Advocacy”, of the charter of the RA Chamber of Advocacy or of the Code of Advocate’s Conduct;

b) the Advocate of Another State, being accredited for a specific case, has carried out court representation or protection for another case;

c) the right of advocacy activities of the Advocate of Another State has been terminated or suspended in the country, where that right was given thereto;

d) the Supporting Advocate has refused his/her certification in writing and the Advocate of Another State has not presented certification of another Supporting Advocate within fifteen days after receiving the writing of the Chairman of the Chamber;

e) the accredited advocate has presented a written application on operation termination of his/her accreditation;

f) one of the grounds indicated in clause 12 of this Order has occurred;

g) the Advocate of Another State has violated the requirements of clause 25 of this Order.

16. The operation of the accreditation is considered to be terminated from the day following the entry into force of the decision of the Board of the Chamber.

IV. ACCREDITATION FEE

17. The size of the fee to receive accreditation for a specific case is **200.000 (two hundred thousand) AMD**, excluding the cases indicated in clauses 22, 23 and 24 of this Order. The operation of the accreditation applies to all successive stages of a specific civil, criminal or administrative case (pre-trial proceedings, court instances), as well as to other constituents in the same case. The case number, and in case of its impossibility, other data personalizing the case is indicated in the accreditation given for the case indicated in this clause.

18. The size of the fee to receive accreditation for one year is **1.500.000 (one million five hundred) AMD**, excluding the cases indicated in clauses 22, 23 and 24 of this Order.

19. The Advocate of Another State pays the accreditation fee in non-cash, via transferring to the account of the RA Chamber of Advocates or in cash, at the cash desk of the RA Chamber of Advocates.

20. The money paid by a person who has applied for accreditation by the Board or Chairman of the RA Chamber of Advocates is returned thereto, if the application of the latter is rejected.



ORDER ON ACCREDITATION OF AN ADVOCATE OF ANOTHER STATE

21. The Advocate of Another State is obliged to make the respective payment again in case of applying for accreditation for the second time or once again.

22. An advocate of the Republic of Artsakh (**hereinafter referred to as Artsakh**) is exempted from the accreditation fee of an advocate of another state, if

a) as of the day of approval of this Order he/she has at least 5 years of work experience in advocacy activities in Artsakh, or

b) has been residing in Artsakh for at least five years, or

c) is a Public Defender of Artsakh and has presented the evidence on being a Public Defender of Artsakh; the copy of the employment contract concluded with the Chamber of Advocates of Artsakh, certified by the Chamber of Advocates of Artsakh.

23. For an advocate of Artsakh, not satisfying the conditions of clause 22 of this Order, the following fees are defined:

a) the size of the fee to receive accreditation for a specific case is **30.000 (thirty thousand) AMD**;

b) the size of the fee to receive accreditation for one year is **120.000 (one hundred and twenty thousand) AMD**.

24. The Advocate of Another State having the title of honorary member of the Chamber is exempted from the accreditation fee of an advocate of another state and is accredited in a simplified manner.

25. In the case indicated in subclause “c” of clause 22 of this Order the accreditation is given to the public defender of Artsakh only for carrying out public defense, on which a respective note is made in the accreditation. Carrying out advocacy activities in the RA territory with the accreditation indicated in this clause, beyond the sector of public defense is not allowed, and discovery of such a circumstance is a basis to terminate the operation of the accreditation given to the Public Defender of Artsakh ahead of time.

26. The accreditation fee is not subject to refund when the operation of the accreditation is terminated ahead of time.

V. CONCLUSIVE PROVISIONS

27. The Order enters into force on the day of being approved by the Board of the RA Chamber of Advocates and acts for an indefinite period.

28. Amendments and/or additions to the Order may be made only by the Board of the RA Chamber of Advocates.

29. Comments (clarifications) on the Order are given by the Board of the RA Chamber of Advocates, on the initiative of the latter or on the basis of an application of an interested person.