

Association of Women with University Education

**PARTICIPATORY DEMOCRACY IN LOCAL
SELF-GOVERNMENT**

Manual

Second supplemented edition

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The Manual presents the legal bases of the system of local self-government of the Republic of Armenia, the practice of establishing participatory democracy on local level in Armenia and other countries, the main issues related to equal participation of women and men in local self-government.

The Manual targets heads of communities and members of the community councils, municipal servants, political parties and non-governmental organizations interested in the development of the system of local self-government, as well as those who are interested in the issues of establishing participatory democracy in Armenia.

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CHAPTER I

DECENTRALIZATION OF ADMINISTRATION AND THE LOCAL SELF- GOVERNMENT

The current practice of developed democratic countries demonstrates that they have attained a high degree of welfare through establishment of autonomous systems of local self-government which do not rely on the central administration tier. **The local self-government is a form of democracy, through which people implement their power, and which takes a special place within the democratic system of the society and state management.**

Local self-government denotes the right and the ability of local authorities, within the limits of the law, to regulate and manage a substantial share of public affairs under their own responsibility and in the interests of the local population.

European Charter of Local Self-Government, Article 3

The efficiency of the local self-government is stipulated, in the first place, by the systems resulting from the division of powers and decentralization of authorities, and the relations emerging between them.

The local self-governance is the right and power of the community to resolve on its own responsibility issues of local significance aimed at the welfare of the inhabitants in accordance with the Constitution and the laws.

Constitution of the Republic of Armenia, Article 104.

1.1. Forms of local self-government

The peculiarity of the local self-government system of each country, combination and interaction of the state governance and local self-government are largely stipulated by the features of historical, geographic, democratic traditions of the given country. *Hence these systems are diverse and variable. However, there are four main types of the local self-government system:* classic (Anglo-Saxon), continental (French), Soviet and mixed types. The major characteristic features of these types are mostly stipulated by the relations between the central authorities and the bodies of local self-government (hereinafter referred to as the LSG), and, particularly, the degree of independence and autonomy of these bodies.

The classic, Anglo-Saxon type was formed in Great Britain and later spread in the USA, India, Australia, Canada and New Zealand. This type is characterized by *high level of independence and autonomy of the LSG, existence of electoral system, oversight by the population and lack of a representative of the central government.* The LSG exercises its activities independently, within the powers ascribed to them by the legislation. The state interference is indirect; it is delivered by passing standard regulatory laws (these laws undergo changes by the LSG when introduced in relevant regions, if necessary). The influence of the state on the LSG is manifested in financial allocations as well. The oversight of the LSG's activities is implemented through judicial control.

The continental or French type has emerged in France and is currently applied in Italy, Spain, Belgium, some countries of Near East, Latin America, as well as the majority of French-speaking countries in Africa. This type *features a combination of state government bodies, elected and appointed staff in the system of local government, certain hierarchy of the management system in which the local self-government is subordinate to the state governance, as well as limited independence and autonomy of the local government, existence of special state envoys on the spots who exercise control over the LSG.*

The *Soviet type*, typical for the USSR and the socialistic countries, underwent transformations after the collapse of the Soviet Union and is

still applied in China, Cuba and North Korea. This type is characterized by *high degree of centralization, i.e. the local governance is exercised by the representatives appointed by the central government.*

The “mixed” types of the local self-government are typical for Germany, Austria, Japan, as well as socialistic and developing countries. This type involves various elements of the classic (Anglo-Saxon) and continental (French) types, which provide for their diversity. However, the “mixed” types have certain peculiarities in common: *independence of the local government and some oversight by the state bodies.*

Germany, for instance, presents the “mixed” type of local self-government. It has such elements as the “strong mayor” who tackles the local issues and at the same time exercises state powers (French type), the “strong magistrate-city council” elected by the council of deputies which collectively implements the executive power (Northern German type), the “strong director” who is head of the executive power and is elected by the community council (Anglo-Saxon type), etc.

In general, the approach to local self-government in Europe is differentiated by the “north-south” axis. In contrast to the countries of Southern Europe, the Scandinavian states have a greater degree of independence with regard to local self-government. Basing on this, some specialists offer another classification of European countries nowadays. They place the “really free” countries (Great Britain, Denmark, Sweden, Norway, Finland, the Netherlands, Switzerland), featuring high degree of civil freedoms and low level of authoritarian-bureaucratic centralization, in one group. The other group is comprised of the “liberal states of supreme power” (Spain, Italy, France, Germany) based on universal subordination to the bureaucratic apparatus, therefore the independent administration is considerably limited on local level. So, according to this classification, the starting point for the first group countries is the local community, while the second group countries rely on the state.

1.2. Principles and functions of the local self-government

The issues related to organization of local self-government are regulated by relevant international legal documents, special laws and legislative acts. In this regard, the *European Charter of Local Self-Government* developed by the initiative of the Standing Conference of Local and Regional Authorities of Europe (currently the Congress of Local and Regional Authorities of Europe) and adopted by the member-states of the Council of Europe in 1985 in Strasbourg has vital importance.

The European Charter of Local Self-Government defines the principles of the local self-government, i.e. the fundamental concepts underlying the activities of bodies formed by the population which manage the local affairs independently. These are as follows:

- Independence of the population in tackling local issues;
- Differentiation of local self-government and organization of its bodies in the system of state administration and cooperation with state government bodies on implementation of common issues and functions;
- Correspondence of material and financial resources of the local self-government to their powers;
- Accountability of the local self-government bodies (LSGB) and officials to the population;
- Protection of human and civil rights and freedoms;
- Legitimacy of organization and activities of the local self-government;
- Publicity of the activities of the local self-government;
- Collective character of the activities of the local self-government;
- State guarantees of the local self-government.

EXERCISE

Goals and functions of the local self-government

Aim of the exercise

- Highlight the material **about the local self-government**;
- Provide new information and raise awareness through the participants themselves;

- Specify the functions of the local self-government (the group perhaps involves people who have already got some experience of working on local level, so the exercise won't be too difficult for them).

Exercise organization

Divide the people into small groups and ask each of them to name as many functions of the local self-government system as possible, within seven minutes. In seven minutes, the groups should submit the assignment, preferably written on large posters. Then each group presents their task. The “winner” will be the group mentioning the largest number of functions and presenting the assignment in detail. The participants should sum up the material basing on the presented details, and summarize the functions of the local self-government. Then sum up and present the material.

Exercise summary

Basing on the principles of **democracy, decentralization of power and autonomy in handling the local affairs**, the local self-government promotes the combination of local and national interests, efficient use of the socio-economic potential of the locally governed territorial units, as well as ensures settlement of issues related to the vital needs and social protection of the citizens.

Consequently, **the local self-government performs the following major functions:**

- Provision of citizens' participation in handling the local affairs;
- Management of the municipal property and financial resources of the local self-government;
- Ensuring the complex development of the community;
- Satisfaction of socio-cultural, daily necessities and other vital needs of the population;
- Maintenance of public order;
- Protection of the interests and rights of the local self-government guaranteed by the Constitution and legislation of the country.

ROUND TABLE

In order to memorize the material, it is recommended to organize a round table on “Bodies of state territorial administration and local self-government: similarities and peculiarities.” It will also pave the way to the succeeding topic.

CHAPTER II

THE SYSTEM OF THE LOCAL SELF-GOVERNMENT IN THE REPUBLIC OF ARMENIA

2.1. Legal bases of the local self-government

In 1991, regaining its independence and opting for the path of democratization and transfer to market economy, Armenia initiated reforms in the system of public administration.

However, due to objective reasons (warfare situation, blockade, rupture of economic ties, energy crisis, and hardships of transitional period), the country lacked a clear strategy of public administration reforms, and the system of territorial and local governance remained almost unchanged.

In 1995 the Constitution of the Republic of Armenia was adopted, which laid the legal basis for the establishment of a new political system and territorial administration reforms. Chapter 7 of the Constitution (Articles 104-110) completely covered issues related to territorial administration and local self-government¹.

Later a number of laws and by-laws were passed providing an opportunity to establish new systems of territorial administration and local self-government within a short period of time.

In accordance with the RA Constitution and the RA Law “On Administrative-Territorial Division of the Republic of Armenia” (adopted on December 4, 1995), Armenia was divided into ten marzes and the capital city of Yerevan, which also had the status of a marz. Marzes were divided into urban and rural communities, while Yerevan was split into city districts (currently the administrative regions, see below on page 12).

Supplement 1. Marzes and communities of Armenia

Armenia's division into marzes has been implemented in accordance with the borders of former (Soviet-era) regions, each marz comprising from two to five regions.

Currently there are 1000 settlements in Armenia which are united into 915 communities; 49 of them are urban and 866 rural. Yerevan is the only community that stands apart from any other marz.

¹ Following the constitutional reforms in 2005, Chapter 7 of the Constitution is named “The local government” and deals exclusively with issues related to the local government. Relations dealing with territorial administration are transferred to Chapter 5 of the Constitution, namely “The government”.

The marzes significantly differ from each other in terms of population, territory, the number of communities and settlements they involve. The most densely populated marzes are Armavir, Ararat and Kotayk (231, 134 and 136 people per square kilometer, respectively), the least densely ones are Vayots Dzor and Syunik (24 and 34 people per square kilometer, respectively).

Aragatsotn, Lori, Shirak and Syunik marzes hold the largest number of communities (114, 113, 119 and 109, respectively). The greatest number of urban communities is located in Lori, Kotayk and Syunik regions (8, 7 and 7, respectively), while Aragatsotn, Armavir, Shirak and Vayots Dzor have the least number of them (three urban communities in each). Each community is comprised of one or several settlements. According to the Armenian legislation, communities are distinguished by altitude (settlements located at 1700-2000 meters above the sea level are considered to be mountainous, those situated at 2000 meters and higher are called high mountainous) and frontier marks. Most of frontier communities (184 in total) are located in Syunik and Tavush marzes. High mountainous and mountainous communities (375 in total) are mostly distributed in Aragatsotn, Gegharkunik and Shirak marzes. 48% of Armenia's communities (441 community) have less than 1000 inhabitants; 196 of them have less than 300 and 29 communities less than 100 inhabitants. There are only 77 large communities (with population over 5000), of which only 22 have 15000 and more inhabitants. The largest number of small communities is located in Syunik and Aragatsotn marzes, where communities with less than 1000 inhabitants make up for 80% and 66% of the total number of marz communities, respectively. The greatest proportion of large communities belongs to Kotayk (19%) and Gegharkunik (18%) marzes.

Source: RA NSS, RA marzes and the city of Yerevan in numbers, 2012 (www.armstat.am/am/?nid=50), RA Ministry of Territorial Administration

Following the adoption of the RA Law “On Elections of Local Self-Government Bodies” in May 1996 and the RA Law “On the Local Self-Government” in July 1996, the LSG elections in November 1996 resulted in shaping the system of local self-government in Armenia. The major principles and the powers of the local self-government were defined. Marzes shall be governed through the central state administration system.

The government of RA shall appoint and dismiss the marz governors who, together with the staff of the regional administration (marzpetaran) pursue the policy of territorial administration, coordinate the activities of territorial services of the executive bodies, ensure the contacts between the bodies of public administration and the local self-government, settle intercommunity issues within the scope of competence of the marzes.

Regional (marz) council, a consultative body with no authorities shall be created under the regional governor². The council shall consist of heads of communities and the regional governor. The regional governor shall summon and conduct sessions of the regional council in accordance with his/her agenda. The activities of the regional council are not specified by the law; they shall be regulated by the decree of RA President. This council mostly discusses issues related to the territorial policy and territorial development. The regional governor may take into consideration the results of these discussions while exercising his/her powers. After the constitutional reforms of 2005, the concept of “legal oversight” (Article 108.1) was introduced to ensure the legitimacy of the activities of the local self-government bodies. In 2005, the Law “On Local Self-Government” was supplemented with Chapter 71 (Administrative control over the powers of the local self-government bodies). According to it, the administrative control over the implementation of powers of the head of community and the municipal council is limited by checking the legitimacy of implementation of these powers only (legal oversight).

Meanwhile, the administrative control over the implementation of powers delegated to the head of community by the state is specified in order to check the legality, efficiency and unity of implementation of these powers (professional control). The regional governor is in charge of conducting the legal and professional oversight.

Yerevan had the status of a marz, but its territorial administration and local self-government had certain peculiarities. The mayor of Yerevan was appointed and dismissed by the RA President, upon the suggestion of the prime minister. Yerevan had 12 district communities which had the status of local self-government bodies.

² The RA Law “On local self-government,” Article 81.

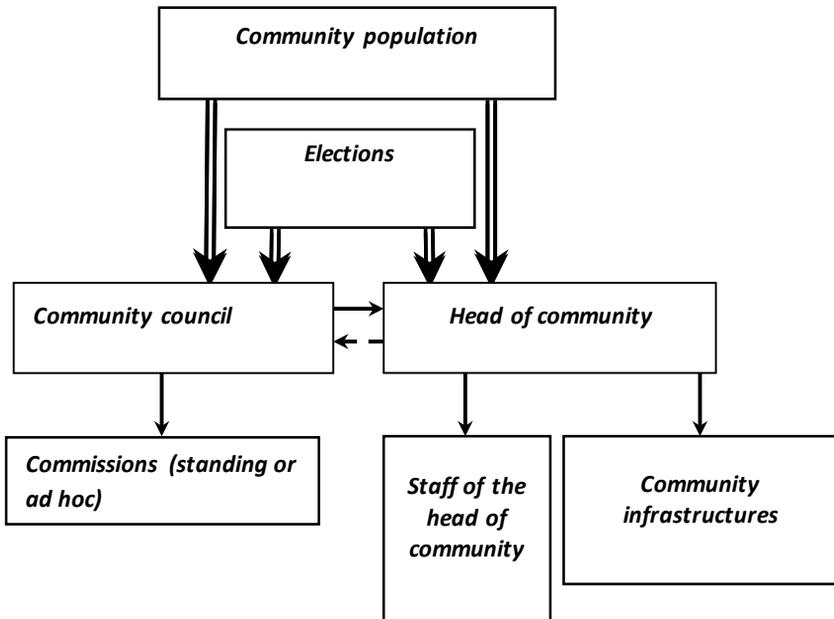
Yerevan Council, with limited scope of powers, consisted of heads of district communities and the mayor of Yerevan. The mayor of Yerevan was head of the Council. Actually, local self-government was exercised in separate parts of Yerevan (district communities), while the city, as a whole, was subject to public administration.

As a result of the 2005 constitutional reforms, Yerevan got the status of a community (Article 108 of the RA Constitution), and the district communities were abolished. According to Article 5 of the Law “On Local Self-Government in the City of Yerevan” (2008), the bodies of the local self-government in Yerevan are the municipal council of Yerevan and the mayor; according to the Article 86, the city of Yerevan was divided into 12 administrative districts which were formed within the boundaries of the former district communities and bear the same names³.

According to the RA Constitution, Armenia has a one-tier system of the local self-government: the local government is exercised only in communities. In order to organize the activities of the community, the population forms, through direct elections and for a four-year term of office, the bodies of local self-government, i.e. the community council and the head of community. In its turn, the community council may form a standing or ad hoc committees to exercise its powers. The head of the community exercises his/her powers through his/her staff (specialists, structural and special units), community budgetary institutions, commercial and non-commercial organizations. The head of the community, within a month upon assuming his/her office, develops the charters of the staff and the community budgetary institutions, as well as the number of the employees, staff list and position salaries and submits them to the community council for approval. Upon the approval, he/she appoints people in discretionary positions, nominates candidates to be appointed as heads of community budgetary institutions, with agreement of the community council.

³ Currently Yerevan also features some peculiarities: unlike other communities, the community council of Yerevan is elected by proportional system (RA Electoral Code, Article 150), while the head of the community, namely the mayor, is not elected through direct ballot of the voters, but by the newly elected community council (the RA Law “On Local Government in the City of Yerevan”, Article 44).

Chart 1. Formation of the local self-government bodies



Adoption of the RA Law “**On the Budgetary System of the Republic of Armenia**” (July 21, 1997) played an important role in reinforcing the financial bases of the local self-government. The law clarifies the processes of community budget compilation, implementation and oversight, taxing and budgetary relations between various tiers of administrations, as well as types of budgetary income and expenditure.

The RA Law “**On Local Duties and Payments**” (January 9, 1998) defining the types and allowing amounts of local duties and fees laid the basis for the local initiative and economic and political independence, since the community council, upon suggestion of the head of the community, shall define the rates of local duties, within the scope set by the legislation, prior to approval of the annual budget of the community.

Allocations from the state budget to the community budgets are regulated by the RA Law “**On Financial Equalization**” (November 24, 1998) which sets the forms of financial equalization and the order of their calculation. According to the amendments of the law in 2000, 2012 and 2013, currently the amount of allocations is calculated on the basis of population, i.e.

communities with population less than 300 and those with over 300 inhabitants; also, some factors affecting their economic situation are taken into account. Allotments for the first group of communities are calculated equally. Each budgetary year, the total amount of allocations to the community budgets distributed in accordance with these factors and the order of calculation set by this law, as well as the amount of allotment to each community with population over 300 is specified by the Law “On the state budget of RA” of the given year.

In 2001, **Armenia joined the Council of Europe and ratified the European Charter of Local Self-Government** on January 25, 2002. By ratifying the Charter, Armenia, in particular, undertook to establish, in line with the European standards, a system of legal regulation of local self-government, the powers of the local self-government bodies, administrative structures of the local self-government, and relevant conditions for exercising the powers at the local level. According to the Charter, Armenia also recognized the appropriate principles and mechanisms of funding and administrative control of the activities of the local self-government bodies, the right of communities to merge, and the principle of legal protection of the local government.

On December 14, 2004 the RA Law “**On Municipal Service**” was adopted. It laid down the major principles of municipal service in the Republic of Armenia, regulated issues related to the classification of municipal service positions and ranks, appointment of municipal service positions, attestation and training of municipal servants, municipal service staff reserve, legal status of municipal servants, organization and management of municipal service, etc.

Over the past years, these laws have been amended several times; the practice of the local government system in Armenia for the past 15 years has demonstrated that sustainable and constant development of the country requires continuous improvement of the relevant legislative framework which should be brought in line with the current situation through corresponding amendments in the laws and other legal acts. That is why even a new Law “**On Local Self-Government**” was passed in 2002, preceded by several dozens of legal acts on making relevant amendments and changes in the law.

As mentioned above, amendments in Chapter 7 of the Constitution of the Republic of Armenia aimed at improvement and democratization of the

system of the local self-government, bringing the legislation in line with the principles of the European Charter of Local Self-Government, as well as following the recommendations and proposals arising from the cooperation between RA and CoE.

In particular, the following main changes were introduced:

- Mandatory funding of powers delegated to communities from the state budget, the right of the communities to define the local taxes and duties, as well as fees for the delivered services (Article 106);
- Four-year term was set for the powers of the local self-government bodies (Article 107);
- Yerevan got the status of a community (Article 108);
- Implementation of the legal control in order to ensure legitimacy of the activities of the local self-government bodies (Article 108.1);
- Mandatory statement of the constitutional court in case of dismissal of the head of the community by the government;
- Basing on the public interests, communities may be merged or separated; intercommunity unions may be created in line with the order specified by the law (Article 110), etc.

2.2. Guarantees of the local self-government and the powers of LSG bodies

The Constitution of RA provides the following key guarantees for the local government:

- independence of LSG, the right of ownership of the communities and equal legal protection for any form of property,
- the right of the citizens to express their will through free elections and referenda and indirect state and local self-government bodies,
- separation of powers between various tiers of administration,
- the right of the LSG to appeal to the Constitutional Court.

EXERCISE: Powers of the local self-government bodies

Aim of the exercise

- Clarify the limits of the powers of the public administration and LSG bodies.

- Shape the understanding that the division of these powers is based on accessibility of resources and the share of responsibility.

Exercise organization

The table below presents various issues from different areas. The participants should find out which body of administration is in charge of solving each problem and why.

Which bodies should tackle the following issues?

Issue	Joint efforts of state governments	State body	Local government
Global warming			
Dirty neighbourhoods and streets			
Poor roads			
Economic crisis			
Lack of playgrounds			
Garbage disposal			
Water supply			
Low salaries			
Terrorism			
Warfare			

Then, on an example of LSG-related issues the participants should define their powers. The exercise demonstrates that the solution of problems depends on which body would tackle the issue most effectively. In fact, the guarantees set forth in the legislation are based on this very estimate of efficiency.

Exercise summary

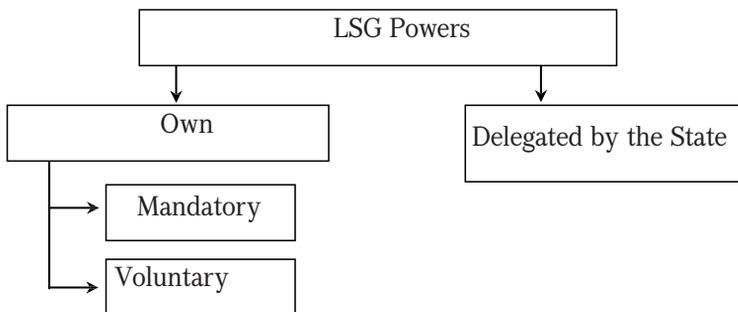
The laws on local self-government outline the following guarantees for the local self-government:

- delegate to the LSG all those powers of the state bodies which would be more efficiently exercised in communities,

- the competence of the LSG to perform, within the scope of the law, any activity based on community interests, which is not ascribed to any other body by the legislation,
- protection of the rights, legal interests and property of the community according to the order set by the law,
- adequate funding for exercising the LSG powers, support to financially disadvantaged communities through financial equalization,
- independence and own responsibilities of the LSG in exercising the local self-government,
- the right of the LSG to deliver public services at their own discretion, including tender announcements,
- publicity and transparency of LSG activities.

The Law “On Local Self-Government” of the Republic of Armenia divides the powers of local self-government bodies into their own powers and the powers delegated by the state. Own powers are specified as mandatory and voluntary powers.

Chart 2. Types of LSG powers



The legislation imposes a number of mandatory powers on the local governments by separate spheres (finance, urban development and utilities, land use, education, healthcare, agriculture, protection of environment, etc).

For instance, provide sufficient conditions for informing the community population about the activities of the local self-government bodies, organize public hearings and discussions; establish the rates and types of local taxes,

duties and fees defined by the legislation, collect and supervise the local taxes, duties and fees, rentals for community-owned and state lands located within the administrative boundaries of the community, community-owned property tax; keep record of the community's residents liable for military service, assist in organization of the military service calls, military assemblies, periodical military trainings; compile and approve the draft of the master plan and urban development zoning of the community (settlement); manage the land cadastre of the community; notify the community population with regard to planned changes in urban development environment of the community, prevent unauthorized construction activities and arrange for removal of deriving consequences; control over targeted utilization and maintenance of the community buildings and structures; operation and maintenance of community-owned communications, sewage, water supply, irrigation and heating networks and other structures; organize garbage disposal and sanitation; alienate or lease the community-owned land plots; control over the targeted use of lands situated within the administrative boundaries of the community, and observance of the requirements of the land legislation by the land users; protection and maintenance of community-owned roads, traffic organization and other technical facilities, bridges and other engineering constructions; oversight and permission of trade, public catering and consumer services; organize the operation of community schools, kindergartens, clubs, culture centers, libraries and other educational and cultural institutions and organizations; organize and manage the operation of community healthcare and sports institutions and organizations; operation of community-owned irrigation networks; ensure protection of community-owned lands, forest and water reserves, as well as the environment, etc.

With regard to voluntary powers, the law offers options to the communities, provided there are relevant financial resources to implement them. Voluntary powers are exercised based on the urgency or expediency of the local issue and the resources of the community, according to the order set by the community council, in line with the financial resources specified by the community budget.

For instance, the local self-government bodies assist the civil defense agencies in their activities, support social security of the families of military servants, help tackle the social problems of demilitarized persons and war veterans, promote military and patriotic education of the population, especially the young people, implement construction works, develop the community-

owned land plots, organize construction of community roads, bridges and other engineering structures, promote the protection of historical and cultural monuments located in the territory of the community, assist the healthcare authorities in performing sanitary, hygiene, anti-epidemic and quarantine measures, promote the development of physical culture and sports in the community, contribute to creation of new jobs, organize paid public works, taking actions to improve the social conditions of disabled people, families that have lost a sponsor and other socially disadvantaged groups, etc.

However, the list of voluntary powers presented in the Law “On Local Self-Government” is not exhaustive. The local self-government bodies may carry out any activity related to the interests of the community which does contradict any law, if it is not attributed to any state body by the legislation.

The delegated powers are the state competences, the performance of which is delegated to the communities. Delegated powers include taking measures to prevent disasters, eliminating the consequences of technological and natural disasters, managing the service of the registry office, making the current inventory of land plots within the administrative borders of the community and the land balance of the community, alienating or allowing the use of the state-owned lands located within the administrative borders of the community, organizing the activities of social support service within the community, assisting in the works aimed at tackling agricultural crop diseases, pests and weeds, organizing activities aimed at prevention of animal diseases and maintenance of other agrarian regulations in the community, ensuring protection of lands from sliding, flood, mooring, and pollution by chemicals, radioactive agents and industrial waste, etc.

The mandatory powers of the LSG and powers delegated by the state provide the normal activities of the community life and require priority and mandatory funding and uninterrupted practice. The mandatory powers are funded by the local income and official transfers⁴, including the subsidies provided from the state budget of RA according to the principle of financial equalization.

The amount of subsidies provided from the state budget is calculated according to the order set forth in the Law “On Financial Equalization”. The

⁴ Subsidies provided from the state budget, according to the principle of financial equalization, other subsidies and targeted allocations for financing the current expenses, i.e. subventions.

powers delegated by the state to the LSG are subject to full and mandatory funding from the state budget of RA, at the expense of allocations envisaged for their implementation. This is why the LSG are responsible before the relevant body of public administration for performing the delegated powers. Meanwhile, in exercising their own mandatory or voluntary powers the LSG are responsible and accountable before the community population, in the first place. The state legislation cannot increase the number of the community's mandatory powers or cut the income without relevant financial compensation.

2.3 Decision-making bodies in local government

The decision-making bodies in the sphere of local government are the community council and the head of community.

The community council

The community council is a representative body. The community council holds meetings no less than once in two months; the sessions are convened and conducted by the head of the community or the acting head of the community. The community council adopts a regulation regulating the council's activities, preparation and holding of sessions. In order to perform its powers, the community council may decide to establish standing or ad hoc commissions. On behalf of the community, the community council performs functions of the founder of the community management institution.

The community council may discuss any matter related to the interests of the community. The council may take decisions on the discussed issues. With regard to matters related to the interests of the community which are beyond its jurisdiction, the council may pass messages addressing the population of the community, the head of the community, the regional governor or any other state agency.

The decisions and messages of the community council are passed by a majority vote of the council members present at the session.

The sessions of the community council are public. In some cases, by the decision of the two-thirds of the members of the community council present at the meeting, the session may be held in private. The community council may invite any person to take part in its sessions. Upon the invitation of

the head of community, the community staff members participate in the sessions.

If the head of community objects to the decision of the community council, the head of community shall convene an extraordinary session of the community council within a period of three days, while the enforcement of the debated decision is postponed until it is discussed by the members of the community council at the session.

The community council discusses the objections and takes respective decisions by a simple majority of votes of the present members. If the debated decision is not reviewed during the mentioned session and within the specified dates, or if the session did not take place, the decision enters into force and is subject to mandatory implementation.

The head of community may appeal against the decisions of the community council in the court.

Upon receiving the decisions of the head of community, the member of the community council may, in a three-day period, demand that a special session of the community council should be held, if he/she believes the decision of the head of community contradicts the legislation or the decisions of the community council.

The community council may appeal against the decisions of the head of community in court.

The community council, as a representative body, exercises the powers defined by the Constitution and the laws of the Republic of Armenia.

EXERCISE

Powers of the decision-making bodies in local government

Aim of the exercise

- Clarify the powers of the head of community and the community council,
- Raise awareness on the rather wide scope of powers of the community council among the participants,
- Highlight the benefits of powers of a collective body vs. the powers of an individual body.

Exercise organization

Divide the participants into groups. Some groups should name the powers of the community council, others should mention those of the head of community. The assignment should take ten minutes. At first all groups work to supplement each other; then the trainer finalizes the material.

Exercise summary

The community council has the following powers, among others:

- Adopts its regulations,
- Approves the community development programme,
- Approves the community budget and controls its implementation,
- Decides the order of performing the voluntary powers and the necessary financial resources, upon the suggestion of the head of community,
- Initiates and arranges a local referendum according to the order specified by the legislation,
- Decides to submit a proposal to the regional governor with regard to dismissal of the head of the community,
- Decides to create intercommunity unions, as well as submits a proposal to the authorized state body on establishment of a new community through merging with other communities,
- Takes decision on early termination of the mandate of a member of community council,
- Takes decisions on establishment, reorganization and/or liquidation of community budgetary institutions, commercial and non-commercial organizations in compliance with the order defined by the legislation,
- Defines the types and rates of local taxes, duties and fees in cases specified by the legislation,
- Upon suggestion of the head of community, takes decision on lease or alienation of the community-owned property,
- Takes decision with regard to involvement of loans and other means according to the order specified by the law,
- Takes decision on approval of community urban development documentation, relevant changes, as well as design assignments,

- In cases and by the order specified by the legislation of the Republic of Armenia, takes decision on approving the community land use schemes,
- Appeals to the Constitutional Court of Armenia, according to the order specified by the legislation, to check the conformity of normative acts of public administration bodies which violate the constitutional rights of the local self-government bodies.

Head of community

The head of the community is the executive body of the local self-government who exercises his/her powers through the staff (specialists, structural and special units), community budgetary institutions, commercial and non-commercial organizations. The head of the community, within the scope of his/her powers, convenes and conducts the meetings of the community council, develops the charters of the staff and the community budgetary institutions, as well as the number of the employees, staff list and position salaries and submits them to the community council for approval. At his/her own discretion and responsibility, he/she appoints people in discretionary positions, nominates candidates to be appointed as heads of community budgetary institutions, upon consent of the community council. Also, the head of the community submits the four-year community development plan for approval of the community council, presents the draft decision on establishment, reorganization or liquidation of community budgetary institutions and non-commercial organizations to the community council for approval; manages, in accordance with the legislation or the order set by the government, the community urban development, environmental, agricultural and other inventories, takes actions, in accordance with the legislation or the order set by the government, for organizing activities aimed at civil protection, anti-epidemic and quarantine measures, as well as reduction of technological and natural disasters and elimination of their consequences, and oversees the implementation of the decisions of the community council.

2.4 Need for continuous reforms in the field of local self-government

The experience of the local self-government in Armenia during the past 17 years comes to prove that it has mostly been established. The political,

economic, legal, financial and organizational bases for the local government are already in place. However, there are still many problems. The bodies of the local self-government still fail to meet the minimum needs of their communities. They have not been formed as a united force to present and protect their interests, nor do they perform their vital function within the public administration system. Meanwhile, today's challenges pose new and more complex problems for further development, strengthening and democratization of this system, which requires quick and consistent response. Therefore, consistency of reforms and comprehensive and complex approach in this sphere have been and will be among the priorities of sustainable development of the country.

The right to participate in the affairs of a local authority

1. *The States Parties shall secure to everyone within their jurisdiction the right to participate in the affairs of a local authority.*
2. *The right to participate in the affairs of a local authority denotes the right to seek to determine or to influence the exercise of a local authority's powers and responsibilities.*
3. *The law shall provide means of facilitating the exercise of this right...*

Additional Protocol to the European Charter of Local Self-Government on the right to participate in the affairs of a local authority, Article

Since the launch of the system of local self-government in Armenia in 1996, the Community Finance Officers of Armenia, in cooperation with international and local organizations, has kept track of and analyzed the process of reforms in the area of local self-government in Armenia. In 2012, in the framework of Civil Society and Local Government Support Program (CSLGSP) six non-governmental organizations (Community Finance Officers of Armenia, Union of Communities of Armenia, Councilors Association of Armenia, International Center for Human Development, Information Systems Development and Training Center of Armenia and Urban Foundation for Sustainable Development) jointly developed the "Republic of Armenia Strategy Paper On Further Development of Local Self-Government and Decentralization of Power."

Supplement 2. Monitoring of the process of local self-government reforms in Armenia by the Community Finance Officers of Armenia

During the past years the Community Finance Officers of Armenia published five books assessing the process of reforms and numerous recommendations with regard to further progress of reforms. The first book, the “Reforms of the local government in Armenia: policy options and paths” presents articles highlighting the process of local government reforms from 1996 to 2004. The second one, published in 2008 provides estimation on the reforms in the area of local government in 2004 - 2006. The third, fourth and fifth books cover the LSG situation in 2007 - 2008, 2009 - 2010 and 2011, respectively. The books are presented in the form of reports and provide assessments by different spheres. Besides, they cover the challenges of this sphere and offer recommendations to tackle them.

Basing on the studies on the current situation related to local self-government, the authors of the strategy paper say: “Further development of the RA local self-government system is directly linked to the intensification of the general process of decentralization and democratization. Nonetheless, the local self-government reforms are conducted in Armenia in the absence of comprehensive and systemic approaches, undermining the impact of government policies implemented in this area”⁵.

The main goal and expected final result of the “Republic of Armenia Strategy Paper On Further Development of Local Self-Government and Decentralization of Power” is to improve the quality of local self-government and the quality and accessibility of municipal services delivered to the population in the Republic of Armenia.

The final results of the implementation of the Strategy will be evaluated as the ratio (in percent) of budget expenditures of the RA communities to the gross domestic product. “This ratio has grown successively in the last three years: the increase in 2010 relative to 2008 was over 1.5-fold, reaching about 2.4%. Nonetheless, Armenia lags behind the EU member states and the majority of countries of Central and Eastern Europe in terms of performance in this area,” the paper says⁶.

⁵ “Republic of Armenia Strategy Paper On Further Development of Local Self-Government and Decentralization of Power”, Yerevan, 2012, p. 15.

⁶ “Republic of Armenia Strategy Paper On Further Development of Local Self-Government and Decentralization of Power”, Yerevan, 2012, p. 22.

Basing on the current situation related to local government in Armenia, as well as the international experience, the authors of the strategy put forward the priorities and challenges of development of Armenia's local self-government system and decentralization policy up to 2025.

In the framework of European Neighbourhood policy signed in November 2006, the joint Action Plan of the Republic of Armenia and the European Union outlines the priorities of the European path of development for Armenia.

The RA government reiterated its commitment to strengthen the local self-government, including the capacities of local communities and civil service institutions, in line with the European standards, and ensure implementation of the European Charter of Local Self-Government.

In 2010, the RA Ministry of Territorial Administration and the Union of Communities of Armenia, with support of the experts of the Council of Europe developed the Council of Europe – RA Government Action Plan on the reforms in the local government sphere. The Action Plan envisages a number of measures in 2011-2014 to settle the following issues: ensuring conformity between the powers of the authorities and financial resources, increasing the efficiency of public administration on local level, improving the legislative framework of the local self-government, efficient implementation of the RA Law “On Local Self-Government in the City of Yerevan”.

In order to improve the current situation, the government of Armenia approved the concept paper on enlargement of communities and establishment of inter-community unions on November 11, 2011. The concept paper analyzes the situation in the area of local government and identifies the problems, thus justifying the need to enlarge the communities and create inter-community unions. It also proposes relevant legislative bases, principles, standards, international practice, the list of actions aimed at its implementation, etc.

In 2015 the Ministry of Territorial Administration and Emergency Situations implements community enlargement pilot projects in two versions, programme-related and administrative (in Tsakhkadzor, Dilijan, Jermuk and Tatev, 14 communities in total). On May 17, according to the Government's decree, referenda were held in 23 communities of Tavush, Syunik and Lori regions to find out residents' opinions on the issue of community enlargement.

The member states of the Council of Europe, aiming to respond to current challenges, believe that good or proper governance is the key to actual application of democracy, human rights and values and criteria of a law-based state. It becomes of particular importance on local level, since the LSG is the tier that stands closer to citizens, delivers municipal services, is more accessible and quickly responds to emerging problems. European ministers responsible for local and regional government came to the following conclusion at the 14th session of their conference⁷: “Our countries are confronted with a number of challenges that concern in particular the capacity of local and regional authorities to deliver high-quality services and respond to the legitimate expectations of our citizens.”

In 2005, heads of state and government of the member states of the Council of Europe who gathered in Warsaw for the 3rd summit, declared: “Effective democracy and good governance at all levels are essential for preventing conflicts, promoting stability, facilitating economic and social progress, and hence for creating sustainable communities where people want to live and work, now and in the future”.

In 2007, works were launched to acknowledge the principles characterizing the core of “good democratic governance on local level,” and the paths and instruments making this a universal goal for the local authorities in Europe. The Congress of Local and Regional Authorities of Europe approved the concept paper on Strategy for Innovation and Good Governance presented at the ministerial conference. Upon approval by the European ministers responsible for local and regional government, the Committee of Ministers of the Council of Europe signed the paper in March 2008.

The concept paper on Strategy for Innovation and Good Governance provides a comprehensive definition of good governance (the 12 principles for good democratic governance) and the mechanism for its implementation. So, the 12 principles for good democratic governance at local level are as follows:

- Fair Conduct of Elections, Representation and Participation
- Responsiveness
- Efficiency and Effectiveness
- Openness and Transparency
- Rule of Law

⁷ The session took place in Budapest in 2005.

- Ethical Conduct
- Competence and Capacity
- Innovation and Openness to Change
- Sustainability and Long-term Orientation
- Sound Financial Management
- Human rights, Cultural Diversity and Social Cohesion
- Accountability

Many states keep joining this strategy every year, and these principles may serve as a beacon for all those countries which opt for the path of establishment and improvement of the local governance.

In November 2009, the Utrecht Declaration adopted at the 16th ministerial conference (Good local and regional governance in turbulent times: the challenge of change) identified the following challenges as being of particular common interest:

1. Managing the impact of the current financial/economic crisis;
2. Addressing the low level of democratic participation in public life at local and regional level;
3. Reducing the complexity and cost of the current system of local and regional government and enhancing its efficiency;
4. Enhancing the capacity for and quality of governance in local and regional communities or authorities;
5. Addressing the impact of demographic/migration trends;
6. Improving access to public services delivered at local and regional level;
7. Making it easier for local and regional authorities to co-operate across frontiers;
8. Addressing territorial inequalities between and within local and regional authorities;
9. Addressing the growing divide between rural and urban areas;
10. Strengthening social cohesion and acting against the increase of political and religious radicalization;

11. Fighting against corruption in local and regional governing bodies;
12. Addressing the growing impact of the information technologies and citizen participation;
13. Addressing the expansion of big conurbations at the expense of medium/small-sized towns and villages.

The conferences and seminars, organized in recent years, establish the prerequisites for the reform in the area of local self-government. For instance, since 2011 an annual conference for the rural communities has been organized every October or November. The most recent, the 4th conference was organized in Jermuk on 7-8 of November, 2014. A conference on “Ways of community development; civil dialogue and participatory management” took place on June 3, 2011. “Local Self-Government in Armenia, achievements, issues, perspectives” was organized on November 1-2, an international conference, “Participatory Democracy on the Local Level” was held on June 19, 2013, conferences on “Promoting Citizen Participation in Armenia” were held in Yeghegnadzor on July 14, 2015 and in Aghveran on July 16, 2015. The latter discussed the present situation of the local self-government, the problems, practical solutions thereof and future development bases, tools and best practices of citizen participation in the communities, including those pilot initiatives with participation of citizens, organized by the Council of Europe.

By the way, recommendations presented in the most recent conferences in the marzes served a basis to elaborate the “Citizen Participation Guide” for elected representatives of Armenian communities and other stakeholders.

Thus, as major problems are identified, relevant recommendations both on local and international levels are being proposed, once again emphasizing that the continuation and promotion of the reform process still remains the number one issue in the further development of the system of local self-government.

2.5. Structural-functional characteristics and methodological views of management of the social system

The criteria of development of each society should be sought within the boundaries of fulfilling the requirements, rights and freedoms of its

members. Meanwhile, the quality of life of the society members largely depends on the proper and effective management of the social structure.

The development of political science, economy, sociology, psychology, philosophical anthropology laid the bases for considerable advancement, establishment of various trends and schools of the social science.

In terms of identification of development and transformation features of the social structure, the application of the structural and functional analysis method may prove most valuable in the context of middle range theory.

According to the middle range theory, the objects of the study are neither the society and the civilization in general, nor the individual persons and their activity, but rather the social institutions, groups and processes.

By the way, the concept of a “social institution” is often widely used to denote social mechanisms, traditions, and infrastructural units as well, like the institution of recalling a parliament member, an institution of appealing against a court verdict, an institution of matchmaking, etc. Instead, it would be more correct to speak about the mechanisms of recall and appeal, the traditions or protocol of matchmaking, etc.

The following definition can more thoroughly describe the essence of a social institution: the social institutions are the relatively stable forms and ways of organizing and managing the public life, which make the social relations and processes more regulated and standardized from the social-structural point of view⁸.

In modern sociology, the six main institutions forming the backbone of the society are distinguished in the social structure, namely the economy, politics, family, education, science, and religion.

In different social systems the mentioned key institutions may be supplemented by particularly influential and priority areas. For instance, the political-ideological component predominated in the former USSR. It used to leave its mark on economy, education, family, religion and other aspects and relations of public life. In the United States the economic sector is the dominating determinant. In the Islamic Republic of Iran the religion is quite influential, as a pledge of state security and territorial integrity of this country.

⁸ Hovhannisyann, H., Main issues of social structure development, Yerevan, 2003, p. 9.

In the Armenian society, the family and education are perhaps the most influential and dominating ones among the above-mentioned six key institutions. The public opinion is far more sensitive in responding to events related to family values and educational system rather than the processes occurring in the economic world.

Awareness of such peculiarities and features characteristic of the given society and various social strata, as well as taking them into consideration, is necessary in the decision-making processes with regard to social transformations.

The developments and transformations of the social system take place through the evolution of the institutional structures, modernization of traditional social institutions and establishment of new ones.

The process of establishment of a new institution and assignment of social norms, roles and statuses is called institutionalization.

As a result, the spontaneous forms, transformations and movements of the social activity become more regulated and standardized from the social-structural point of view.

Structural and functional components can be distinguished in the process of establishment of a new institution (institutionalization).

In terms of structure, an institution may be considered an established one if the following conditions for its existence and operation are in place:

- The legislative framework and legal-normative conditions,
- Logistic and financial resources,
- Human resources and staff potential.

In terms of functions, an institution has been established if it fully performs its mission and its role in the public life.

In a society which goes through harmonious and gradual developments, the formation and development of these two aspects of a social institution usually occur in parallel. However, the societies facing radical, crucial transformations may experience unequal development of structural and functional components within the establishment of institutions.

As to the Armenian reality, a significant part of democratic institutions here can be considered established mostly in terms of structure. For instance, there are numerous parties with their charters, members, certain material resources, however, still facing problems with regard to development and establishment, which as structures are supposed to integrate the interests of public at large and represent them in the political decision-making. Also, there are about 400 non-governmental organizations registered in the RA Ministry of Justice, with their charters, membership, and relevant legislative framework; however, many of them are unable to fully carry out their statutory mission. These organizations still have a long way to go in terms of functions.

The opposite situation occurs when a social demand of a certain function has emerged, there is a problem which is being settled spontaneously, according to the situation, but there is no specific structure to officially undertake the implementation of such function.

For instance, in 1988-1990 shootings occurred along the border with Azerbaijan, and citizens of Armenia and Nagorno-Karabakh were being killed. There was need to protect the population of the Armenian settlements. Still, there was neither a ministry of defense nor a national army that would commit to perform this function. The problem was tackled by the joint efforts of the inhabitants of frontier villages, the Ministry of Internal Affairs, the National Security Service, and volunteer freedom fighters. Only in 1991 the President of Armenia signed a decree to form the Ministry of Defense within the government which undertook the mission to form the core of the national army basing on the volunteer freedom fighters' groups.

The opposite phenomenon of the institutionalization is the institutional crisis. This is a situation when the institution, unable to perform its mission, begins to hinder the social development processes and causes new problems.

The crisis of the political institutions and governmental structures, for instance, is linked to inefficient performance of their mission in the field of public governance and is manifested by the decline of social trust.

The crisis, however, identifies the obstacles in the operation of the institution and helps eliminate them by improving the structural and functional profile of the social system, provided there is methodically justified operation.

The phenomena of formation of new institutions and the institutional crises are inevitable realities of development and transformation of the social system. It is hard to imagine the development of institutions and social progress without crises and overcoming them.

With regard to assessment of processes happening when transforming social systems and efficient governance, the analysis of functional features of the social institutions deserves special attention.

Traditionally, there are general and private, positive and negative functions. The function of the institution is positive if its activity promotes the improvement of the social relations and effective settlement of current problems. The function is negative (dysfunction) if the operation of the institution hampers the development of social relations and causes new problems.

However, it is more important to analyze the activities of social institutions from the viewpoint of manifest and latent functions.

The function is manifest if it is stated in the legislation, registered in the institution's legal papers, declared, and the public is well aware of it. The function is considered latent, if it is not specified in legal documents, is not published and is hard to notice for the public⁹.

Please, see the example below.

The positive manifest functions of a higher educational institution (organization of the educational process, training of specialists, implementation of research programmes) are stated in its charter. However, this educational institution also promotes the establishment of friendly ties between young people, sometimes even resulting in creation of new families, which can be viewed as a latent positive function. Still, when the higher educational institution tends to carry out business functions, viewing the fiscal income not as a means of organizing the educational process but as the key goal, it begins to perform a latent negative function by producing incomplete and incompetent specialists.

During the implementation of programmes and decision-making aimed at development of social relations, it is in the interests of the system's security and sustainable development to study both the institutions' functions and

⁹ Merton R., Manifest and latent functions [in] American sociological concept, (ed.) Dobrenkov. M., 1996, pages 233-234.

potential disfunctions, consider the probability and type of both manifest and latent functions.

In post-Soviet Armenia, given the economic and social crises and warfare of 1990s, the most dominating model was the situational governance, when the government performed special “fire-fighting” functions settling the most urgent problems of the moment. After 25 years of the declaration of independence, when the national, territorial and local self-government institutions and the legislative framework are already quite strong, many areas are still governed by the situational principle; many unbalanced decisions are made, which have not undergone the stage of public hearings and expert justification.

In case the situational model of public system administration is applied, they often have to battle the unwanted consequences rather than the causes. Rooting of a system approach principle in public administration processes, ensuring organization of public hearings in the decision-making processes and participation of stakeholders provide guarantees to avoid the vicious practice of making mistakes and paying too high a price for them, thus making the reforms targeted and efficient.

In order to increase the efficiency and avoid unwanted disfunctions in various sections of public administration and, in particular, the local self-government tier, and to achieve targeted operation of available material and human resources, the following issues should be identified in the current stage:

1. Regularly conduct training and vocational courses for officials engaged in local, territorial, and, in general, public administration, community council members, civil servants, combining the potential of the local experts and the international organizations. These programmes should include sections on legal-normative framework, financial and economic aspects, as well as general methodological fundamentals of public administration, social-psychological features and issues related to democratization of social life. Due to this, during the decision-making process a state official and representative of a local self-government body will have the opportunity to consider every possible option along with its short and long-term, positive

- and negative consequences, and select the most beneficial and promising variant.
2. Development of cooperation with the civil society institutions is an important factor boosting the effectiveness of public administration processes, in particular, the operation of the LSGs. The non-governmental organizations can and should play an important part in voicing the concerns of the society and proposing the solutions. In some cases, they can also provide non-official expert services to the LSGs with regard to issues in environmental, urban development, educational and other spheres. The non-governmental organizations may perfectly perform the public oversight and monitoring of programmes implemented by the LSGs and bodies of territorial and public administration.
 3. Another way of promoting better work of the state and local self-government bodies is shaping the tradition to invite bids from NGOs for implementing some social support, educational, research programmes¹⁰: Introduction of this model of social cooperation ensures reduction of financial expenses along with involvement of additional human, material and intellectual resources for implementation of the programmes. It also implies provision of public awareness and publicity about the ongoing programmes, expansion of joint work and mutual oversight between the bodies of public administration, on the one hand, and CSOs, on the other hand. This model also has a positive impact in terms of financial assistance to non-governmental organizations. To settle these issues, relevant amendments in the RA Laws “On Non-Governmental Organizations”, “On Social Support”, “On Local Self-Government” and by-laws should be introduced.
 4. The next and, perhaps, the most important factor is increasing the index of citizen participation in LSG activities and the level of

¹⁰ The importance of shaping the tradition of inviting tenders from non-governmental organizations for implementing certain programmes by the bodies of state and local self-government is also specified in the draft Strategy Concept Paper on Development of Civil Society Organizations in RA, adopted by the Public Council of RA in 2012, point 4.5, pages 37-38, <http://publiccouncil.am/hy/documents/item/2012/10/22/program1/>

public awareness on it. In this regard, it is important to establish the procedure of public hearings prior to decision-making, and coverage of these discussions and the work of the community council in the mass media.

5. Another crucial factor for boosting the efficiency of public administration through development of participatory democracy principles is the provision of gender-balanced participation in various levels of administration and decision-making.

Exercise

Aim of the exercise

Reinforce the theoretical knowledge by the analyses of specific examples and consideration of real facts.

Exercise organization

Divide the participants into groups of 5-10 and offer them the following assignments-questions for discussion. The discussions in groups should take 10-15 minutes; then each group presents their approach, and the discussion is expanded to involve the members of other groups as well.

Following the 10-15 minutes long expanded discussion and exchange of ideas, the results should be summarized; the most important considerations are outlined, and crucial proposals are recorded.

1. Bring an example you have encountered in the sphere of local or territorial government, when an institution (organization, mechanism, tradition) aiming to perform positive functions is in fact conducting latent negative functions. Offer options for solving this problem.
2. They say there is no need to speak about establishing democracy and legal state in a poor society, since a poor citizen is inclined to take electoral bribe, and the poor official tends to settle his/her own problems by evading the law and abusing the office. Consequently, the issue of the economic growth should be settled first, the living

standards of the citizens should be increased, and then one can move to democratization and creation of a legal state. A question to the participants: do you share this viewpoint? Ask them to justify their stance.

3. Which are the prerequisites for the efficient public administration? Name them and justify the factors and conditions that play a significant part in ensuring the effectiveness of public administration.
4. Present one positive and promising and one negative and unpromising decision related to the settlement of a community issue; comment on it.

CHAPTER III

PARTICIPATORY DEMOCRACY AND PARTICIPATORY MANAGEMENT IN THE SYSTEM OF LOCAL GOVERNMENT

3.1. Participation of citizens in community management: provision of feedback

The word “democracy” implies, among other important components, participation of citizens in the decision-making processes related to their own lives. There can be no democracy if the municipal processes do not involve people who are the main beneficiaries of public policies and decisions. Henceforth, one of the key prerequisites for real democracy on local level is the right of a citizen to influence the decisions of the representative bodies of their community which concern their lives and the community. There are two main types of democracy: *representative and participatory democracy*.

The representative democracy is the form of governance performed by individuals elected through direct ballot. In Armenia, these include the members of the community council and the head of community.

The vital instrument of participatory or direct democracy is the provision of participatory governance. The participatory governance at local level is a process which highlights wide-scale participation of the population in community policy development and implementation, identification and settlement of community problems.

The forms of direct democracy within the system of local self-government are as follows:

- local referendum,
- public initiative,
- citizen commission,
- community assembly,
- public hearings,
- petition/claim,
- Internet communication,
- market mechanisms, etc.

The participation of citizens can be:

- Active, when citizens cooperate with the LSG they have elected or the staff of the community to influence the public decision-making, and
- Passive, when citizens simply attend the public meetings to get

information about the new programmes of the LSG or take part in the elections.

In fact, the participatory governance denotes establishment of a new type of relations between the community population and the local authorities.

It involves formal and informal institutions and processes which provide for mutual links and interaction between the local authorities and the beneficiaries who use the services they deliver. These include not only the official institutions of the local government (the community council, head of community, etc), but also the institutions and organizations (NGOs, foundations, etc) that have certain impact on the local self-government or the community management implementation.

In this case, the local authorities pursue policies and decisions not in isolation, but in consultation with all those who directly feel the impact thereof. In these mutual relations the vital and serious role belongs to the local authorities; however, they are not the ones to decide everything.

The participatory governance relates only to the relations based on collective interests of the local authorities and the community population.

It does not cover the relations based on private interests or personal (even those relating to governance) relations.

The key actors of the participatory governance are the LSG and groups of the community population; the LSG should play an active part in their inter-relations.

Establishment of links between the LSG and the advisory organizations helps the LSG fill the gap in their capacities and better perform their powers and activities. Furthermore, it develops the subjects representing various sectors of the society.

The Preamble and Article 3 of the European Charter of Local Self-Government mention the participation of citizens in the local governance as one of the democratic principles. In 2009, the Additional Protocol on the right to participate in the affairs of a local authority (Appendix III) to the European Charter of Local Self-Government was adopted. It specifies the right of the population to take part in the affairs of the local authorities and the need to define, by legislation, the necessary procedures for implementation of this right¹¹.

¹¹ Armenia signed the Additional Protocol on March 18, 2010.

The Congress of Local and Regional Authorities of the Council of Europe has passed numerous decrees and recommendations promoting ways to settle the issues faced by the local government.

The majority of routine problems the community citizens face are of local importance. Every day people use public services such as utilities (water supply and sewerage, energy supply, gas supply, garbage disposal, maintenance and repair of residential buildings, etc), sanitation of community streets and public use areas, night lighting, improvement and renovation of green areas, primary services in the spheres of education, culture, sports, healthcare and social areas. The living standards and provision of vital activities of people depend on how these issues are being settled. Henceforth, the community citizens are most interested in the efficient solution of these issues.

In a centralized government system the above-mentioned issues are being settled “from above”: there is a centralized way to plan them, make relevant decisions, then fund and implement them. So the settlement of these issues does not always respond to local needs, while the population of the community, in fact, has no chance to directly participate in solution of problems that interest or affect them. At the same time, the centralized system does not effectively control how the problem is being solved, since the state officer in charge of the oversight is not a citizen of the given community, and cannot directly feel the impact of settlement of the issues.

Meanwhile, in a decentralized system of government the approach to such issues is absolutely different; each citizen of the community is the owner of their community, a person most interested in efficient solution of community-related problems. Naturally, they should also participate in the community management and development process, by shaping the local authority or LSG, by taking part in the settlement of problems and controlling the activities of the local government.

Thus, in a decentralized system of government the community has the right to independently solve issues of local importance, since it is the community that can provide timely and efficient solutions, as well as proper oversight of the implementation.

The concepts of the “local self-government” and “local authority” are most precisely described in Article 3 of the European Charter of Local Self-Government:

“Local self-government denotes the right and the ability of local authorities, within the limits of the law, to regulate and manage a substantial share of public affairs under their own responsibility and in the interests of the local population. This right shall be exercised by councils or assemblies composed of members freely elected by secret ballot on the basis of direct, equal, universal suffrage, and which may possess executive organs responsible to them. This provision shall in no way affect recourse to assemblies of citizens, referenda or any other form of direct citizen participation where it is permitted by statute.”

With regard to the legislation of the Republic of Armenia, the citizens’ right to participate in the local self-government is laid down in Article 30 of the RA Constitution: “Eighteen-year old citizens of the Republic of Armenia have the right to take part in the elections and referenda as well as the right to take part in the public administration and local self-governance through their representatives chosen directly and through the expression of free will.”

In order to implement this right, the legislation of Armenia provides certain procedures and provisions which enable citizens to cooperate with the LSG of their community, participate and contribute to the effective management of the community.

Two of the nine principles of the local government specified in the RA Law “On Local Self-Government” adopted in 2002 relate to the accountability of the LSG before the community members and the openness and transparency of their activities. Still, the direct participation of citizens in the management of the community was not reflected in the local self-government principles at all.

On February 26, 2013 the RA National Assembly ratified the Additional Protocol on the right to participate in the affairs of a local authority to the European Charter of Local Self-Government, passed in Utrecht on November 16, 2009. It became effective in Armenia starting September 1, 2013. According to the provisions of the protocol, “The RA Law “On Local Self-Government” was amended¹², aiming to secure, in legislation, the citizen participation in the local government, increase the transparency and publicity of activities of the local self-government bodies.

¹² The RA Law “On making amendments in the RA Law on Local Self-Government”, adopted on June 19, 2013.

In particular, Article 9 listing the nine principles of the local self-government was supplemented with the tenth one, namely, the participation of citizens in the local self-government. Article 10.1 “Participation of community citizens in the local self-government” was added, defining the participation of community population in the local self-government as “a process carried out in the community through which the citizens are being informed about the activities of the local self-government bodies and have direct or indirect influence on the decisions of the local self-government bodies.”

As a matter of fact, these amendments introduced a new institution of citizen participation in the activities of the local self-government bodies. Community citizens aged 16 and over got the opportunity to initiate involvement of an issue in the community council meeting agenda. The law regulated the duties of the community council members with regard to reception of community population, organization of public meetings and debates, as well as the order of implementing the citizen participation in the community’s local governance.

Article 12 of the law was amended with Paragraph 2 saying that in communities with population over 10000, no less than 1% of community residents aged 16 and over can initiate involvement of an issue on the community council meeting agenda; in communities with population ranging from 1000 to 10000 people the figure makes 2%, and in communities with less than 1000 residents 4%, respectively. The initiative to involve the issue on the community council meeting agenda shall be signed by the community citizens who support it, and submitted to the head of the community. The initiative of the community citizens shall, without fail, be presented and discussed at the community council meeting no later than within one month after receipt thereof by the head of the community. The same initiative can again be submitted for consideration of the community council and be included on the agenda in accordance with the order specified by this article no sooner, than six months after its regular (also the first) discussion.

The law was also supplemented by the Article on “Participation of community population in the community development plan and budget management processes” (54.1). According to it, “in order to ensure the participation of community population in the community development four-year plan and (or) management of the annual budget (drafting, public discussion, implementation and oversight) processes a consultative body

at the head of community shall be established by proposal of the head of community and decision of the community council. It shall involve relevant specialists from the staff and community organizations, as well as 1-3 members of the community council, citizens, experts and other interested parties (with their consent).”

Prior to submitting the community development four-year plan and (or) the draft annual budget to the community council for approval, the head of the community shall organize and conduct open public hearings or discussions within the terms specified by Article 27.1 of the RA Law “On Legal Acts”. The head of community informs the community council about the remarks and recommendations voiced during the public hearings or discussions.

Dissemination of comprehensive information about the meetings of the community council has great importance in terms of providing the publicity of the LSG’s activities. This should be done both in different public places within the community and, if possible, through the mass media and the Internet to inform a wide range of community population about the community-related processes.

Today 247 out of 915 communities have their websites and 60 (or 6.5%) of them have official websites¹³. Though the LSGs are not legally bound (except for Yerevan)¹⁴ to have and maintain official websites, the local governments develop webpages on their own initiative.

The recent 2011 report on monitoring of situation in the field of local self-government in Armenia rightly assessed this circumstance as significant progress. “Moreover, progress is observed in terms of contents of the websites. In 2011, the communities were not awarded with the “Rusty Lock”¹⁵, the symbol of secrecy and poor performance “granted” annually by the Freedom of Information Center on September 28, the international Freedom of Information day; also, fewer representatives of local self-government bodies were enrolled in the black lists,” the report says.

¹³ The studies show that 28 community websites (not through the Municipality Management Information System) do not contain tools to ensure an online participatory process.

¹⁴ The official website of the community of Yerevan, www.yerevan.am, is stipulated by the RA Law “On the local self-government in the city of Yerevan”. This law specifies the legal acts and the information which are subject to mandatory publication on the website.

¹⁵ Tumanyan, D. (ed.), *The local self-government in Armenia 2011*, Book 5, Yerevan, 2012, Book 5, page 82.

However, in 2013 the “Rusty Lock” was awarded to the municipality of Yerevan, Armenia’s largest community, as a body which was too slow in responding to citizens’ inquiries.

Anyway, wide-scale application of modern means ensuring the publicity of the operation of communities, such as creation and maintenance of official websites, still remains pressing.

Considering the challenges facing local self-governance system, the system of anticipated reforms in the sector, the Government has embarked on the implementation of informatization in it, and the provision of the so-called, "e-participation". For this purpose, in 2014 the concept of informatization of the LSGB activities and local policy-development of the information society was developed and adopted in Armenia.

“Extensive use of information technologies is creating favorable conditions for the improvement of local self-governance; LSGB efficiency and quality; ensuring openness and transparency; improving the quality of services provided to citizens and organizations, making them more accessible; more efficient management of municipal budgets and property; citizens' control over local self-government activities; reducing the risks of corruption,” says the concept.

As mentioned above, the RA legislation does not impose mandatory creation and proper maintenance of an official website on the LSGs (with the exception of Yerevan). So there are no established and approved requirements for the content and operational capacities of such websites. In general, the RA Law “On Local Self-Government” does not contain any provision or norm implying or imposing on the LSG any process of informatization, electronic data transfer, use of Internet, publication of information on the official website, except for one paragraph (“If possible, this information [about the time and premises of the regular meeting of the community council and the draft agenda]” can be disseminated through the mass media outlets and the Internet) in Article 121 (“Information about the meetings of the community council”).

The RA Law “On the Freedom of information” does not contain such provisions either. Only Article 7 mentions that “the data specified in parts 2 and 3 of this article shall be published so that to be accessible to the public; in case the information manager has a website, the information shall be published on it as well.”

According to the concept, typical problems of existing municipal official sites are: the absence (scarcity) of online services, lack of necessary information, nonconformity with the requirements of the "Freedom of Information" RA Law, lack of local government-citizen interaction and participatory tools, incompatibility with new technological devices (smartphone, tablet) and so on.

Within UN Public Administration program, analysis is done every year, aimed at determining the level of development of information technologies for each State. According to the results of the 2014 analysis "E-Participation" ("Electronic Participation") index of RA is 0.5294 (59th place among 193 countries (139th in 2010))¹⁶. This indicates the significant progress of "E-participation" that has been made in Armenia.

According to 2014 survey, E-government development index was 0.5897, which allowed Armenia to move from 94th position (in 2012) to 61st among 190 countries (Georgia is 56th, Azerbaijan is 68th and Russia is 27th)¹⁷. Poor public awareness on different information systems still remains a major obstacle for the implementation of participatory democracy in the local self-government system in Armenia. Meanwhile, the efficiency of projects implemented in this field largely depends on the awareness level of the community population. "The conducted studies and surveys show that even in communities that have official websites, few citizens know about the existence of the webpage or have ever used it," according to the concept. There are both objective and subjective reasons for this. "The communities are limited in their resources of informing the people to information boards and information leaflets. Very few communities have local TV channels or local printed media which can be used for effective awareness campaign, while propaganda via the national mass media requires huge financial resources.

However, the authors of the draft concept paper believe there are serious prerequisites for tackling the issue of e-participation and e-government in the local self-government system. They refer to the Municipal Management Information System installed in 400 communities which, provided there is Internet access, can serve as the official website of the given community as well and offer many opportunities to the visitors and particularly the citizens of the given community.

¹⁶ <http://www2.unpan.org/egovkb/profilecountry.aspx?ID=8>

¹⁷ <http://unpan1.un.org/intradoc/groups/public/documents/un-dpadm/unpan048590.pdf>

Another important factor is the significant growth of the number of Internet users along with the increase of Internet penetration and reduction of price for computer equipment in Armenia. However, necessary preconditions are set to solve the problem of "E-government" and "E-Participation" at local governance level. We mean "Municipality management information system" that is embedded in 490 communities and will, wherever Internet is accessible, also serve as community's official website, providing numerous opportunities for visitors and especially for residents of the community. Another important precondition is the rapid increase in the number of Internet users, due to growing accessibility of Internet and declining prices of computer equipment.

The social networks also offer new opportunities for citizen participation in the community life through the Internet. The recent studies by CNN show that 43% of news and information on the Internet is disseminated through social networks, the Facebook being on the first place, 30% - by email, and 15% by sms¹⁸.

The Facebook, the powerful global social network has turned into an effective platform of freedom of speech, "a virtual ground where everyone is free to express their opinion". So the authors of the draft concept paper believe the Facebook features should be also used in the relations between the LSG and citizens of Armenia.

Still, a few LSG representatives in Armenia have their own Facebook pages so far (Dilijan, Metsamor, Ashtarak, Vedi, etc).

www.kargibereq.am site is a new tool for influencing decision-making by LSGBs. It allows citizens to register the address of existing community problems (like garbage collection, street lighting, roofs, basements, etc.) on the map, along with enclosed pictures. The list of tasks is delivered online to relevant municipality or village and becomes a discussion topic for LSGBs. Information about LSGBs' resolution of problems is immediately reflected on www.kargibereq.am. This newly created tool aims at introducing the new civic culture. It focuses on proactive and caring citizens. This is also a good opportunity for interaction between local government and citizens. However, www.kargibereq.am website only works in Vedi, Vayk and Sisian communities, "while wide dissemination of this culture is a necessity. Note, that citizens are not particularly active in reporting the community's problems on www.kargibereq.am, which shows the lack of traditions and

¹⁸<http://www.guardian.co.uk/media/pda/2010/oct/07/cnn-recommendation-social-news>: 2000 Internet users have participated in the survey.

customs of 'participation' in communities, the absence or weak development of the information society," recorded in the above mentioned concept.

Open or public meetings of the community council enable active and interested citizens of the community to freely participate, if they wish so, in these meetings, except for special cases when the community council may decide to hold closed sessions.

If necessary, the community council may come up with the initiative and invite any citizen to take part in the meetings.

The member of the community council must regularly meet with the community population, inform the voters about the activities of the community council and participate in reception of citizens by the community council. These are the main mechanisms set out in the legislation through which citizens have the opportunity first, to get certain information from the community council members about the work of the council, and second, to voice any issue related to the community management and development.

Actually, the initiative of the community council and announcement of a local referendum on vital community issues should be viewed as an active form of citizen participation. Announcement and holding of local referenda in Armenia is carried out in accordance with the order specified in the RA Law "On Local Referendum" (the initiative group of community citizens shall also have the right to initiate a local referendum), but no local referenda have been conducted in the Armenian communities so far. Full and efficient performance of the powers of the head of community, as well as their participation in civil relations is ensured by the staff of the head of community, with the secretary of the staff governing its current activities.

With regard to relations with the citizens, the secretary of the staff ensures publication of decisions and messages of the community council and the head of the community; arranges reception of citizens by the head of the community and the community council, and the process of consideration and progress of their proposals, applications and complaints.

In fact, the secretary of the staff of the head of community is the local government official who is responsible for the proper organization and provision of relations between the LSGs and citizens. The secretary of the staff of the head of the administrative district of Yerevan is vested with the same powers.

The head of community must not only send his/her decisions to the members of the community council in a two-day period, but also publish

them in a public area of the community council office so that citizens have the opportunity to get information about the activities of the head of the community. The law also contains provisions which oblige the head of community to both inform the citizens and involve them as participants in important community-based events. For instance, the head of the community shall notify the community population with regard to planned urban development changes in the environment of the community and involve the people in the relevant decision-making processes. To implement this, in compliance with the provisions of Articles 13-14 of the RA Law “On Urban Development”, the government of Armenia passed the decree No. 660 on October 28, 1998 defining the order of informing about the urban development changes in the environment of the community and the participation of representatives of the population in the decision-making; the LSGs are responsible for informing the people in the administrative territories of RA communities.

Opportunities of paid participation in public works and programmes organized within the community offered to citizens can be viewed as a special form of participation. The law provides an opportunity for citizens, businessmen and organizations to contribute (via charity contributions, donations by citizens and organizations) to community assets and settlement of local issues.

Another active form of citizen participation is the power vested in the mayor of Yerevan by the legislation, which is to submit a proposal to the community council on establishing a consultative council, on a voluntary basis, at the head of the administrative district. Mayor of Yerevan has a number of voluntary powers as well; for instance, launch cooperation with non-governmental and religious organizations operating on the territory of Yerevan that implement programmes in cultural, healthcare, sports, physical training, environmental, social protection and other fields.

The RA legislation related to the local self-government covers in detail the four-year and annual community development plans and budgets, as well as the provision of the transparency and publicity of the quarterly and annual reports on their implementation. The laws clearly define that these fundamental documents which are crucial for the development of the community should by all means be published in the community mass media and on websites; in addition, in order to make them more accessible for the community population, handbooks and brochures comprising the

relevant main indices, statistical and graphic data should be developed and published.

The normative legal acts of the community council and the head of the community are officially published in the Handbook of community legal acts or the Handbook of Yerevan legal acts. The normative legal acts passed by the LSGs of urban and rural communities can also be published in various areas of the community through posters on special information boards. In addition, the RA Ministry of Justice publishes collective normative legal acts of urban and rural communities on a quarterly basis.

The RA Law “On Legal Acts” comprises some active forms of citizen participation in the development of the draft of the community legal act. The head of the community may select some of the staff members and specialists to create a draft development commission, which can also involve representatives of scientific organizations, interested agencies and organizations. The head of the community has the authority to announce a contest for the best draft of the community legal act.

Natural and legal persons of the community also have the right to develop such draft acts and submit them to the head of the community upon their initiative. Those who develop the document have the right to participate in relevant LSG discussions.

So, as you see, before the amendments were introduced into the RA Law “On Local Self-Government” in 2013, the provisions related to passive forms of participatory government largely prevailed over those related to active forms, while now the focus has significantly moved towards the active participation. The passive forms mostly provided opportunities for the community citizens and public subjects to get information about the community problems and the actions launched by the LSGs to tackle them, while the active participation provisions now enable the citizens to take part in the processes aimed at improving the efficient local government in the community.

EXERCISE

Identification of best practices in community government

Aim of the exercise

- Demonstrate, through specific instances, samples of positive community practice,

- Identify the obstacles and difficulties emerging during the work of the local government bodies,
- Clarify ways to tackle them.

Exercise organization

Divide the participants into groups. Each group must quote example(s) of participation in the community government, basing on their own community experience. If the group involves members of the community council or heads of communities, it is preferable to see them speak as experts and define, during the presentation, whether the participation was active or passive. Give them a chance to make comments and quote examples from their own experience. This would be particularly useful for those who have no experience at all.

Exercise summary

Following the presentations, try to arrange a discussion on the efficiency of participatory democracy replying to the following questions:

- Which are the obstacles awaiting on this path?
- How can one overcome them?
- What needs to be changed in the legislation or in everyday life to achieve success?

Pessimistic views may also be voiced during the discussion. It is necessary to have several examples of positive practice which will help convince the participants on the possibility of positive changes.

3.2 Participation of citizens in community management in the Republic of Armenia and the international practice

Over the past years, Armenia gained certain experience of citizen participation in the community government. The first programmes were implemented by the international organizations operating in Armenia or the local organizations supported by foreign agencies. These included the Armenian offices of UNDP, World Vision, Save The Children, Oxfam, Urban Foundation for Sustainable Development, Community Finance Officers of Armenia NGO and other organizations. In 2007 the International Center for Human Development NGO implemented the “I am the part of community” programme aimed at introducing the participatory model of community

budget approval and implementation in ten communities of ten marzes of Armenia (Rind, Margahovit, Hatsik, Achajur, Sarukhan, Ashtarak, Nor Kharberd, Arevik, Ashotavan, Arzakan). The project mostly focused on training the representatives of NGOs in these communities so that they could later ensure the follow-up of the initiative. The citizens actively participated in the organized community discussions, expressed their views and proposed recommendations. Further studies of the International Center for Human Development showed that the LSGs mostly took into consideration the results of the community discussion while adopting the community budget.

Within the framework of the Component 3 of the Local Self-Government Project (LSGP 3) funded by the USAID, the urban communities of Armenia got technical assistance in 2007-2010 to develop, discuss and approve the four-year development plans or annual budgets for these communities, with involvement of the representatives of civil society and application of participatory forms. For this purpose, samples of relevant draft documents, timescales, plan and budget application forms, etc. were developed in advance and provided to the municipalities of communities involved in the project. According to the technical assistance procedure, in order to organize the development and discussion of the drafts of community development four-year plans or annual budgets, by the decision or order of the head of community an ad hoc planning commission was established in the community. It involved several members of the community council, relevant specialists from the staff of the head of the community, representatives of interested organizations from non-governmental and private sectors; the time schedule of the commission's activities has also been approved.

The planning commission, in close cooperation with the municipality's departments, relevant officers of the community organizations and representatives of interested organizations of the community, compiled the preliminary draft of the community's four-year development plan and the annual budget. The planning commission arranged and conducted public meetings or hearings in the communities to present the draft(s) to the community population and get their comments and proposals; the information about the place, time and agenda of the meetings was disseminated throughout the whole community. In order to present the draft community budget to the citizens in a more comprehensible way, a brief draft of the budget was also compiled and disseminated among the

meeting participants; this sample was also developed and submitted to the municipalities by the LSGP 3. Basing on the discussions, questions and proposals voiced during the public meeting, the planning commission made up the final draft of the four-year plan and the budget and submitted it to the head of the community. The latter, according to the order specified by the law, submitted this draft for discussion and approval of the community council. The community council meeting summoned for adoption of the draft paper was carried out in public, and the interested representatives of the community participated in the discussion of the four-year community development plan and the budget. Upon the approval of the community development plan and the budget the ad hoc commission was dismissed.

Within the framework of the “Improvement of communication in Armenian communities” project¹⁹ (2008-2011) implemented by the Urban Foundation for Sustainable Development and the Association of Dutch Municipalities, multi-stage training courses on communication and public participation were conducted for the representatives of local authorities, non-governmental organizations and staff of the local TV companies in 13 cities of Armenia. Pilot projects aimed at fostering the communication capacities of the local authorities and introduction of participatory government have been implemented in two towns of Goris and Sevan.

Since October 2010, the Counterpart International has been implementing the Civil Society and Local Government Support Programme with support of the US Agency for International Development (USAID). It is comprised of 43 communities in all 10 marzes of Armenia where hundreds of projects have been carried out aiming to improve the quality of services delivered by the community, restore the community infrastructures, promote the cultural and social-economic life in the community, unite the community, and actively involve the youth.

These programmes not only focus on solution to community problems, but rather tend to unite the community, raise people's awareness on contributing to the strengthening of their own community through voluntary work, and shape the culture of participatory approach to settling issues in communities. The programme develops the capacities of both the local self-government bodies and the representatives of the civil society, at the same time creating mechanisms for their joint activities.

¹⁹ The project has been funded by the MATRA programme of the Foreign Ministry of the Netherlands.

The support and technical assistance provided by the Counterpart to Syunik marz for applying an innovative approach to tax collection and increased transparency was particularly appreciated. This model was developed by Sisian inter-community union, uniting 31 communities to organize tax collection and inform the population about the taxes. This enables each community to have access to the network and pay taxes without visiting the center of the inter-community union. Besides, the RA Ministry of Territorial Administration and Emergency Situations has the opportunity to follow the process and get information about the tax collection process and the existing problems.

On January 21, 2015, three of the local self-governance associations Union of Communities of Armenia, Community Finance Officers Association, Association of Councils of Armenia for the first time introduced the document "Local democracy in Armenia. Message to the Government of Armenia" .

CoE Congress of Local and Regional Authorities had conducted monitoring in communities, and the report that was drawn up as a result, was discussed with Armenian delegation. In addition, in September, 2014 CoE Congress of Local and Regional Authorities Recommendation No. 351 "Local democracy in Armenia" (2014) (see Appendix 6) was discussed at two conferences held in Gyumri and Sisian. The document summarizes suggestions of leaders and council members of more than 150 communities of 10 regions of Armenia, made during the conferences.

On 2013, under sponsorship of the Danish government a "Support the strengthening of local democracy in Armenia: support for local government reform, capacity building of local authorities, leadership empowerment for local elected representatives" three-year plan was launched (budget: 1.8 million Euros), partners of which are the Ministry of Territorial Administration and Emergency Situations, Ministry of Finance, the Parliament of Armenia, local authorities, associations representing local governments, NGOs involved in civic participation, the Association of Local Democracy Agencies (ALDA).

The program aims at offering opinions of CoE legal experts, policy advice and assistance to local government reform process, including the preparation of administrative reform, as well as developing the capacity of local authorities. The first component ("Support for local government reform") aims at harmonizing legislation with European standards of local

self-governance. The second component ("Local authorities' capacity building") is aimed at institutional capacity and service opportunities of local authorities. And the third component ("Local elected representatives Leadership Empowerment") aims at improving leadership and management capacity of local elected representatives and develop a spirit of cooperation between local governments.

Within "Support the strengthening of local democracy" project's "Strengthening the leadership of the elected representatives" component, the CoE Congress of Local and Regional Authorities is organizing leadership workshops for community leaders. For instance, the main message of the "Citizens' effective participation" fourth workshop, on October 29-30, 2014 was: "Citizen participation is one of the pillars of local democracy and a key element in local self-governance effective development." During the workshop, community leaders shared their opinions on how to practically apply their obligations, and discussed the different methods of participation, while Armenian members of Congress were sharing experience of successful engagement of citizens in their communities. The last, 6th Leadership workshop on "Community leaders, pioneers of change" took place in Yerevan on March 4, 2015. The workshop was attended by leaders of 16 partner communities. The meeting was called to sum up the previous 5 workshops ("To be a community leader," "Manage as a leader. What is it leads to?", "Effective communication", "Citizens' active participation", "Value Based Leadership").

In 2014, within "Support the strengthening of local democracy in Armenia" project "Best practice" component was implemented, which aimed at public acknowledgement and dissemination of best practices applied by communities of Armenia in the following three areas: promoting civic participation, pre-school and extracurricular education, local arts and crafts development. On January 20, 2015 the award ceremony was held. Nor Yerznka (Kotayk region) and Gomk (Vayots dzor) were recognized as "Civic participation promoting" best practice award winning communities, Gandzakar (Tavush region) and Zoravan (Kotayk region) won "Pre-school and extracurricular education" category, Urtsadzor (Ararat) and Getap (Vayots dzor), "Development of local arts and crafts" category.

In March 2015, within "Strengthening the leadership of the elected representatives" component of the "Support to the strengthening of local democracy" project, a new sub-component of citizens' participation in

the initiatives was launched. During the bidding process the applications of four partner communities (Akhtala, Lori Marz, Artik, Shirak Marz, Vardenik, Gegharkunik Marz and Urtsadzor, Ararat Marz) were approved by the selection committee, consisting of representatives of the Council of Europe Secretariat, the Council of Europe office in Yerevan, RA Ministry of Territorial Administration and Emergency Situations, as well as local and international experts. This was the first grant awarded by the CoE office to implement citizen participation initiatives.

Domestic and international experts prepared a detailed report on the community, as well as developed strategies for citizen participation, taking into account local peculiarities. On June 3, 2015 the above-mentioned four communities of Armenia have signed agreements with the Council of Europe on implementation of initiatives for citizen participation in their communities. Starting from June 2015 these four communities have begun citizen participation processes, engaging community residents to identify pressing issues, to define priorities and to find common solutions. The primary tasks will be included in communities' next year's budgets.

Within the "Support the strengthening of local democracy in Armenia" project, CoE Congress of Local and Regional Authorities has organized a conference on "Citizens' Participation in Armenia", in Yeghegnadzor on July 14, 2015 and in Aghveran on July 16, 2015, which were attended by about 200 community leaders and council members representing all regions of Armenia.

The district conferences were aimed at expanding citizen participation in decision-making in communities. During the plenary session international organizations and experts presented tools and best practices on citizen participation in local communities, including pilot initiatives of citizen participation, supported by the Council of Europe.

In thematic groups, the participants discussed such topics as: participatory budgeting in communities, the role of elders and civil society, information and communication technologies to promote citizen participation.

A "Guide for Citizen Participation" will be developed for elected representatives of communities, as well as for other interested parties, based on proposals submitted during regional conferences.

In November 2014, the "Institutional support for the Union of Communities of Armenia" program was launched (duration 2.5 years), sponsored by the

Swiss government, the partners of which are the Union of Communities of Armenia, Ministry of Territorial Administration and Emergency Situations and local self-governance bodies. The aim of the project is the capacity building of the Union of Communities of Armenia (UCA), as a result of which it will become an active participant of Armenia's management system using its own resources and capabilities. Thanks to a number of actions, maintenance and technical support, UCA will be able to improve its internal management, to offer enhanced services to its members, to motivate them to participate unitedly in the national decentralization policy-making process, as well as to establish a mechanism of consultation with state authorities, in line with CoE Congress of Local and Regional Authorities "Local democracy in Armenia," No. 351 (2014) Recommendation, March 2014.

On February 15, 2015, within this program the CoE Congress of Local and Regional Authorities organized a workshop on the role of local government associations, with the participation of 45 members of Union of Communities of Armenia (UCA), including community leaders and members of the UCA steering committees. During the workshop, Denmark, Finland, Georgia, Latvia, as well as members of the CoE presented their experience and recommendations, aimed at institutional development of UCA, and strengthening its participation in local self-governance reforming process.

The Council of Europe has repeatedly covered the issues of participatory democracy and passed relevant agreements, resolutions and recommendations which have become milestones for the member states. These documents, in particular, include the European Charter of Local Self-Government (1985), Resolution 15 (1995) on Local Democracy, Resolution 91 (2000) on responsible citizenship and participation in public life, Recommendation 139 (2003) on NGOs and local and regional democracy, Recommendation CM/Rec(2007)4 of the Council of Europe Committee of Ministers to member states on local and regional public services, Recommendation CM/Rec(2007)12 of the Council of Europe Committee of Ministers to member states on capacity building at local and regional level, Recommendation CM/Rec(2009)2 of the Committee of Ministers to member states on the evaluation, auditing and monitoring of participation and participation policies at local and regional level, etc.

Armenia, as a member state of the Council of Europe and the European Union's European Neighbourhood Policy and Eastern Partnership, had the opportunity to use both the above-mentioned documents and the

progressive practice of individual countries. The experience of Spain and Denmark, for instance, is described in detail in a handbook.²⁰

For example, it is quite interesting to observe the practice of self-organization in small Spanish communities, with less than 100 inhabitants. The community citizens regularly (at least on quarterly basis) meet in special premises, upon the invitation of the head of community, to discuss and vote for any community-related issue. This is the most democratic and transparent way of local self-government in Spain. Spain also holds public hearings on certain issues of public interest, imposed by the legislation. This refers, in particular, to introducing changes in the community's master plan. Every time the local government wants to make changes in the master plan of the community, they should arrange and carry out 30-day public hearings involving as many citizens of the community as possible. The local authorities have to collect and classify all comments and proposals voiced by the citizens, as well as justify rejecting or ignoring any of these comments and proposals. Failing to maintain the lawfulness and consistency of these processes may result even in declaring the final decision of the community council as invalid²¹.

A successful option of implementing local democracy is the advisory participatory committee, the efficiency of which underwent in-depth study in Denmark. In 2007, consolidation of communities took place in Denmark resulting in 98 communities instead of the former 275. The society feared these enlargement would significantly cut the participation of citizens in the development and implementation of local policies.

Therefore, the government of Denmark, along with the non-governmental organizations operating in this field established a group of experts who undertook to submit new models and approaches to implementing local democracy in the new enlarged communities basing on the experience accumulated in this area.

The communities of Silkeborg and Holbaek were selected for studies; these two communities apply different institutional approaches. The first one uses traditional methods of involving the citizens, i.e. local (district) council, and focuses on relations between different tiers, while the second one employs direct links with the representative institutions of the community and the providers of public services.

²⁰ Tumanyan, D., Shahbazyan, V., Participatory democracy on local level, Why and how to participate in the local self-government, manual, Yerevan, 2011, pages 83-94.

²¹ See Tumanyan, D., Shahbazyan, V., 2011, p. 86.

Unlike other similar committees of Denmark, the advisory participatory committees of Holbaek feature at least two peculiarities, which are, in fact, innovative. Here the committee members involve also the representatives of institutions providing public services (elementary schools, commercial medical institutions) who have to take part in the work of the committee. This approach aims at connecting the delivery of local public services with the private and voluntary sectors of the society. The second peculiarity is that these committees have quite close links with the local authorities basing on mutually agreed mechanisms. In particular, the community council has to consult with the relevant committee if the issue in question relates to its territory. These mutual relations become more tangible during the meetings held twice a year. If the advisory committee identifies a new problem, it is discussed according to an internal procedure and is presented to the community council. Following that, the issue is discussed at the meeting of the community council, and the final decision belongs to the community council.

The studies showed that despite certain differences, the two models of the participatory democracy applied in these two communities of Denmark are based on three common criteria: accessibility, public discussion and accountability²².

²² See Tumanyan, D., Shahbazyan, V., 2011, page 94.

CHAPTER IV

PARITY DEMOCRACY: EQUAL PARTICIPATION OF WOMEN AND MEN IN LOCAL SELF-GOVERNMENT SYSTEM AS A PREREQUISITE FOR SUSTAINABLE DEVELOPMENT

4.1. Parity democracy: equality of women and men. Gender as a socio-cultural paradigm: gender stereotypes, gender norms and roles

The concept of parity democracy was developed in the Council of Europe in 1990s²³.

This concept paper included ideas widely debated by women organizations in Western Europe during these years. They demanded that their respective governments and the European Agreement officials should take some actions to achieve real equality for women in governing bodies. The parity or balance, 50/50 proportion of representation for women and men in government structures was the main slogan in that period.

The parity democracy concept paper justified its position the following way: the humanity consists of men and women who have equal merits and capacities. True democracy is possible only in case people are perceived the way they are in reality, not as abstract genderless creatures, but as men and women, and each of them is capable to contribute to the society in his/her own way. They claimed that democracy implied full-fledged participation of women, equally with men, in all levels and spheres of social operation. The participation of each gender in the management bodies should be implemented on the basis of equality, aiming to achieve the 50/50 proportion.

Supporters of the parity democracy believed that its establishment would provide a real basis for the sustainable development of society. Women would get the opportunity to contribute, equally with men, to the development of society in economy, politics, and culture.

Some Western European states (the Scandinavian countries, in particular,) have come closer to the parity democracy.

In fact, the parity democracy is based on the concept of gender equality which is one of the fundamentals of democracy and guarantees of sustainable development; this is something the progressive humanity is craving to achieve nowadays.

The concept of “gender” was coined in the middle of the 20th century, and now many realities are characterized as “gender-related”. The term

²³ It was at the Seminar “The democratic principle of equal representation – 40 years of Council of Europe activity” (Strasbourg, 6-7 November 1989) that the concept of parity democracy was first discussed. Then followed the concept paper developed by the Council of Europe Gender Equality Commission and the Human Rights Directorate which was presented at the conference on Women in Europe, in Vienna in 1994.

“gender” was borrowed from the English grammar; it is applicable in cases when a man and a woman are referred to as not biological creatures, but social or public actors.

Both the biological sex and gender refer to features of men and women; still, they describe them from different angles. Unlike the biological sex, gender is created throughout the social practice (a person is used to being a man or a woman since the day they were born) and is stipulated by the given period and socio-cultural features of the given society, it depends on the understanding of the people what a “real woman” and a “real man” should look like.

EXERCISE

Gender stereotypes

Aim of the exercise

- Demonstrate that qualities assigned to only women or only men are very few,
- Demonstrate that special features are rather linked to reproductive functions and those of the biological sex,
- Shape the understanding that the majority of attributes ascribed to women or men are the result of gender-related social growth and are linked to gender stereotypes.

Exercise organization

Give paper of two different colours to the participants. Women's and men's qualities should be listed on different colours. Then divide the poster in three parts. The qualities characteristic of both men and women will be placed in the center.

Woman	Qualities relating to both men and women	Man

Exercise summary

Gender stereotypes, gender norms and roles

Gender stereotypes are relatively strong and generalized ideas formed within the given culture about the image and behaviour of women and

men. These are presented as verified truth and adopted much earlier than one's own opinion is shaped.

Gender stereotypes can vary in different societies and cultures, and they are subject to changes in various periods and conditions. They are mostly of social character and can vary for different strata of the society, depending on people's living conditions, education, age and well-being. However, there are also universal stereotypes which are characteristic of all societies irrespective of the geographical position, culture, national and religious identity of the country.

An important observation is that in all societies and in all epochs the gender stereotypes have largely been based on opposites: activity vs. passiveness, strength vs. weakness, power vs. submission, logic vs. intuition, independence vs. dependence; the first qualities were attributed to men and the second ones to women.

However, the key feature of gender stereotypes is that they are very powerful since they are perceived unconditionally as truth; they are used as a tool for socialization by main socialization agents – parents, teachers, educators, and by the most powerful channels of propaganda like the mass media. Stereotypes are being rooted in the people's consciousness, hence are quite settled.

Changing then takes a long time; it requires persistent and consistent work.

According to the perceptions which are the result of historical experience and traditions the given society has accumulated, the gender norms, namely the code of conduct imposed on men and women are being shaped.

These norms guide women and men in their relations with each other and within the society, in performing their respective social roles. In other words, the gender roles, i.e. the behavioral models of men and women are shaped on the basis of these gender norms.

Indeed, these norms have different impact on people's life, they are imposed in a different way and their impact on a person's behavior may vary. So they are classified into two types: traditional-cultural and legal.

The legal norms lay the basis for the current legislation and are legally binding for all citizens of the given country; one would be called for account for violation of these norms. Meanwhile, the cultural norms lay the foundation of the religion, customs, traditions, and the value system of the given people. Violation of these does cause responsibility, but brings

changes in the attitude of the society and one's own position and status depending on the fact to which extent this violation meets the expectations of the society or, on the contrary, upsets them.

The gender norms, in their turn, are diverse and variable. As mentioned above, they have been developed throughout the centuries as a result of practice of human inter-relations, in accordance with the mentality, beliefs and values shared by the given people. Therefore, they are not always absolute and indisputable truths, since they are based on human perceptions. Both objective and biased prerequisites may affect them: the source not always being the verified information, but rather prejudice, bias or simply an impression which may also prove wrong. It can be accepted as truth, depending on the authority of the person voicing such opinion in the society and the area of dissemination, in other words, it may be perceived as a stereotype and stipulate the definition of a certain gender norm.

4.2. Gender situation in the Republic of Armenia

Since 1993, by ratifying the Convention on the Elimination of All Forms of Discrimination Against Women, signing the Beijing Platform for Action in 1995, later adopting some other documents by the UN and the Council of Europe, Armenia has undertaken certain commitments for ensuring these rights and opportunities.

Over the past years, the gender policy of the Republic of Armenia in the area of governance and decision-making has focused on ensuring balanced representation of women and men in the government system and empowerment of women, aiming to foster the democracy on decision-making level in governmental structures and boost the efficiency of the public administration system.

Actions taken in compliance with the 2004-2010 National Programme on improving the women's situation and promoting their role in the Armenian society provided prerequisites for expanding the representation of women in the field of governance.

In 2010, the RA government adopted the Concept Paper on Gender Policy which specified the "implementation of special temporary measures for bringing the women's representation from 15% to 30% in the democratic representative body, the National Assembly of the Republic of Armenia,

to 25% in political and discretionary positions of the executive power, to 30% in supreme and chief positions of civil service, and 25% in local self-government bodies.” On the basis of the concept paper the 2011-2015 Strategic Plan of gender policy of the Republic of Armenia was developed.

Within the framework of achieving the Millenium development goals, the Republic of Armenia undertook to ensure at least 25% share of female parliament members in the legislative body of the country, and 10% proportion with regard to the positions of the head of community by 2015.

The 2009-2011 list of priority issues and activities providing for the implementation of the European Neighbourhood Policy: The Republic of Armenia – European Union Action Plan²⁴ included plans to continue the process of amending the legal acts on gender equality and improving the legislation (see point 53. B30).

In particular, it was planned to adopt the concept paper on gender equality in 2009, and implement actions towards reformation of the legislative framework envisaged by this concept paper in 2010-2011; pass the RA Laws “On Provision of Equal Rights and Equal Opportunities for Women and Men” and “On Domestic Violence” in 2010 and adopt legal acts ensuring the implementation of these laws in 2011.

On May 20, 2011 the RA National Assembly adopted the RA Law “On Provision of Equal Rights and Equal opportunities for Women and Men”.

Despite some apparently positive trends, the unbalanced representation of sexes in all levels of decision-making process still remains a serious obstacle hindering the path of democracy. The policy targeted at ensuring the gender equality is being slowly employed.

The mental potential and organizational abilities of women are not fully involved into the democratization and development process of the Armenian society. The legislative and executive powers of Armenia are characterized by unbalanced representation of women and men. According to 2012 data, only two of 18 ministers, and only six of 66 deputy ministers are women. Also, women constitute only 11% of top positions in civil service.

²⁴ In June 2004, Armenia, Georgia and Azerbaijan joined the European Neighbourhood Policy. Thus, Armenia, from a partner and cooperating state became a country neighboring with the EU. On November 14, 2006 RA-EU joint Action Plan was approved and signed. On May 6, 2009 the list of 2009-2011 activities ensuring the implementation of RA-EU joint Action Plan of the European Neighbourhood Policy was approved by the decree NK-68-A of the RA President.

The country has no female regional governor; only one among 21 deputy governors is woman.

The 20% gender quota set out in the Electoral Code for proportional lists of political parties during the elections to the National Assembly in 2010 led to slight increase of women's share in the parliament which made 10.7%. Four of 12 standing committees of the National Assembly have no female members because of the small number of women in the parliament.

The gender situation on the labour market and in the field of employment is characterized by violations of women's human rights, veiled manifestations of horizontal and vertical discrimination.

The economic activity of women in the Republic of Armenia steadily decreases, and the unemployment maintains its "female" image. Women are not competitive on the labour market, accounting for approximately 70% of officially registered unemployed people. The level of the registered unemployment in the most efficient group of women aged 30-39 makes 60.1%. Women aged between 50 and 54 face the risk of unemployment and poverty most of all, since in this age group the gender discrimination is doubled by the age discrimination.

In comparison with men, women's economic activity in all age groups still remains quite low: only 48.8 % of women and 75.9% of men are active in economic terms.

The withdrawal of women from relatively profitable branches is perhaps one of the reasons of women's non-competitiveness on the labour market and consequence of discrimination. Though the right to equal remuneration for equal job is set out in the country, the average monthly salary of women makes about 60% of that of men's, since men mostly take the top income spheres and leading positions, while the low income spheres (i.e. education and healthcare) are traditionally considered female domains.

Over the past years, the women's representation in the areas of high employment and pay rate such as crediting, insurance, banking and high technology industry system declined from 73% to 50%.

Though the official data says women make 25% in the total share of entrepreneurs, their real number is considerably lower.

The Armenian households led by women, accounting for 30.7% of the total number, are poorer than those headed by men. The average rate of monthly salary per capita is almost 2.5 times higher in men-led families as compared to those led by women.

The gender inequality is particularly vivid on the decision-making level of local self-government bodies. Throughout the whole process of democratic reforms none of 49 mayors was female, and only one of 51 deputy mayors was a woman. Women's representation in the community councils in rural communities is extremely low. In 2012 elections female leaders were elected in only 10 rural communities out of 866. In fact, the number of female heads of communities in 2012 decreased twice against the previous elections, making only 1.6%. Women account for only 8.4% among the rural community council members. As for Yerevan, the municipality management has no women. There are no women among the heads of 10 administrative districts either. Only 5 of 65 members of Yerevan community council are women (9.6%).

At the same time, there is almost no gender inequality within the staff of the local self-government bodies in both rural and urban communities (see the tables below).

Gender distribution in the offices of urban community leaders, community councils and rural community leaders, 2015

Marz	City Mayors		Deputy City Mayors		Staff Secretaries		Members of Community Councils		Staff	
	W	M	W	M	W	W	M	W	M	W
Aragatsotn	-	3	-	4	-	3	2	33	38	51
Ararat	-	4	-	7	-	4	2	54	95	89
Armavir	-	3	-	5	1	2	-	41	76	104
Gegharqunik	-	5	-	5	3	2	3	64	63	119
Lori	-	8	-	5	4	3	4	89	162	158
Kotayk	-	7	1	7	3	4	3	86	148	179
Shirak	-	3	-	3	1	2	1	46	264	384
Syunik	-	7	-	6	4	3	8	71	113	121
Vayots Dzor	-	3	-	3	2	1	3	30	31	25
Tavush	-	5	-	5	3	2	4	42	54	40
TOTAL	-	48	1	50	21	27	30	556	1044	1270

Source: RA Ministry of Territorial Administration and Emergency Situations²⁵.

²⁵ In 2015 the Ministry of Territorial Administration was renamed into the Ministry of Territorial Administration and Emergency Situations (editor's note).

**Gender distribution in the offices of rural community leaders,
community councils and rural community leaders, 2015**

Marz	Village Mayor		Deputy mayor		Members of community council		Secretary at village administration		Staff of administration of the community	
	W	M	W	M	W	W	M	W	M	W
Aragatsotn	-	111	6	31	32	583	42	66	400	536
Ararat	1	92	-	66	42	596	55	28	426	401
Armavir	2	92	2	85	61	650	32	53	301	358
Gegharkunik	3	84	1	65	42	503	23	62	197	550
Lori	4	101	15	52	80	494	58	33	335	237
Kotayk	1	59	2	42	38	374	31	27	311	386
Shirak	2	114	3	44	67	556	49	51	351	212
Syunik	4	98	11	39	108	411	51	38	316	182
Vayots Dzor	-	41	2	9	13	209	16	24	153	144
Tavush	-	57	-	38	32	315	30	21	129	81
TOTAL	17	849	42	471	515	4691	387	403	2919	3087

Source: RA Ministry of Territorial Administration and Emergency Situations.

4.3. Obstacles hindering equal participation of women and men in local government. Gender discrimination and its manifestations.

As mentioned above, the local government in Armenia is too far from its goals and commitments; not only it does not approach the expected rate of 10% share of female representatives as heads of communities by 2015, it goes even farther, since the extremely low figures in this field tend to decrease even more.

Alongside with other issues, here gender stereotypes play quite an important role; stemming mostly from prejudiced and biased opinion and

polar opposites, they can become prerequisites for discriminatory norms and limitation of human rights.

Discrimination is described as an approach that differentiates the people; one is banned from doing something the other is allowed to do; one is preferred to another; virtues are ascribed to one and shortcomings or even defects – to another; one is provided with freedoms and opportunities the other is deprived of. Discrimination is manifested in various features, and can be based on racial, national, age and other specifics. There is also the gender discrimination, the most wide-spread one which has mostly worked to the prejudice of women throughout the whole history of mankind.

Meanwhile, the ideology of human rights and democracy, which are the landmarks of our epoch, is based on the principle of non-discrimination. This means that everybody on our planet should be equal; everyone should have the same rights and freedoms irrespective of any feature like sex, skin colour, origin, ethnic identity, social position, etc.

So, each manifestation of discrimination is a serious challenge hindering the path of human rights implementation and establishment of democracy, which undermines them and jeopardizes even the nearest prospects of their realization.

The gender discrimination is defined in Article 1 of the UN Convention on the Elimination of All Forms of Discrimination Against Women.

The Convention defines discrimination against women as "...any distinction, exclusion or restriction made on the basis of sex which has the effect or purpose of impairing or nullifying the recognition, enjoyment or exercise by women, irrespective of their marital status, on a basis of equality of men and women, of human rights and fundamental freedoms in the political, economic, social, cultural, civil or any other field."²⁶

Thus, the gender discrimination results in violation of human rights and inequality between the two largest groups, two halves of mankind – women and men. One cannot say that human rights and freedoms are ensured in a sphere where women or men are discriminated, and one sex is preferred to another.

In its turn, the gender discrimination has two manifestations – apparent and hidden. The discrimination is apparent in case it is specified in legal

²⁶ Article 1 of the UN Convention on the Elimination of All Forms of Discrimination Against Women.

norms. Most countries worldwide, including Armenia, have abolished the apparent discrimination, since according to both the Constitution and the legislations men and women shall have equal rights.

However, one of the key goals of the international community - de facto equality, has not been achieved yet; almost everywhere, in various spheres of life biased attitude to sexes based on gender stereotypes still persists.

Gender discrimination exists in almost all fields of human activities – family, socio-political life, labour market and employment, education and healthcare and elsewhere. In each sphere the manifestations of discrimination and the ways of tackling it vary.

The data collected in focus-group discussions²⁷ resulted in top five factors that hamper the participation of women in political decision-making and public management. They are listed in Table 1²⁸.

Tables 1, 2, 3

Factors hampering the participation of women in political and public management sectors, by level of influence:

	Factors	Average score
1	Household routine and family needs	6,8
2	Prevalence of electoral bribes	6,5
3	Rudeness and aggressiveness of the political campaigns (disrespectful behavior of the candidates, application of impermissible technologies of libel, discrediting and terrorization)	6,5
4	Presence of criminal elements in the political campaigns	6,5
5	Domination of patriarchal perceptions in the social life, and negative attitude of the friends and relatives (spouse, parents, dependants).	6,4

²⁷ Hovhannisyan, H., Zakaryan, L., Osipov, V.: “Gender specificities of social-political participation in Armenia”, report on results of sociological study. Yerevan 2011, pp. 30-33.

²⁸ A 10-point system was given to the participants of the focus-groups to assess a number of factors that complicated the political participation of women. Where “1” would mean no barriers and “10” would stand for excessive barriers.

The next five factors that negatively impact the participation of women in political decision-making are below:

	Factors	Average score
1	Scant financial capacity of women	6,1
2	Improper public policy on overcoming gender inequalities	6
3	Lack of self-confidence among women, psychological complexes and discreetness in actions	5,8
4	Deficiencies of democracy in the life of political parties, insufficient mechanisms for promotion of women in their political careers	5,7
5	Presence of stereotypes contributing to distrust towards women	5,6

...and finally, the last group of factors:

	Factors	Average score
1	Lack of political involvement and pro-activeness among women	5,3
2	Insufficient support from women NGOs and inability of female social movements	5,2
3	Incompetence of women in political processes, dissatisfactory knowledge about political campaigns and electoral technologies	5
4	Insufficient support from the mass media to women candidates	4,3

The answers showed that factors diminishing the activity of women emanated both from socio-cultural and institutional circumstances. Nevertheless, there were substantial differences among the assessments of different focus groups. Differences between the opinions of men and those of women, were especially interesting. It is worth considering also that both groups consisted of individuals with life experience, well-established political opinions and civilian attitudes.

The members of the female focus-group stated the following main factors that disturb their political involvement:

1. Presence of criminals in the political campaigns (6.6 points),
2. Prevalence of election bribes (6.2 points),
3. Improper public policy in overcoming gender inequalities (6 points).

The participants of the male focus-group mentioned the following main circumstances that hamper the participation of women in political life:

1. Household routine and family needs (7.4 points),
2. Presence of criminals in the political campaigns (6.8 points),
3. Scant financial means among women (6.6 points).

The opinions of participating women and men coincided only on the presence of criminals in the political struggle. It is interesting that men considered “household routine and family needs” among the first barriers for women, whereas the latter threw it to the 7th position²⁹.

The most significant instance of career promotion for women, on national, regional and local levels of public management, is the political party. NGOs are serious players, too. Hence, what is the status of women in the political parties and non-governmental organizations?

The results of a wide-range survey, conducted in 2010, may allow inferences on prematurity of the civil society sector in Armenia and the preferences of political parties to act in a strategy of self-inflation. It turned out that there were fewer women in the NGOs (5.2%), than in the political parties (10.7%). A similar picture persists among their followers, with 25.3% and 31.1%, respectively.

While the common sense prompts us that the number of people with an active position in life must be higher in a society than the one of political followers³⁰, nevertheless, more women are represented in NGOs than men. The opposite situation is in the political parties. See Table 4.

²⁹“Participation for Change” results of a qualitative study, “Kovkas” Center of Sociological Studies, Yerevan 2012, p.50.

³⁰ Hovhannisyanyan, H., Zakaryan, L., Osipov, V.: “Gender specificities of social-political participation in Armenia”, report on results of sociological study. Yerevan 2011, p.12.

Table 4: Involvement of male and female survey respondents in NGOs and political parties

Type of organization	Membership of the survey respondent			
	Men	Women	Men	Women
Non-Governmental Organization	4,7%	5,5%	341,9%	58,1%
Political Party	13,3%	8,5%	57,0%	43,0%

The results of survey proved that women were mostly among ordinary members in the NGOs and in political parties, as they were weakly represented in medium or high levels of decision-making and were completely absent from the high managements. The situation in NGOs was relatively reparatory, but still with the number of women reducing in career growth. The ordinary female members of NGOs are twice more than males. The gender balance is almost stroke in the lower and medium management levels, whereas there are three times more men in the high management offices. See Tables 5 and 6.

Table 5: Peculiarities of male and female statuses in non-governmental organizations

STATUS		Men	Women
	Ordinary member	30,3 %	69,7 %
	Member of low or medium level management	41,2 %	58,8 %
	Member of high management circle	75 %	2 5 %

Table 6: Peculiarities of male and female statuses in political parties

STATUS		Men	Women
	Ordinary member	53,4 %	46,6 %
	Member of low or medium level management	90,9 %	9,1 %
	Member of high management circle	99,2%	0,8%

The assessment of responses, collected throughout the survey, shows that there is a bigger chance (2.9 points) to influence the decision of a person who participates in a non-formal social movement, than the one who is with a political party (2.1 points) or an NGO (2.0 points)³¹.

This reality once again proves the necessity to further democratize the routines of political parties and non-governmental organizations.

EXERCISE

Aim of the exercise

Strengthen the theoretical knowledge by analyzing specific examples and assessment of facts in real cases.

The participants must be divided into groups of 5-10, which will receive the below listed tasks for discussion (one per each group). Each group will work for 15-20 minutes and present their approaches, thus expanding the discussion and including the participants of the other groups. The results will be summarized after a 20-25min. discussion and exchange of opinions; more substantial observations shall be distinguished and important recommendations recorded.

1. What are the benefits of having more women in the national, regional administration and local self-government?
2. Which factors hamper or contribute to participation of women in local and regional governments?

³¹ The respondents were given a 5-point scale to assess the influence of their opinion on decisions made in their organizations; where "1" meant no influence of the given member and "5" stood for substantial influence.

3. A study conducted in Armenia in 2011, proved that there were more women in NGOs - 58.1%, than men - 41.9%. In political parties the picture was the opposite, with men comprising 57.0% and women – 43.0%.

How can this difference be explained?

4. The studies conducted in Armenia showed that women occupied mostly ordinary positions both in the NGOs and in the political parties, as they were weakly represented in the low or medium decision-making and were absent in the high management circles. (See the respective data in Tables 5 and 6).

What steps or mechanisms may be recommended for improving the indicators of involvement of women in the management?

4.4. Need for a complex approach to the local self-government sphere. Actions and temporary measures supporting gender equality.

So, the local self-government is the foundation of democracy. The equality of sexes is also a prerequisite for the establishment of democracy in all spheres of social life. The United Nations Organization, the Council of Europe, the Organization of Security and Cooperation in Europe, which Armenia has joined as a member, and the European Union, Armenia tends to join, all have stated in their documents the idea that there is no democracy without balanced representation of sexes in all levels of decision-making and provision of equal rights and opportunities for political and civil participation for both sexes.

In late 20th century, following the long-term studies and discussions during global conferences, the international community came to the conclusion that the declaration of equal rights and unbiased, gender-neutral legislation is a necessary but not sufficient condition. Equal opportunities for using these rights should also be provided.

Such opportunities are provided through the so-called temporary measures³², when temporary privileges are specified for representatives of one sex to equalize the starting opportunities of both sexes.

An example of widely employed (in Armenia as well) temporary measures is the system of gender quotas, when a certain quota of female

³² Until recently, such temporary measures were considered to be positive discrimination.

representation is required in the proportional lists of parties or the parliament or other decision-making bodies, in order to ensure gender balance in a representative body.

On the eve of the new millenium the international community, in particular, the Council of Europe, came up with the so-called gender mainstreaming concept. This approach implies that the issues related to equality of women and men should be incorporated in all areas and levels, the gender dimension should lay in the basis of assessment of all decisions and undertakings. It is this gender-sensitive policy that can lead to equality of both rights and opportunities, as well as parity democracy.

The Committee of Ministers of the Council of Europe adopted the “Declaration: Making gender equality a reality” during its 119th session³³. Recalling that gender equality is an integral part of human rights and a fundamental criterion of democracy, that gender equality means an equal visibility, empowerment, responsibility and participation of both women and men in all spheres of public and private life; gender equality is the opposite of gender inequality, not of gender difference; recognizing that the legal status of women has improved over time. 20 years after its Declaration on equality of women and men, bridging the gap between gender equality in reality and in legislation is still a challenge for the member states; emphasizing that a genuine democracy must fully use the competences, the skills and the creativity of both women and men to build a society with a better quality of life for all and respectful of the values on which the Council of Europe is founded, urged member states to commit themselves fully to bridging the gap between equality in reality and in legislation and to act to:

- Address the need to eliminate established stereotypes by investing further in gender mainstreaming in education and research, including gender-focused research to ensure that both women and men achieve their full economic and social potential.
- Integrate a gender equality perspective in governance by ensuring openness, transparency, participation of all relevant stakeholders as well as real accountability in the process of achieving full gender equality.

³³ The 119th session of the Committee of Ministers of the Council of Europe took place in Madrid in May 2009.

- To this end, in particular, take the necessary measures to guarantee an equal sharing of responsibilities between women and men and create conditions favourable to the reconciliation of private and family life with professional life through a fair and balanced distribution of resources taking into account the different situations in women's and men's lives; as well as adopt and implement specific policies and action plans at different levels and ensure their adequate financing.

In 2010, the Parliamentary Assembly of the Council of Europe³⁴ encouraged the member states of the Council of Europe to take the necessary measures in order to increase women's representation in politics. The recommendation, in particular, said: "In countries with majority or plurality systems, consider introducing the principle of each party choosing a candidate amongst at least one female and one male nominee in each party district, or find other ways of ensuring increased representation of women in politics, such as applying innovative mandatory gender quotas within political parties, or "all-women shortlists" or "twinning" constituencies, again accompanied by effective sanctions for non-compliance."

The Assembly recommends that the Committee of Ministers instructs the competent committee to consider drafting an additional protocol to the European Convention on Human Rights in order to enshrine the right to equality for women and men therein, as well as the necessary exception allowing positive discrimination measures for the under-represented sex.

Finally, the Recommendation 288 (2010) "Achieving sustainable gender equality in local and regional political life" of the Congress of Local and Regional Authorities of Europe adopted during its 18th session³⁵ plays a key role with regard to boosting the representation of women in the local government.

The Congress reminded that equal participation by women and men is a vital part of democracy, and governments are primarily responsible for ensuring the promotion of equality between women and men. However, local and regional authorities at all levels of governance, are responsible and must be involved in the defence and achievement of this equality and in the process of social and cultural change that it demands.

³⁴ PACE Recommendation 1899 (2010), Increasing women's representation in politics through the electoral system.

³⁵ The session took place in Strasbourg on March 17-19, 2010.

Accordingly, it recommends that member states reinforce the ability of national, regional and local authorities to carry out gender equality policies, in particular by means of:

- legislation requiring the authorities to take the gender dimension into account in all their activities at all levels, assessing the impact and making this available to the public (equality indices),
- assistance, including financial aid, to enable municipalities and regions to introduce gender mainstreaming into their departments, possibly through special programmes geared to promoting a society based on sustainable gender equality via fair distribution of powers, resources and services of equal value between women and men,
- incentives to women to become and remain involved in political life and accede to responsibilities, as well as measures to help them stand for election.

4.5 Gender-based assessment of community development programs

Gender approach is the consideration of gender mainstreaming in all aspects of social life. According to the Gender Policy Concept, approved by the RA Government in February 2010, the gender mainstreaming must be observed in all aspects of socio-political and socio-economic life and in all government levels as a means for sustainable and democratic development of the society, ensuring the establishment of a democratic, open, socially just civil society and a rule-of-law state³⁶.

Different phenomena of social life, including the legislation, the political programs and strategies may have different influence on men and women. The consideration of that difference during the work, legislation elaboration process, in programs and strategies will constitute a demonstration of gender approach.

An analysis based on principles of gender approach is the process of assessing the impact of acting or proposed legislation related to men and women, existing or proposed programs, policies implemented in different aspects of life of the society and the state.

At the same time, gender analysis is a fair tool for finding solutions to the existing problems, based on corresponding information. However, it allows assessing why and how the political and economic problems affect women and men.

³⁶ Gender Policy Concept, http://www.gov.am/u_files/file/kananc-xorh/Gender-hayecakarg.pdf, p.2.

The gender analysis is based on the following fundamental principles:

- the laws, strategies and programs must strive for equal opportunities for men and women,
- equal results may not be ensured though equal attitude towards everyone,
- in order to develop a strategy or a program that complies with the needs and opportunities of men and women, it is necessary to consult with those men and women who are the targets of such programs and strategies,

The gender-based expertise of legislative acts, as mentioned in the RA Law “On Equal Rights and Opportunities for Men and Women,” shall be conducted for the following purposes:

- assessment of impact generated by legislative acts,
- elimination of provisions in the legislative acts that may violate the gender equality,
- approximation of legislative acts to the obligations that the Republic of Armenia is committed to under the international law and to general principles and provisions of the international law,
- ensuring equal rights and opportunities for women and men in the political, social, economic, cultural and other aspects of life of the society,
- protection of women and men from gender-based discrimination³⁷.

The gender analysis allows considering the differences between women and men, their unique social statuses, economic conditions and capacities and vital needs, when elaborating the community development programs.

When assessing the gender impact, it is worth remembering that the gender aspect includes both women and men, hence an assessment must take into account the needs and requirements of both.

Respectively, a gender analysis allows considering the possible influence of developed policies, strategies or programs on women and men and gives the opportunity to avoid contingencies.

A gender-sensitive program must promote equality between women and men, ensure equal opportunities and provide a full representation of needs and specificities for them. Where necessary, such a program must envisage

³⁷Article 18 of the RA Law “On Ensuring Equal Rights and Opportunities for Women and Men”.

special means, earmarked for the needs of one of the genders. Presently, women are not equal to men; they are less represented in the decision-making, hence specific measures shall be envisaged to make the voices of women be heard better.

The gender impact assessment shall be performed in the following vectors:

- **analysis of statistical data:** i.e. What are the differences in conditions for women and men?
- **studies and surveys:** i.e. How the differences in conditions for women and men influence the given issue?
- **opinions of experts and the beneficiaries:** i.e. What is the gender impact of this issue in their opinion?

Gender analysis is the non-vendible part of development of plans and projects; it contributes to elaboration and effective implementation of well-justified strategies and programs. Hence, the gender analysis must be performed not in “addition to” or after the development of projects, but “during” their planning. The assessment of a developed program is incomplete, if it lacks the possible impacts on women and men.

Specialists say that a gender impact assessment is never useless, as it is impossible to know which measures may have substantial results on women and men beforehand³⁸.

Steps of gender analysis

It is expedient to conduct the gender-based analysis of community programs in a six-step action.

Step one: studying, clarifying and formulating the problem

In this phase it is necessary to clearly define the problem, identify its emergence and the persons who have created it, understand whether it has different impact on women and men.

This step shall discover and decide upon the given problem in a way that identifies all pivotal factors of influence on women and men.

Such a goal will require the involvement of both women and men in the processes of identification and formulation.

It will also be necessary to clarify what the women NGOs and scholars studying gender issues may tell about the mentioned problem.

³⁸ Using the gender vision - GenderGlassesArmenian_arm.pdf, p.25.

Step two: deciding the desirable results and goals

Program development depends greatly on the correct choice of priorities, formulation of the desirable goals and definition of expected results. It is important to clearly understand how the community will benefit from the envisaged changes. May the expected results impact women and men differently? This phase may also include the criteria for assessment of possible solutions, based on which the alternative options will be considered and the best option selected.

The goals and results of your program may either aggravate the existing inequality between women and men, or eliminate those barriers that restrict the opportunities for women.

It will be necessary to involve women and men in discussions on the goals of the program, if considering the aforementioned.

Observe all the mentioned goals in the light of ensuring equal opportunities for women and men.

When defining goals, remember that they must be:

- measurable,
- reached in certain timeframes, and
- realistic.

Step three: collecting necessary information and advice

This phase is related to collection and analysis of information about the problem, its origin and influencing factors; besides, the information must be gender-differentiated. If the gender sensitive information is not available, then the data must be received from experts or competent organizations.

A solution to the problem must consider all factors influencing it.

If you do not succeed in collecting the gender-differentiated data, try to find information from separate cases, specific experiences or official reports.

The information collection process may be noticeably supported by women NGOs.

Step four: elaborating and assessing options for possible solutions

When assessing the alternatives of the solution to the problem, the following important factors must be taken into account:

- operationalism: i.e. how to reach the defined goal?
- efficiency: cost-benefit analysis
- social justice and gender equality: have the interests of women and men been taken into account?

When assessing any of the options, answers to the following questions must be given:

- Will there be a different impact on the economic and social conditions of women and men, if a given option for solution is chosen?
- How do the stakeholders (women and men) assess the given option?
- What consequences are expected in case of not choosing the given option?

Analyze how each of the options may help or harm women or men. Predict the consequences of not applying gender-sensitive options for women and men.

When elaborating the options and assessing their advantages, applicability and efficiency, consider the opinions of women and men. Develop a monitoring and evaluation plan on the impact of your program on women and men.

Step five: developing a communication strategy

This phase is related to the method of informing the stakeholders about different outcomes of the problem solution process and understanding whether the information is equally available for women and men.

It is crucial to decide how to express gratitude for participating in the process of developing options for women and men.

Use such communication strategies, which involve both women and men.

Align the gender aspects of your program, when promoting it.

Underline the contribution of women and men to the drafting and evaluation of the program.

Step six: assessing the quality and results of the conducted analysis

The assessment of quality and results of the analysis will provide answers to the following questions:

- Is the given program well-justified in terms of gender?
- Has it identified any gender-related issues, which were not covered by the program and how can they be solved?
- Has the program resulted anyhow in emergence of gender-related contingencies?

Hence, the gender analysis shall give an opportunity to assess the efficiency of a community development program, to understand how the program reflects the needs and demands of women and men and to what extent it ensures equal opportunities for reaching the defined goals and results of the program.

CHAPTER V

ELECTIONS OF LOCAL SELF- GOVERNMENT BODIES

5.1. Who can be elected as a community council member or as a head of the community?

Any citizen of the Republic of Armenia above the age of 25 who has the right to vote, has been registered in the given community's population register for at least six months prior to the election day, may be elected as head of community and member of the community council.

SHARING THE KNOWLEDGE

In accordance with Article 2 of the RA Electoral Code:

1. Citizens of the Republic of Armenia who have attained the age of 18 on the day of the voting shall have the right to vote in the Republic of Armenia. Persons who do not have citizenship of the Republic of Armenia have the right to vote in elections of local self-government bodies in case they have been registered in population register of the given community for at least six months prior to the day of elections.
2. Rights and obligations of the citizens of the Republic of Armenia in elections of local self-government bodies presented by this Electoral Code also refer to people who have the right to vote in elections of local self-government bodies.
3. Citizens declared by court judgement as lacking active legal capacity, as well as those sentenced to imprisonment by a final court judgement and serving their sentence in a penitentiary institution may not vote or be elected.
4. Military servicemen undergoing compulsory military service or training musters, detained or arrested persons, as well as citizens not registered in the Republic of Armenia may not participate in the voting in local self-government elections and National Assembly elections under the majoritarian electoral system.

5.2. How to participate in the elections?

The elections include three stage

1. Preparation of documents and registration, development of election campaign.
2. Implementation of the election campaign.
3. Analysis and summary of the campaign outcomes.

EXERCISE

Aim of the exercise

- Introduce the stages of campaign organization to candidates running for the first time.
- Ensure exchange of experience between the newcomers and experienced nominees.
- Highlight the importance and efficiency of teamwork for the candidate.
- Teach how to plan the election campaign and prepare a programme.
- Teach the candidate how to prepare for his/her pre-election speech.

Exercise organization

Divide the participants into groups. Each group should nominate one candidate for the head of community. The team should help him/her go through all the above-mentioned stages.

Stage one: preparation of documents for registration.

- Legal overview: introduction to the Electoral Code (20 minutes; disseminate the copies of relevant legislative articles, sample applications, decision on registration, ballot papers – all prepared in advance).
- The participants fill in the necessary documents (20 minutes).
- They submit the papers to the “electoral committee”.

The trainer informs that the first stage is over, and announces the start of the second, the most difficult stage.

Stage two: implementation of the election campaign (30 minutes):

- Preparation of the electoral campaign.
- Development of the election programme.
- Preparation of the pre-election speech.
- Organization of meetings with the voters.

Pre-election speeches should take only 5-7 minutes. The group may prepare leaflets and election posters. The team must also speak and present their candidate. They also need to prepare a press-release for the media.

Then the participants of the exercise should select the “most successful presentation” and move to the third stage which will also help sum up the exercise.

Stage three: summing up the material; analysis and summary of the campaign outcomes (30 minutes).

This assignment focuses on active participation of not only the candidate nominated by the group, but the whole team as well. It would be good to have in each group at least one person with prior experience of participation in LSG elections and the necessary expertise. After organizing the elections each group should carry out analysis and present the strengths and weaknesses of their campaign.

SHARING THE KNOWLEDGE

The RA Electoral Code contains articles that cover any type of elections, including the elections of LSG, and articles referring to LSG only. Appendix 1 lists the articles of the RA Electoral Code which cover the elections in general, while Appendix 2 quotes articles on the LSG only.

Appendix 1

Articles on elections from the RA Electoral Code

Article 18: Basic Principles for Pre-Election Campaign

1. The period of pre-election campaign is the time during which regulations on using the public resources, carrying out propaganda and ensuring financial transparency specified by this electoral code are applied, in order to provide equal opportunities for the candidates.

The defined period of pre-election campaign shall not limit the carrying out of campaign during another period, unless it is banned by this Electoral Code.

The period of pre-election campaign shall start on the seventh day following the deadline set by this Electoral Code for registration of the candidates and electoral lists of parties, and shall end a day prior to the day of voting. Campaign carried out during this period shall be referred to as pre-election campaign.

Any campaign on the voting day and the day preceding it shall be prohibited.

2. The state shall ensure the free implementation of pre-election campaign. It shall be ensured by the state and the local self-government bodies by providing halls and other premises for pre-election meetings, meetings of voters with candidates and other election-related events. These shall be provided to parties and party alliances running for elections by proportional system on an equal basis and free of charge, in accordance with the procedures defined by the Central Electoral Commission.
3. No later, than 20 days after assigning the national elections and elections of Yerevan community council, the regional governor and Yerevan mayor shall submit to the Central Electoral Commission the list of halls and premises that are provided to parties and party alliances running for elections by proportional system free of charge. The list is published on the website of the Central Electoral Commission.
4. Voters, candidates, parties and party alliances running for elections by proportional system shall have the right to campaign for or against any candidate, party or party alliance in ways not prohibited by law.
5. Candidates, parties and party alliances running for elections by proportional system can establish election offices after elections are set. Election offices cannot be situated in buildings occupied by state

and local self-government bodies (except for the cases when the election offices are located in premises which do not belong to the mentioned bodies), as well as in buildings where the electoral commissions operate. According to this Electoral Code, the signboards placed on the election offices are not viewed as printed campaign materials, unless they include direct calls to vote for or against any candidate, party (party alliance). Their number should not exceed the number of polling stations established for the elections, and each slogan (sign) area should not go beyond 6 sq. meters.

6. It is forbidden to conduct pre-election campaign and to disseminate any kind of campaign documents to:
 - 1) state and local self-government bodies, as well as state and municipal servants, the pedagogical staff of educational institutions while performing their powers;
 - 2) members of the Constitutional Court, judges, prosecutors, police officers, officials of the National Security Service, penitentiary institutions, and military servicemen;
 - 3) members of the electoral commission.
7. During the pre-election campaign, as well as on the voting day and the day preceding it, candidates, parties and party alliances are banned from giving, (promising) – personally, on their behalf or through other means - money, food, bonds, goods or delivering (promising) services to citizens free of charge or on privileged terms. The charity organizations the names of which may be likened (associated) with the names of parties, party alliances and candidates cannot carry out charity activities during the pre-election campaign in communities where the elections are held with participation of the mentioned candidates, parties, party alliances or candidates nominated by them.
8. Candidates, parties and party alliances running for elections by proportional system, as well as other participants of the elections shall be required to observe the defined procedures for organizing their pre-election campaign. Adherence to the established procedures for pre-election campaign shall be monitored by electoral commissions. If any candidate, party or party alliance running for elections by proportional system violates these procedures, the electoral commission that has registered the electoral list of the given candidate, party or

party alliance shall notify the authorized agencies in order to prevent such violations, or, issue warning to the violating candidate, party or party alliance providing a reasonable term no longer than three days to eliminate the violation. In case the violation is not stopped, the commission shall take the case to court asking to cancel the registration of the electoral list of the candidate, party or party alliance. In case of a violation of the established procedure of the pre-election campaign by a candidate, party or party alliance which may have significant impact on the outcome of the elections, the electoral commission that has registered the electoral list of the given candidate, party or party alliance shall take the case to a court to nullify the registration of the electoral list of the candidate, party or party alliance.

9. Candidates who are under arrest or detention shall conduct their pre-election campaign through their proxies in election processes. For that purpose, during the pre-election campaign candidates who are under arrest or detention shall have the right to meet with no more than three of their proxies for up to two hours per day at the place of their arrest or detention, respectively.

Appendix 2

Articles on LSG elections from the RA Electoral Code

Article 130. Electoral System

1. In the election of the head of community, a single-mandate majoritarian constituency shall be formed in the territory of the community.
2. One multi-mandate majoritarian constituency shall be formed in the territory of the community for the community council elections.
3. The community council shall consist of:
 - 1) five members if the community has up to 1000 voters;
 - 2) seven members if the community has from 1000 to 2000 voters;
 - 3) nine members if the community has from 2000 to 4000 voters;
 - 4) 11 members if the community has from 4000 to 10000 voters;
 - 5) 15 members if the community has from 10000 to 70000 voters;
 - 6) 21 members if the community has more than 70000 voters.

Article 133. Nomination of community candidates and council member candidates

1. Parties can nominate candidates for the head of community and the community council by the decision of their relevant territorial (original, local) units; also, citizens eligible to be elected can nominate themselves by submitting an application, the form of which is established by the Central Electoral Commission.
Also, a party can nominate a person who is not a party member, as candidate for the head of community and community council member.
2. The decision of a party's relevant territorial (original, local) unit on nominating a candidate for the head of community and the community council, and the application of a self-nominated candidate shall include the name of the community and the following information about the candidate:

- 1) surname, name, patronymic,
 - 2) date of birth,
 - 3) registered address,
 - 4) place of employment and position (occupation),
 - 5) party affiliation; also, they can include details of up to two proxies of the candidate (surname, name, patronymic, date of birth, ID number, place of employment and position (occupation)).
3. Along with the decision of a party's relevant territorial (original, local) unit or the application of a self-nominated candidate, candidates running for the head of community and the community council submit the following documents to the district electoral commission:
- 1) a receipt proving the payment of the electoral deposit. The amount of the electoral deposit shall be as follows: in communities with up to 1000 voters - 50 times the minimum wage for community leader candidates and 10 times the minimum wage for council member candidates; in communities with 1000 - 2000 voters - 100 times the minimum wage for community leader candidates and 15 times the minimum wage for council member candidates; in communities with 2000 - 4000 voters - 150 times the minimum wage for community leader candidates and 20 times the minimum wage for council member candidates, in communities with 4000 - 10000 voters - 300 times the minimum wage for community leader candidates and 30 times the minimum wage for council member candidates; in communities with 10000 - 70000 voters - 500 times the minimum wage for community leader candidates and 70 times the minimum wage for council member candidates, and in communities with over 70000 voters the electoral deposit makes 1000 times the minimum wage for community leader candidates and 100 times the minimum wage for council member candidates;
 - 2) a certificate proving that the candidate has been registered in the population register of the given community for the past six months;
 - 3) the copy of the ID card.

4. The form of the certificate defined in point 2 of part 3 of this article shall be established by the Central Electoral Commission. This certificate shall be provided by the state authorized body within three days after relevant application is received, but no sooner than the elections are assigned.
5. The state authorized body shall make a decision to refuse to provide this certificate to the applicant, if the relevant information does not comply with the requirements, specified in parts 1 and 2 of Article 132 of this Electoral Code, respectively.
6. The registration documents shall be submitted by the candidates or their proxies only, within the terms specified by this Electoral Code.
7. In case of errors, corrections, or typos identified in the documents submitted for registration of candidates for the head of community and the community council member, the district electoral commission shall be obliged to inform the applicants about it in order to correct the mistakes, as well as correct the apparent mistakes and typos in the submitted documents personally, in the presence of the applicant.

The commission has no right to refuse to accept the submitted documents only because they contain such errors, corrections, or typos. The provisions of this part do not refer to correcting mistakes, corrections, or typos in the documents which are, by legislation, subject to correction by the bodies that have accepted or provided them.

In case the submitted documents contain inaccuracies specified in the second paragraph of this part, or if the documents submitted with the application are incomplete, the district electoral commission gives 48 hours to the applicant to correct the mentioned inaccuracies and submit comprehensive documents. Registration of the candidate shall be rejected if the inaccuracies are not corrected, or the documents are still incomplete within this period of time.

Article 134. Registration of community head and council member candidates

1. Candidates for the head of community and community council member shall be registered by the decision of the district electoral

commission. The candidate shall be registered provided there are no objections with regard to registration by the members of the district electoral commission.

2. The candidate and his/her proxy shall have the right to attend the meeting of the district electoral commission which discusses the issue of the candidate's registration.

Article 140. Pre-election funds of candidates of head of community or community council member

1. A candidate running for the head of community in a community with over 10000 voters shall establish a pre-election fund to carry out a pre-election campaign.
2. A candidate running for a community council member and head of community in a community with over 10000 voters shall establish a pre-election fund, if he/she shall use (can use) the sum exceeding the amount of over 500 times the minimum wage for financing the pre-election campaign via the mass media, lease of halls and premises, development (installation) of election posters, purchase of printed and other campaign materials, preparation of all types of propaganda materials provided to the voters (included the printed ones).
3. The pre-election fund shall be made up of voluntary contributions described in Article 25 of this Electoral Code.

In communities with up to 10000 voters, a candidate running for the head of community or a community council member shall have the right to contribute to their pre-election fund in the amount of up to 150 times the minimum wage, and the party that has nominated him/her - in the amount of up to 200 times the minimum wage.

In communities with over 10000 voters, a candidate running for the head of community or a community council member shall have the right to contribute to their pre-election fund in the amount of up to 500 times the minimum wage, and the party that has nominated him/her - in the amount of up to 1000 times the minimum wage.

4. Any natural person may contribute to pre-election fund of a candidate in the following amount:

- 1) 50 times the minimum wage in communities with up to 10000 voters;
 - 2) 100 times the minimum wage in communities with over 10000 voters.
5. A candidate for the head of community shall have the right to spend up to the following amount during the pre-election campaign for financing the pre-election campaign via the mass media, lease of halls and premises, development (installation) of election posters, purchase of printed and other campaign materials, preparation of all types of propaganda materials provided to the voters (including the printed ones):
- 1) 3000 times the minimum wage in communities with up to 4000 voters;
 - 2) 7000 times the minimum wage in communities with 4000 - 10000 voters;
 - 3) 15000 times the minimum wage in communities with 10000-70000 voters;
 - 4) 25000 times the minimum wage in communities with over 70000 voters.

The candidate for the community council member shall have the right to spend up to the following amount:

- 5) 500 times the minimum wage in communities with up to 4000 voters;
- 6) 1000 times the minimum wage in communities with 4000 - 10000 voters;
- 7) 3000 times the minimum wage in communities with 10000-70000 voters;
- 8) 5000 times the minimum wage in communities with over 70000 voters.

APPENDIX 3

Information support

1. Ahead of elections, it is vital to create a positive image of you as a candidate. To this end:
 - assess your strengths and weaknesses, skills and experience in the community;
 - your education degree, origin, and family;
 - you should have imposing appearance and trustworthy speech.
2. You should be aware of the society's expectations regarding you. Organize a survey to find out this.

Surveys are not an end in themselves. They are necessary to:

- find out what people are thinking about,
- define the priority issues,
- identify the approximate number of your supporters and the “hesitating” ones who still might vote for you.

The questions can be open-ended and closed-ended. Open questions expect a full answer from the respondent, like “Which are the concerns of the upcoming elections?” Closed questions give the voters an opportunity to choose from a number of options. This is an easier way to get information; in addition, this can indirectly guide the people. For instance:

Please mention the issues that are of greatest importance to you.

- Opening of daycare nurseries or improvement of their service quality,
- proper arrangement of waste disposal,
- improvement of water supply quality,
- development of local transportation quality.

Or:

- Presence of women will boost the quality of work of the community council.

agree/disagree/not sure

- Female members of the community council are more diligent.

agree/disagree/not sure

- Corruption risks are less with regard to female members of the community council.

agree/disagree/not sure

It is easier to develop an election programme having the survey results at hand. The programme should have the following structure:

- What prompted you to run for the LSG leader or community council member?
- What programmes do you plan to implement; what's your goal?
- Which are your priority issues?
- How are you going to tackle these problems?

Following all this, prepare your election programme which should include the following:

- present your analysis of the real situation,
- formulate answers to the following five questions in one or two sentences:
 1. What's going on in the community?
 2. Who is responsible for this?
 3. Which are the spheres that face problems most of all?
 4. When did these problems emerge?
 5. Why did they emerge?
- Present only real and checked facts.
- Present your vision for settling the main issues.

You have only five minutes, and you should manage to communicate the main statements of your programme. Therefore, you have to do the following:

- single out two-three major points of the programme,
- communicate the main message you want to present, highlight it at the end of your speech,

- have notes at hand,
- quote examples from your personal experience and interesting episodes to render your ideas,
- cite proverbs to draw attention to the main part of your message,
- statistical data should be clear, comprehensible and easy to memorize. For instance, prefer saying “every third” to “33%”,
- try to build your speech on positive ideas rather than the negative ones,
- use simple wording,
- address the voters directly.

What to do during your speech:

- be calm and friendly,
- present yourself clearly,
- speak evenly,
- express the main idea.

What not to do during your speech:

- make haste,
- be long,
- be negative.

The press-release must be brief. It must comprise the following:

- start of the pre-election campaign,
- the name of the candidate,
- the strategy of the candidate, including a brief list of issues which are important for the voters,
- important meetings and events,
- choose a catchy slogan to draw the reporters' attention,
- give the journalists full contact details, i.e. name, surname and telephone number to provide feedback.

When dealing with the mass media, keep in mind the following:

- the time schedules of publishing houses and radio and TV stations,
- relations with journalists should be mutually beneficial,
- find out in advance the political views of the journalists you are going to meet,
- remember that your excessive frankness may be used against you.

What should the support team provide during the pre-election campaign?

- create the candidate's image; ensure publicity,
- ensure the contact between the society and the candidate,
- clarify the key points of the candidate,
- provide neutralization or opposition of other candidates,
- inform the society about the virtues of the candidate,
- present the candidate's programmes and proposals to the society (if you want to show that your candidate will deal with this or that issue, you should be well aware of the views and wishes of the voters in these fields),
- present the female candidate positively and identify her advantages as compared to a male rival. Hence you should be informed about the social opinion on advantages and shortcomings of male and female candidates. Try to run the election campaign by focusing on strong features of women.

APPENDIX 4

EXTRACTS FROM INTERNATIONAL DOCUMENTS

I Appendix to Recommendation Rec (2003)3 of the Committee of Ministers to member states on balanced participation of women and men in political and public decision-making

For the purpose of this recommendation, balanced participation of women and men is taken to mean that the representation of either women or men in any decision-making body in political or public life should not fall below 40%.

1. Consider adopting legislative reforms to introduce parity thresholds for candidates in elections at local, regional, national and supra-national levels;
2. In case of proportional lists, consider the introduction of a system where male and female candidates would appear alternately on party lists (known as the "zipper system").

Supportive measures

1. Support and develop women's political action by providing the opportunity for women elected representatives to network at the local, regional, national and international levels.

II Congress of Local and regional Authorities of the Council of Europe, Recommendation 148 (2004) on gender mainstreaming at local and regional level: a strategy to promote equality between women and men in cities and regions

Promote awareness raising about the importance and effectiveness of gender mainstreaming in the media and through education at all levels.

III PACE Recommendation 1676 (2004) Women's participation in elections

There are two factors jeopardizing the full-fledged participation of women in the elections:

- in a number of European countries, some women are being prevented from freely casting their own vote by such undemocratic practices as "family voting";

- in nearly all European countries, women continue to be under-represented in elected office.

Set the objective to increase the minimum representation of women in parliament and other elected assemblies to the level of at least 40% by the year 2020, in particular by:

- adopting legislative reforms to introduce parity thresholds for candidates in elections at local, regional, national and supranational levels;
- instituting gender-neutral quotas for required numbers of female and male candidates on party lists. Double quota (e.g. “zipping”) systems are especially recommended because they ensure greater likelihood for women's victory in the elections;
- taking action through the public funding of political parties in order to encourage them to promote gender equality;
- ensuring equal access to the media by male and female candidates and encouraging media professionals to give equal visibility to female and male candidates and elected representatives in the media, especially during election periods.

IV Declaration: Making gender equality a reality **119th session of the Committee of Ministers of the Council of Europe** **(Madrid, May 12, 2009)**

I. Eliminate the structural causes of power imbalances between women and men, including in political, public and economic decision-making process at all levels.

II. Ensure economic independence and empowerment of women by guaranteeing that equality is respected on the labour market and economic life. This will be possible by eliminating discrimination generally, and in particular that emanating from gender stereotypes, and by guaranteeing an equal pay for equal work or work of equal value.

III. Address the need to eliminate established stereotypes by investing further in gender mainstreaming in education and research including gender focused research to ensure that both women and men achieve their full economic and social potential.

IV. Eradicate violations of the dignity and human rights of women through increased and effective action to prevent and combat gender-based violence against women, provide the necessary assistance and support for all victims and prosecute the perpetrators.

V. Integrate a gender equality perspective in governance by ensuring openness, transparency, participation of all relevant stakeholders as well as real accountability in the process of achieving full gender equality.

And to this end:

1. Take the following steps which, in fact, are of major importance for abolishing obstacles to the achievement of gender equality:
 - identify the structural causes of inequalities which affect women, including women affected by multiple forms of discrimination and take the necessary social and economic measures for their eradication;
 - eliminate gender stereotypes, responsible for the underutilisation of human resources and which are an obstacle to self-realisation of women and men; take any special measures to address and overcome stereotypes in education and encourage the professionals and actors in the media and communication sector to convey a non-stereotyped image of women and men respectful of human rights, including gender equality;
 - create necessary conditions for a secure life in the private and public spheres by preventing and combating all forms of violence against women;
 - raise awareness among women and men of the need to eradicate violence which is a threat to peace, security, human rights and democracy in line with the provisions of UN Security Council Resolutions 1325 (2000) and 1820 (2008);
 - take the necessary measures to guarantee an equal sharing of responsibilities between women and men and create conditions favourable to the reconciliation of private and family life with professional life through a fair and balanced distribution of resources taking into account the different situations in women's and men's lives;
 - encourage men to participate actively in the discussions and activities aimed at achieving gender equality in all spheres of life.

V Recommendation 288 (2010) “Achieving sustainable gender equality in local and regional political life” of the Congress of Local and Regional Authorities of Europe (18th session, Strasbourg, March 17-19, 2010).

2. Moreover, the Congress considers that governments are primarily responsible for ensuring the promotion of equality between women and men. Local and regional authorities at all levels of governance, however, are responsible and must be involved in the defence and achievement of this equality and in the process of social and cultural change that it demands.
3. Accordingly, the Congress recommends that member states reinforce the ability of national, regional and local authorities to carry out gender equality policies, in particular by means of:
 - legislation requiring the authorities to take the gender dimension into account in their activities at all levels, assessing the impact and publishing this assessment (equality indices);
 - assistance, including financial aid, to enable municipalities and regions to introduce gender mainstreaming into their departments, possibly through special programmes geared to promoting a society based on sustainable gender equality via fair distribution of powers, resources and services of equal value between women and men;
 - incentives to women to become and remain involved in political life and accede to responsibilities, as well as measures to help them stand for election (establishing quota systems and ensuring their implementation, combined with other types of positive action);
 - based on the financial support of awareness raising campaigns, provision of positive media analysis about female candidates in the elections,
 - parity at all levels within the public administration, clear anti-discrimination messages and resources earmarked for developing specific tools and training, respect for equality in civil service careers and training of civil servants responsible for preparation of gender budgeting.

BIBLIOGRAPHY

Tumanyan, D., Gimishyan, S., Amyan, K., Tumanyan, L., Optimization of the administrative-territorial division of the Republic of Armenia and the development of local self-government, Yerevan, 2003, 38 pages.

Karapetyan V., Participation in the community management. Armenian budgetary analyses programme. Handbook (draft), Yerevan, 2003, 23 pages.

Reforms of local self-government in Armenia: Policy options and ways. Collection of national conference materials. Yerevan, 2004, 398 pages.

Development paths for the local self-government system of the Republic of Armenia, (ed.) Tumanyan, D., Yerevan, 2005, 109 pages.

Local self-government in Armenia: dictates of development, (ed.) Tumanyan, D., Yerevan, 2005, 59 pages.

Tumanyan, D., Local self-government in the Republic of Armenia. Yerevan, 2006, 124 pages.

General picture of communities and their classification in Armenia. Report on community survey programme, Center for economic development and studies, Yerevan, 2006. 48 pages

Darbinyan, A., Yeghiazaryan, B., and others, Rural communities of the Republic of Armenia, Information support, analyses and typologies, Yerevan, 2007, 25 pages.

Ghazaryan, E., Ten years of the local self-government system in the Republic of Armenia, Yerevan, 2007, 72 pages.

Gimishyan, M.-S., Comments on the Law of the Republic of Armenia on Local Self-government, Yerevan, 2009, 116 pages.

Tumanyan, D., Shahbazyan, V., Participatory democracy on local level. Why and how to participate in the local self-government. Manual/Community Finance Officers, Yerevan, 2011, 172 pages.

The local self-government in Armenia. 2011, (ed.) Tumanyan D., Book 5, Yerevan, 2012, 178 pages.

Participatory management, Manual for the authorities, Yerevan, 2011, 54 pages.

Strategic approaches to the further development of the local self-government and decentralization of power in the Republic of Armenia, Yerevan, 2012, 26 pages.

Participation for the sake of changes. Results of qualitative research. "Kovkas" scientific research center, Yerevan, 2012.

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