

Strengthening institutional
frameworks for local governance

ARMENIA

Handbook on Transparency and Citizen Participation

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ARMENIA
Handbook on Transparency
and Citizen Participation

Strengthening institutional frameworks for local governance

Council of Europe

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Four handbooks were produced with country-specific information for Armenia, Georgia, the Republic of Moldova and Ukraine. They aim to preserve and share the lessons learnt and best practices identified during the implementation of the above mentioned project, which is supported by the national associations of local authorities.

The research work and writing of this *Handbook* was carried out by Mr Tim Hughes, Director of The Involve Foundation, and Mr Armen V. Grigoryan, national consultant for Armenia. The overall co-ordination was ensured by the Department of Co-operation and External Relations of the Secretariat of the Congress of Local and Regional Authorities of the Council of Europe.

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FOREWORD

Governments can only function effectively if they enjoy the trust of their citizens. Local governments, municipalities and their civil servants have a crucial role in trust-building and participatory decision-making, since they have a certain degree of autonomy over the distribution of resources, play an intermediary role with regard to national governments, and represent the first interface between citizens and elected representatives. The professionalism and integrity of these governments and local administrations and their ability to function in a transparent, responsive and accountable manner will doubtlessly lead to enhanced, fair and equitable services to citizens. Local and regional elected representatives therefore must act as role models in the areas of public ethics, transparency and participatory decision-making.

However, we cannot ignore the fact that local authorities, as any public authority, are susceptible to corruption, which poses a major threat to the legitimacy of democratic institutions, as well as to the degree of trust that citizens place in their representatives. Threats such as the lack of transparency and poor public ethics are problems faced by all levels of government, including the local and regional levels. They affect citizens, governments and businesses alike and pose a threat to the universal access to basic services and local development. The fight against corruption needs to remain a long-term priority for local and regional governments and their associations. Concerted preventive action is paramount in order to foster economic growth, improve living conditions and develop citizens' trust.

As the decentralisation of power advances, the quality of local governance becomes even more decisive. Therefore, along with the introduction of criminal law provisions against corruption, it is essential to promote public ethics, transparency and participatory decision-making in order to reduce the risk of corruption and boost the citizen confidence in local and regional authorities. The Congress of Local and Regional Authorities of the Council of Europe took a firm step in the promotion of ethical governance by adopting, in 1999, the European Code of conduct for the political integrity of local and regional elected representatives. An advisory group was recently established to revise this Code and update it to address the new challenges, including new forms of communication, the impact of digital technology, the respect for the privacy of data, and to enlarge the scope of its application to all actors involved in local and regional governance, and not just elected officials.

The Congress is committed to promote ethics and transparency at local and regional levels as an essential component of enhancing the quality of local and regional democracy, one of the key priorities for the period 2017-2020. With that aim it set "Ethics and Transparency at local and regional level" as the theme for its two plenary sessions in 2016, and in October 2016 adopted a "Roadmap of activities for preventing corruption and promoting public ethics at local and regional levels". One of the objectives of this roadmap is to deepen our understanding of the various risks and forms of corruption

that exist at the local and regional levels. In that perspective the Congress recently adopted reports on the abuse of administrative resources in election campaigns as well as on preventing corruption in public procurement, and is currently preparing reports on conflicts of interests, the protection of whistle-blowers, nepotism in the recruitment of staff, and transparency and open government.

As a sign of its political determination to tackle this issue, the Congress has appointed a spokesperson on promoting public ethics and preventing corruption at the local and regional levels, Mr Herwig Van Staa, along with a substitute spokesperson, Mr Andreas Galster. In 2017, during the 33rd session of the Congress, it also brought to the fore the important perspective of young people and open government in the fight against corruption. This is a comprehensive and long-term approach to corruption prevention, including through the co-operation activities of the Congress of which this Handbook is just an example, which sends a clear signal of our intention to make this a priority activity for the years to come.

The attitudes and expectations of our citizens with regard to public governance are changing. We are witnessing a growing mistrust toward public institutions and their representatives. In this regard, effective mechanisms for the implementation and compliance with standards of conduct are essential to renew the confidence in public administration. Preventing corruption, reducing its risks, and developing effective, accountable and transparent institutions at all levels are key components of just and inclusive societies.

With this in mind, this *Handbook on transparency and citizen participation in Armenia* is aimed at local authorities, mayors, local councillors and civil servants, to support them in their efforts to improve the quality of local governance in their villages, towns and cities. The *Handbook* will provide local authorities with practical guidelines on transparency and citizen participation, identifying the relevant international standards and national legislation, and providing case-law examples and best practices which it recommends be applied and promoted by all Armenian local authorities.



Andreas Kiefer

Secretary General

Congress of Local and Regional Authorities

PURPOSE AND STRUCTURE OF THE HANDBOOK

Transparency and citizen participation are key tools in the development of good governance. Both help to create the conditions for citizens to understand and evaluate the decisions which the government is taking on their behalf, as well as to ensure that their own needs and views are taken into account in the decision-making process.

Effective transparency and participation can help to drive out corruption and government malpractice. They are also more positive tools as they help produce the conditions for increased trust. Finally, they also help governments to draw on the skills and experience of citizens to enable better decision making and the delivery of more effective public services.

This *Handbook on Transparency and Citizen Participation in Armenia* aims to support local authorities in their efforts to improve the quality of local governance. It provides them with practical guidance on transparency and citizen participation, based on the Council of Europe principles and with reference to the general international standards and particular national legislation.

To fulfil its purpose as a practical reference guide to support local authorities in their daily work, the *Handbook on Transparency and Citizen Participation in Armenia* includes country-specific information about anti-corruption legislation, transparency policies and citizen participation mechanisms. In particular, the user of this *Handbook* is provided with a straightforward look at relevant national legislation, a concise assessment of the most prevalent corruption risks, and a set of best practices to introduce and implement transparency and citizen participation mechanisms.

The *Handbook* is structured in four main chapters:

■ CHAPTER 2 – Ethics and Public Accountability

This chapter highlights the importance and challenges of ethics and public accountability in Armenia. Moreover, it is emphasised how essential they are for an effective, transparent and participatory self-governance.

■ CHAPTER 3 – Corruption Risks

This chapter introduces the most common corruption risks identified in Armenia and outlines relevant international anti-corruption standards, along with the national legal framework for each form of corruption. In addition, this chapter is supported with examples of case law related to each corruption risk.

■ CHAPTER 4 – Transparency

This chapter introduces five transparency mechanisms, which have been selected to represent the diversity of approaches to transparency. Each mechanism includes an

introductory description and an outline of international standards. This is followed by four sections summarising key national laws and presenting practical guidelines and best practices which may serve as examples for local authorities in their efforts to enhance transparency.

■ **CHAPTER 5 – Citizen Participation**

This chapter introduces five citizen participation mechanisms, which have been selected to represent the diversity of approaches to citizen participation. Following the same structure as in the previous chapter, it includes an introductory description for each mechanism and outlines relevant international standards. This is followed by four sections summarising key national laws and presenting practical guidelines and best practices which may serve as examples for local authorities in their efforts to foster and improve citizen participation.

ETHICS AND PUBLIC ACCOUNTABILITY

2.1. INTERNATIONAL CONTEXT

Ethics and public accountability are essential features of an effective local or regional authority. They refer to the culture, processes, structures and rules that ensure those in public office act in the wider public interest, rather than their own self-interest. They are an essential feature of good governance, and apply equally to organisations in the private and civil society sectors, as well as public authorities.

Ethics are the rules that define the conduct of public officials¹ in order to ensure that the public is treated fairly and with equality. Ethics can help officials make better decisions in the public interest, as well as help people evaluate the decisions taken on their behalf by public officials.

Public accountability ensures that officials are openly answerable for the decisions they are taking on behalf of the public.

In the absence of ethics and public accountability, corruption and malpractice is able to thrive. As outlined in the following section, corruption is damaging to individuals, society, the economy and government in a number of respects. Ethics and public accountability can help curb the worst excesses of power, and encourage more responsible and fairer decision making by local authorities.

Even where corruption is not endemic, the absence of ethics and public accountability can be corrosive to public trust in government, public institutions and officials. While the relationship between both ethics and public accountability is complex, when done well, they can help to build and strengthen trust between the public and government.

On the other hand, ethics and public accountability can also play a much more positive role. They recognise that citizens and other stakeholders have much value to offer in decision making. They can help to ensure that their personal experiences, expertise, knowledge and scrutiny add value to, and strengthen, decisions taken by government and public officials.

Finally, effective ethics and public accountability are also key elements of improving public services. This is based on the idea that public services that are more responsive and accountable to people - and benefit from their insights, ideas, energy and scrutiny - will work better for people.

Taken together, ethics and public accountability help to ensure that decision making and resource allocation are fair, efficient and effective, which in turn helps to enable a flourishing democracy, economy and society.

Transparency and citizen participation are important mechanisms for promoting ethics

and public accountability in national and local government. A recent report for the European Committee of the Regions on “Preventing Corruption and Promoting Public Ethics at the Local and Regional Level in Eastern Partnership Countries” found that lack of transparency was the main vulnerability in all of the cases assessed.² This handbook outlines a range of transparency and citizen participation mechanisms that can be adopted by local and regional authorities.

2.2. NATIONAL CONTEXT

Public trust towards government very much depends on the government’s accountability and ethics. In Armenia, the development of those mechanisms can increase public trust and help national and local governments successfully implement policies.

The Armenian citizens consider *«corruption/bribery as one of the three biggest problems that its government should address»*.³ To address this issue, national and local governments should develop mechanisms of accountability and ethics. These mechanisms can decrease corruption and bribery and increase trust towards government. The Commission on Ethics of High-Ranking Officials of Armenia as well as the Law on Public Service are efficient mechanisms, but those are not enough to solve the existing concerns. Additional mechanisms are necessary to increase accountability, and local governments have major role on developing and implementing such mechanisms.

CORRUPTION RISKS

In the absence of ethics and public accountability, corruption and malpractice is allowed to thrive, which undermines the foundations of a peaceful, prosperous and just society.

Corruption is a major challenge to democracy and the rule of law. It results in decisions and resource allocation that do not reflect the interests of the public and concentrates political power in the hands of the few. It in turn causes political leaders and institutions to lose legitimacy and public trust, which reduces their ability to govern.

Corruption also causes local and regional authorities to be inefficient and ineffective in exercising their duties. It results in decisions being made not on the basis of what is in the interests of society at large, but what is in the self-interests of the decision maker and their associates. It leads to public money being misspent, with contracts being awarded to inferior providers and budgets being misallocated. At its worst, it enables public officials to misappropriate money and resources, using their position to get rich to the cost of those they have a duty to serve.

Corruption can also result in public officials being appointed on the basis of favouritism rather than merit, meaning that local and regional authorities do not have access to the brightest and best talent. This in turn creates a fertile environment for further corruption and reduces even more the efficiency and effectiveness of the administration.

Inefficient and ineffective organisations, staffed by individuals who gained their position on the basis of something other than merit, result in poor quality public services and infrastructure, thereby eroding public trust and the legitimacy of public institutions. More importantly, however, it results in significant human costs, including poverty, deaths, illness, and restricted life chances.

Finally, corruption harms economic development. It leads to public money being directed to uncompetitive businesses, rather than those that offer more innovative or cheaper products and services. Uncompetitive markets, coupled with the negative impact of corruption on the quality of local public services and infrastructure, means that businesses do not have a solid foundation (of staff, security, investment, etc.) on which to build. In the end, this may cause private and international investors to avoid investing in an area.

3.1. BRIBERY

Bribery is the promise, offer, acceptance or solicitation of a personal advantage (e.g. gift, loan, reward, favour, etc.) in exchange for an unethical or illegal action. Bribery results in decisions not being taken in the public interest, which reduces public trust in institutions and leads to poor public services.

International standards

The following international conventions and standards relate to bribery:

- The **OECD Convention on Combating Bribery of Foreign Public Officials in International Business Transactions**⁴ establishes legally-binding standards to criminalise bribery of foreign public officials in international business transactions. It is the first and only international anti-corruption instrument focused on the 'supply side' of the bribery transaction.
- The **International Anti-Bribery Standard 37001**⁵ specifies a series of measures to help organisations prevent, detect and address bribery.
- The **OECD Good Practice Guidance on Internal Controls, Ethics, and Compliance**⁶ which supports the convention on combating bribery.

National context

More than a third of Armenian citizens involved in recent research consider «*corruption/ bribery as one of the three biggest problems that its government should address*» and almost two thirds of citizens believe that «*the government is not doing enough to tackle corruption*». ⁷ Armenia is ranked negatively with regards to corruption, along with the Republic of Moldova, the Russian Federation, Serbia, Lithuania, Ukraine and Bosnia and Herzegovina. «*These countries are marked by high perceptions of corruption among members of parliament, high bribery rates and a negative social environment for engaging in anti-corruption actions*». ⁸

National legislation

The Criminal Code of Armenia sets a number of penalties for cases of bribery. Article 311 of the said code states that an official in receipt of a bribe should be punished with a fine amounting from 300 to 500 times the minimum salary, or imprisonment of up to five years, and are also barred from holding certain positions or engaging in certain activities for a maximum term of three years. Article 312 states that providing a bribe to an official is punishable by a fine amounting from 100 to 200 times the minimum salary, or with the arrest for a term of one to three months, or imprisonment for a term of up to three years. The law also states that the bribe-giver is exempted from criminal liability if he/she informs the authorities no later than three days after the bribery has taken place and also helps to disclose the crime. ⁹

Examples of case law

In 2015, a representative of the Ministry of Territorial Administration was accused of bribery. He was accused of asking a citizen to pay a bribe in order to approve a construction permit without undergoing the obligatory checks. During the payment of the bribe, which amounted to AMD 70 000 (€125), he was arrested and sentenced to one year in prison and was barred from holding a public administration position for two years.¹⁰

3.2. CONFLICT OF INTEREST

A conflict of interest is where an individual is in a position to derive personal benefits from the actions or decisions they take in an official capacity. Conflicts of interest – either if they are actual, perceived or potential¹¹ result in decisions that are, or are considered to be, unfair and self-interested. This reduces public trust in institutions and results in worse outcomes for the public.

International standards

- The **Council of Europe's Recommendation on Codes of Conduct for Public Officials**¹² covers the general issues normally thought to be necessary for avoiding such conflicts.
- The **OECD's Guidelines for Managing Conflict of Interest in the Public Service**¹³ identify principles and standards for developing policies. Its **Checklist for Enhancing Integrity in Public Procurement**¹⁴ provides a guide for promoting integrity in procurement.

Conflict of interest is also covered by the following international standards and guidelines:

- The **United Nations Convention against Corruption**¹⁵ is the only legally-binding universal anti-corruption instrument.
- It is supported by this **Technical Guide to the Convention**.¹⁶
- The **Council of Europe's Criminal Law Convention on Corruption (ETS No. 173)**¹⁷ aims to co-ordinate criminalisation of corrupt practices and to improve international co-operation in the prosecution of offences.
- The **Council of Europe's Civil Law Convention on Corruption (ETS No. 174)**¹⁸ defines common international rules for effective remedies for persons affected by corruption.
- The **European Union's Convention against Corruption Involving Officials**¹⁹ aims to fight corruption involving officials from the EU or its Member States.

- The **Council of Europe's Conflicts of Interest at Local and Regional Level report**²⁰ looks at the effectiveness of Conflict of Interest rules, policies and standards at the subnational level.

National context

On 9 January 2012, the Commission on Ethics of High-Ranking Officials of Armenia was established in accordance with the Law on Public Service of Armenia. The mission of the Commission is to build trust among citizens towards public institutions, to contribute to the implementation of good governance as well as to ensure transparency and accountability of high-ranking officials' activities in Armenia.²¹

The main functions of the Commission are:

- Maintenance of the declaration register of high-ranking officials;
- Analysis and publication of income and property declarations;
- Detection of conflict of interests and violations of ethics rules by high-ranking officials in the cases foreseen in the Law on Public Service; and,
- Providing recommendations on their elimination and prevention.²²

National legislation

The Law on Public Service states that in the case of conflict of interest, the public servant should inform the management about the incident and information detailing the incident should be submitted in written form. The public servant should not take any action before receiving instructions from the management team.²³

There have been cases where NGOs have applied to the Commission to investigate the actions of public servants, but the Commission usually concludes that there is no conflict of interest.

Example of case law

On 26 July 2013, the Transparency International Anti-corruption Center in Armenia filed an application to the Commission to investigate a potential conflict of interest of a mayor of Yerevan concerning two actions:

- Whether the mayor was in a position of conflict of interest or if such a risk of conflict of interest was present at the time of increasing public transport fares, as the owners of public transportations companies were reported to have some relationships with the mayor; and,
- Whether the mayor used his official position and authority in managing investments in Yerevan.²⁴

The Commission found that the evidence collected as a result of its investigation, including the defendant's explanation, provided no grounds to conclude that the Mayor of Yerevan or the people related to him were owners or participants of any of the organisations having licenses to transport passengers.²⁵

3.3. EXTORTION

Extortion is the use of coercion to obtain money, goods, services or some other advantage from an individual or institution. Beyond the damage it does to the victim, extortion reduces public trust in government and can discourage business growth and investment in the area.

International standards

As one type of corruption, extortion is covered by the following international standards and guidelines:

- The **United Nations Convention against Corruption**²⁶ is the only legally-binding universal anti-corruption instrument.
- It is supported by this **Technical Guide to the Convention**.²⁷
- The **Council of Europe's Criminal Law Convention on Corruption (ETS No. 173)**²⁸ aims to co-ordinate criminalisation of corrupt practices and improve international co-operation in the prosecution of offences.
- The **Council of Europe's Civil Law Convention on Corruption (ETS No. 174)**²⁹ defines common international rules for effective remedies for persons affected by corruption.
- The **European Union's Convention against Corruption Involving Officials**³⁰ aims to fight corruption involving officials from the EU or its Member States.

National context

Armenia is included in the Global Corruption Barometer 2016, which assesses the general public's experience and attitudes towards corruption in countries around the world.³¹ Only 14% of the respondents of the survey in Armenia rated the steps taken by the Armenian Government to handle the fight against corruption as fairly well or very well, whereas 65% of the respondents rated those steps as very badly or fairly badly.³²

National legislation

The Criminal Code of Armenia defines forcing the electorate to vote in favour of a particular candidate or political party and forcing people to participation in elections as criminal acts. It also defines the abuse of official power of local authorities as a criminal

act. Article 308 of the law states that the misuse of official position or the non-fulfilment of his/her official duties for mercenary or personal interest, or for group interests, which have caused substantial harm to the rights and legitimate interests of individuals or persons is punished with a fine. The fine may be in the amount of 200 to 300 times the minimum salary, or deprivation of the right to hold certain positions or practice certain activities for a term of up to five years, or with arrest for the term of two to three months, or with imprisonment for the term of up to four years.³³

Example of case law

On 4 December 2015, the Prosecutor General's Office of Armenia initiated criminal investigations against an employee of the Kentron district administration of Yerevan, based on evidence submitted by the Head of the Armenian National Congress.³⁴ The abovementioned employee, who had also been a member of the precinct electoral commission for over 10 years, was arrested because he offered a bribe to a National Congress Party member (who was a member of electoral commission).³⁵ He was sentenced to three years of conditional imprisonment.³⁶

3.4. FRAUD

Fraud is the use of deceit in order to gain an unfair or illegal advantage. Fraud erodes public trust in government and reduces the capacity of government to act. It often results in the loss of public money, which harms public services and the ability of governments to address the public's needs and aspirations.

International standards

As one type of corruption, fraud is covered by the following international standards and guidelines:

- The **United Nations Convention against Corruption**³⁷ is the only legally-binding universal anti-corruption instrument.

It is supported by this **Technical Guide to the Convention**.³⁸

- The **Council of Europe's Criminal Law Convention on Corruption (ETS No. 173)**³⁹ aims to co-ordinate criminalisation of corrupt practices and to improve international co-operation in the prosecution of offences.
- The **Council of Europe's Civil Law Convention on Corruption (ETS No. 174)**⁴⁰ defines common international rules for effective remedies for persons affected by corruption.
- The **European Union's Convention against Corruption Involving Officials**⁴¹ aims to fight corruption involving officials from the EU or its Member States.

National context

Public trust in elections in Armenia is very low. According to a Gallup survey in 2011, only 13% of women and 12% of men believed in the honesty of elections.⁴² The OSCE Office for Democratic Institutions and Human Rights (ODIHR) final report on the 2017 parliamentary elections in Armenia urged authorities and political parties to increase public trust in elections.⁴³

National legislation

Article 23 of the Electoral Code of Armenia places restrictions on election campaigns for candidates who are civil servants. The code states that candidates who are civil servants shall not campaign when undertaking official duties. They also cannot abuse official position in the interest of their party. The law also restricts the use of resources that are given to public officials to implement their official duties.⁴⁴

Article 178 of Criminal Code of Armenia states: «*Swindling, i.e. theft of a significant amount or misappropriation of somebody's property rights by cheating or abuse of confidence, is punished with a fine in the amount of 300 to 500 minimum salaries, or correctional labour for 1-2 years, or with arrest for the term of up to 2 months, or with imprisonment for the term of up to 2 years.*».⁴⁵

Article 22 of the Law on Combating Money Laundering and Terrorism Financing requires from reporting entities to maintain records of «*customer identification data, including the data on the account number and turnover, as well as business correspondence data [...] for at least 5 years following the termination of the business relationship or completion of the transaction.*».⁴⁶ If the reporting entity fails to meet the requirements of Article 22, it will «*result in a warning and an assignment to eliminate the violation, or a fine equal to the 600-fold amount of the minimum salary*», as set forth in Article 30, paragraph 4, of the above-mentioned law.

Example of case law

Before the 2017 Parliamentary elections on 24 March, the Union of Informed Citizens announced that a few of its activists, posing as senior Republican party representatives, telephoned the directors of 136 schools and kindergartens in and out of Yerevan, and revealed that 114 of them admitted to drawing up lists of pupils' parents, as well as schoolteachers and staff, who promised to support the ruling Republican Party in the upcoming elections.⁴⁷

The Prosecutor General's Office (PGO) of Armenia formed a working group on the issue and investigated the 114 cases separately. After the investigation, the PGO concluded that only one of 114 recordings contained criminal elements. The other mentioned recordings did not contain criminal elements, and therefore they are under the jurisdiction of other authorised bodies.⁴⁸ Later, that one case was also dismissed on the grounds that the school director's actions did not constitute a crime.⁴⁹

3.5. CLIENTELISM

Clientelism is the promise and acceptance of a personal benefit (e.g. gift, loan, reward, favour, job, etc.) in exchange for political support. It is often based on an unequal relationship between a patron (e.g. political leader) and client (e.g. voter). Clientelism results in decisions that reflect the special interests of a few, rather than the wider public interest, leading to unfair and unjust outcomes.

International standards

As one type of corruption, clientelism is covered by the following international standards and guidelines:

- The **United Nations Convention against Corruption**⁵⁰ is the only legally-binding universal anti-corruption instrument.
- It is supported by this **Technical Guide to the Convention**.⁵¹
- The **Council of Europe’s Criminal Law Convention on Corruption (ETS No. 173)**⁵² aims to co-ordinate criminalisation of corrupt practices and to improve international co-operation in the prosecution of offences.
- The **Council of Europe’s Civil Law Convention on Corruption (ETS No. 174)**⁵³ defines common international rules for effective remedies for persons affected by corruption.
- The **European Union’s Convention against Corruption Involving Officials**⁵⁴ aims to fight corruption involving officials from the EU or its Member States.
- The **Council of Europe’s Governance Committee report, Nepotism (Recruitment of Staff)**⁵⁵ sets out standards for good practice and presents strategies for preventing corruption in the recruitment procedures of local and regional governments.

National context

In Armenia, clientelism is considered a governing problem. For example, on 28 October 2017, the online media CivilNet published a video report that investigated the president administration’s service provider companies, one of which being related to a deputy head of President’s administration.⁵⁶ Representatives of the state usually give financial support to a patron in exchange for some special benefits. The Law on Public Service tries to regulate some aspects of clientelism but overall there are many loopholes and there are not concrete enforcement mechanisms.⁵⁷

National legislation

The Law on Public Service bans public servants from using their official position to provide actual benefits or privileges to political parties, including religious groups. As regards nepotism, it also bans public servants from working with their close relatives (parent, spouse, child and sibling).⁵⁸ Article 311-2 of the Criminal Code of Armenia bans the use of real or alleged influence of personal or group interests. Such kind of actions is punished with fines of 200 to 400 times the minimum salary, or with imprisonment for a maximum term of three years.⁵⁹

Example of case law

On 8 December 2014, the Court of General Jurisdiction of Kentron and Nork-Marash Administrative Districts returned a verdict accusing a former head of the State Social Security Service of the Armenian Ministry of Labour and Social Affairs of abuse of public office for private gain and embezzlement of AMD 267 million from the state budget.⁶⁰

TRANSPARENCY

4.1. ACCESS TO INFORMATION

Access to information is the legal right for citizens to request and receive information from public authorities. It is often enacted by Freedom of Information legislation.

Access to information supports accountability along with informed public participation in decisions, and is therefore fundamental for the effective functioning of democracies.

International standards

Access to information is a fundamental component of a number of the conventions and standards against corruption listed elsewhere in this handbook. It also underpins a number of key UN human rights documents. The following specifically relate to Access to Information:

- The **Council of Europe's Convention on Access to Official Documents**⁶¹ affirms an enforceable right to information.
- The **Aarhus Convention**⁶² grants rights, including access to information, in decisions concerning the environment.

National context

The Constitution and legislation of Armenia provide a wide range of mechanisms for access to information. These mechanisms are widely used by media and civil society organisations. Citizens and civic activist groups also use these mechanisms to access information, but not so often. According to research conducted by the Freedom of Information Center of Armenia (FOICA) on the right to freedom of information in local self-government bodies, 70% of the information requests sent to municipalities and village administrations were answered properly. Usually, requests for access to information are made by NGOs. As a matter of example, in 2009, the Administrative Court fined the head of the community of Yelpin AMD 50 000 (€89) for not providing information to FOICA. This was the first case where the court required the public servant to pay a fine from his personal account.⁶³

National legislation

The Constitution of Armenia gives citizens the right to freedom of information. Article 42 of the Constitution states: «Everyone shall have the right to freely express his or her opinion. This right shall include freedom to hold one's own opinion, as well as to seek, receive and

*disseminate information and ideas through any media, without the interference of state or local self-government bodies and regardless of state frontiers».*⁶⁴

The Law on Mass Media gives basic rights to journalists who work for mass media organisations to operate without unwarranted restrictions. It reaffirms the constitutional right to seek, receive and disseminate information. The law prohibits censorship, the interference in «*the legitimate professional activities of a journalist*», and the disclosure of sources without a court order for the purpose of disclosing information pertaining to serious crimes.⁶⁵

National guidelines

The Freedom of Information Center of Armenia published guidelines for civil servants entitled *How to use the Law on Freedom of Information*.⁶⁶ According to the guidelines, everyone, regardless of their citizenship, has the right to receive and impart information. The institutions responsible for providing information are any state institution, local self-government body, state organisation, state-funded organisations and the official representatives of all the above-mentioned institutions.

The guidelines also explain the availability of information and the responsibility of state institutions to provide information as well as cases when requests for information can be refused. Those cases can be related with requesting information about state or bank secrets or violating the principle of personal data. In addition, the guidelines provide toolkits on how and where to apply in case the information is not provided.

Examples of best practice

The decisions of the councils of elders and heads of communities in Armenia were electronically posted in PDF format on their respective official websites and didn't allow for an effective search engine, making it difficult for users to find the legal acts they needed. In this regard, the Ministry of Territorial Administration and Development, along with regional governors' offices (*marzpetarans*), considered convenient to add the regulatory legal acts adopted by the councils of elders and heads of communities into the Armenian Legal Information System (www.arlis.am). Thanks to this portal, which constitutes a single unified legal information system, users can access all decisions and acts adopted at local level through the tab "Acts of Local Self-Government Bodies". This initiative, which increases transparency and accountability at the local level, was implemented under the framework of the Third Action Plan of the Open Government Partnership (2016-2018).⁶⁷

4.2. OPEN DATA

Open data is the publication of data and information in a format that may be freely used, modified and shared. The OECD states that open data is «*a set of policies that promote transparency, accountability and value creation by making government data available to all*». By making data generated through the activities of public bodies available, government becomes more transparent and accountable to citizens. It also supports business growth and the development of services centred on citizens.

International standards

Open data is a relatively new phenomenon without officially endorsed standards. However, a number of useful guidelines exist:

- The **Council of Europe's Open data for better public services recommendation**⁶⁸ explains its importance for improving local democracy.
- The **United Nations Guidelines on Open Government Data for Citizen Engagement**⁶⁹ introduce policy guidelines and good practice recommendations.
- This **World Bank Toolkit**⁷⁰ starts from the basics, through to planning and implement, as well as avoiding common pitfalls.
- The **Five Star Open Data Deployment Scheme**⁷¹ provides five steps to fully opening data, explaining the costs and benefits of each.
- The **International Open Data Charter**⁷² sets out six principles for open, timely and interoperable government data.

National context

Currently in Armenia, the accumulated and released open data of many state institutions makes up quite a large volume. There are a number of databases which have considerable potential to help anti-corruption and civic journalistic investigations such as the "Purchases made by one person"⁷³ and the Commission on Ethics of High-ranking Officials.⁷⁴ Journalists and researchers can use open data to carry out independent investigations and research.⁷⁵

National legislation

According to the Law on the Budgetary System, the budget formulation and approval process should be open. The Law states that after presenting the draft law on the state budget to the National Assembly, the Government should publish the budget within three days, with the exception of issues containing state secrets. The debate on the draft state budget in the National Assembly is covered by state media, again with the exception

of issues containing state secrets. The Law requires local self-government bodies to publish draft community budgets in the local press within three days of submitting the draft to the Council of Elders.⁷⁶ The Law on Local Self-Government requires communities with a population exceeding more than 3 000 residents to have a website and to publish the budget and its reports on the website.⁷⁷

National guidelines

In October 2014, the Digital Rights NGO, with the support of The Open Society Foundations, published policy guidelines on personal data protection.⁷⁸ The guidelines provide practical information on national and international practices and policies in the protection of personal data, making references to national and international instruments. In addition, the publication includes a set of European models and practical recommendations for the Armenian context.

Examples of best practice

A good example of publicly known open data is the state interactive budget,⁷⁹ which visually presents budget categories. Local self-government institutions have also copied this tool for presenting budgets. For example, the Yerevan municipality⁸⁰ and the Compass NGO in Gyumri⁸¹ already publish interactive budgets, and state institutions (for example the President's office⁸²) have copied the model.

Another example is the website of the State Committee of the Real Property Cadastre (www.e-cadastre.am), an open data electronic system to search information on real state and land registries from 1 January 2012 onwards. The site is designed to provide e-services by the Committee, including online submission of applications and related documents for state registration of real property rights and restrictions. Therefore, this constitutes another example of how open data and electronic tools increases transparency and increases citizens' access to public services.

4.3. DISCLOSURE: DECLARATION OF ASSETS AND CONFLICT OF INTEREST

Disclosure is the act of routinely publishing certain information, sometimes required by law. It can support anti-corruption measures by requiring the routine publication of assets and declarations of conflict of interest, for example. It can also be for more positive reasons, such as to support policy making, or by ensuring that the public are better informed and therefore able to contribute more effectively.

International standards

Disclosure is an important element in the conventions and standards against corruption listed elsewhere in this handbook. Of particular relevance are:

- The **Council of Europe Code of Conduct**⁸³ requires private interests to be declared.
- The **OECD's Managing Conflict of Interest in Public Service: Guidelines and Country Experiences**⁸⁴ provides practical instruments for modernising conflict-of-interest policies.
- The **OECD's Asset Declarations for Public Officials: A Tool to Prevent Corruption**⁸⁵ identifies the key elements of asset declaration systems.

National context

The legal framework concerning disclosure and conflict of interest, as well as the prohibition or restriction of certain activities of public servants and high-ranking public officials, was mainly formed in 2010s in Armenia. The Law on Public Service was approved in 2011, and the Commission on Ethics of High-Ranking Officials of Armenia was established in 2012. This legal framework, along with the said Commission, requires civil servants and high-ranking public officials to disclose conflicts of interest. There is also a need to develop a code on disclosure at local level.

Usually, NGOs take the role of watchdogs by monitoring the level of disclosure available and required, and reporting to different ethical committees of state institutions. The state institutions concerned have started to respond more actively to the requests made by NGOs.

National legislation

Article 95 of the Constitution states that *«a Deputy may not hold any position, not related to his or her status, within state or local self-government bodies, or any position within commercial organisations, engage in entrepreneurial activities or perform other paid work, except for scientific, educational and creative work»*.⁸⁶ The Law on Rules of Procedure of the National Assembly states that in the case of a breach of any of the provisions of Article 95 of the Constitution, which also applies to the members of the Central Electoral Commission, the TV and Radio Commission, the Audit Chamber and the Board of the Central Bank, their membership may be terminated on the basis of the conclusion of the Committee on Ethics of High-Ranking Officials in the manner prescribed by the Article.⁸⁷

National guidelines

In 2015, the Transparency International Anticorruption Center in Armenia published a report containing analysis and recommendations on the legislation regulating conflict of interest in the public service sector in Armenia.⁸⁸ The report suggests a number of recommendations concerning assets and conflict of interest declarations and recommends creating:

- a united mechanism for all state bodies to address conflict of interest;
- a mechanism to cancel the decisions under a conflict of interest;

- a law which will ban persons connected to public officials to participate in the tenders launched by the institutions those public officials work in.

Examples of best practice

Usually NGOs take the role of watchdog and apply to different ethical committees of state institutions on disclosure. Those state institutions have started to more actively respond to the requests of NGOs.

Within the Second Action plan of the Open Government Partnership, the project entitled 'Ensuring transparency of asset and income declarations of the RA high-ranking officials' has led to the publication of declarations of high-ranking officials on the webpage of the Commission on Ethics of High-Ranking Officials (www.ethics.am). The Commission also expanded the list of available public data in order to improve access to information and ensure transparency of declarations of property and income of high-ranking officials.⁸⁹

4.4. EXTERNAL AUDIT

External audit is the regular, independent scrutiny of accounts and financial information to ensure that public money is used appropriately and effectively. External audits are undertaken in accordance with the relevant laws and rules of the country to support those external to government to hold it to account. External audit can also look beyond finances to assessing the performance of government against its own objectives, or in providing programmes and services.

International standards

- The **International Public Sector Accounting Standards**⁹⁰ focus on the accounting, auditing, and financial reporting needs of national, regional, and local governments, related governmental agencies, and the constituencies they serve.
- The **International Standards of Supreme Audit Institutions**⁹¹ website contains a complete collection of professional standards and best practice guidelines for public sector auditors.
- A number of the conventions and standards for combatting corruption include provisions and clauses relating to external audit.

National context

In Armenia, the audit of state institutions is conducted by the Audit Chamber. The mission of the Audit Chamber is to perform high-quality external state control, which aims to prevent violations from happening in the areas of public funds and property management, thus improving efficiency.⁹²

National legislation

According to the Armenian Constitution, the Audit Chamber is «an independent state body, which conducts audit, in the field of public finance and ownership, over the lawfulness and effectiveness of the use of the State Budget and community budget funds, loans and credits received, as well as state- and community-owned property. The Audit Chamber is entitled to conduct inspections of legal persons only in the cases prescribed by law».⁹³

The Law on Internal Audit⁹⁴ defines the principles, nature, scope, basic rights and obligations of the internal audit participants, as well as regulates basic relations related to the organisation and operation of the internal audit. This law states that, at local government level, the internal audit system is carried out under the subordination of the head of the community.

National guidelines

In 2008, the World Bank published a report on the observance of standards and codes on *Accounting and Auditing in Armenia*. The report assessed financial reporting and auditing requirements and practices within the enterprise and financial sectors in Armenia. It also recommended a set of standards which should encourage greater transparency in state enterprises, thus allowing the public at large to assess management performance and influence its behaviour.⁹⁵

Examples of best practice

There are no mechanisms and requirements for local government bodies to conduct external or internal audit for budget implementation. However, according to the Law on Self-Government of Armenia, the communities which have more than 3 000 residents should have a website where they should publish the budget and budget implementation reports. These mechanisms create opportunities for civil society and citizens to audit budget. For example the Gyumri municipality co-operates with the Compass NGO to publish an interactive budget and engage citizens in auditing and watchdogging the budget.

4.5. CODE OF CONDUCT

A code of conduct sets out specific standards of professional behaviour expected in a host of situations and provides public officials with guidance for handling them. In addition, codes of conduct bring in transparency and public accountability in governmental operations.

Codes of conduct are usually confused with codes of ethics, which establish basic principles to which public servants must abide, such as integrity, selflessness and openness, among others. A code of conduct applies and implements the code of ethics to the particular circumstances of an institution.

Well-designed codes of conduct and ethics will help meet the growing expectations from the public, business leaders and civil society, and places an onus on governments to ensure high ethical standards amongst public officials and elected representatives. As such, they can support the development of trust between the public and government institutions and officials.

International standards

- The **Council of Europe Code of Conduct**⁹⁶ is the reference text for local and regional authorities in Europe for ensuring political integrity.
- This **OECD paper on Implementing Effective Ethics Standards in Government and the Civil Service**⁹⁷ provides practical mechanisms for institutionalising high standards of ethical integrity for elected officials and civil servants.
- The **Council of Europe's Abridged Handbook on Public Ethics at Local Level**⁹⁸ provides a high-level overview of good practice in public ethics.

National context

The establishment of codes ethics and conduct is a relatively new initiative in Armenia. The National Assembly and other state institutions started forming bodies which are responsible for enforcing codes of ethics and conduct for public officials. In the long run the proper function of the Commission on Ethics of High-Ranking Officials may become a major tool for increasing ethics and public accountability. Also ethics committees operating on local self-governance bodies may trigger more transparency and public accountability.

National legislation

The Constitution of Armenia deals with only one issue regarding code of ethics. Article 107 of the Constitution states that ad hoc committees may be established upon decision of the National Assembly for the discussion of issues relating to parliamentary ethics, and for the submission of opinions to the National Assembly.

According to the legislation of Armenia, the institutions regulating the code of ethics of public servants in Armenia are:

- The National Assembly Code of Ethics standing committee;
- The Commission on Ethics of High-Ranking Officials;
- The Commission on Ethics of Constitutional Court;
- The Ethics and Disciplinary Committee of the General Assembly of Judges;
- The Ethics Committee adjunct to the Prosecutor General;
- Ethics Committees operating in the national and territorial bodies of the executive branch;
- Ethics committees operating in local self-governance bodies.⁹⁹

Local self-governance bodies can establish and enforce codes of ethics on a voluntary basis.

National guidelines

A 2015 report containing analysis and recommendations on the legislation regulating conflict of interest in the public service sector in Armenia puts forward a set of recommendations concerning code of ethics for state institutions. The report recommends the formation of a united ethics committee with equal representation by the three branches of government. It also recommends the creation of a uniform standard for the function of ethics committees in different state institutions. For local self-governance bodies and other institutions, it suggests the creation of a representative staff committee or an institution which would be responsible for ethics.¹⁰⁰

Examples of best practice

The implementation of code of ethics and conduct in Armenia is a new phenomenon. Local self-government bodies usually don't have enough resources to establish new commissions to monitor their implementation or even in many cases are not aware of such standards. Therefore, there is a lack of examples of best practice in Armenia as regards the implementation of a code of conduct or ethics at local level.

At a national level, there are some recent examples. For instance, in February 2016, a deputy of the National Assembly addressed journalists using profane words. Three Armenian NGOs working to protect the rights of journalists applied to the Code of Ethics Committee of the National Assembly requesting the Committee to investigate the case. The Committee investigated the case and concluded that the deputy violated the ethical principle of conducting duties respectfully.¹⁰¹

CITIZEN PARTICIPATION

5.1. COMPLAINTS MECHANISMS

Complaints mechanisms allow citizens to provide feedback to public authorities on the standards of services they receive. They provide an important accountability mechanism which allow civil servants and elected officials to identify where public services are being delivered ineffectively or inefficiently. When such mechanisms deal with complaints quickly, they can help to create the conditions for increased trust. If used proactively, complaints mechanisms can also help governments to identify new ideas and increase citizen participation.

International standards

There are no specific international standards for complaints mechanisms relating to public services. However, there are a number of civil society guidelines and handbooks which are helpful. See for example:

- The **Danish Refugee Council's**¹⁰² handbook describes how to setup and manage a complaints mechanism.
- The **World Vision** overview of the tools and mechanisms used by development agencies to receive complaints.¹⁰³
- The **Transparency International** note on good practice in establishing community complaints mechanisms.¹⁰⁴

National context

There is a strong need to develop complaints mechanisms for local government bodies, which can increase public trust towards those institutions. As the local government is the first contact point for citizens in accessing public services, it is important to deal with them in accordance with the principles of transparency and openness. Complaints mechanisms can help to highlight potential problems, to resolve them and to improve local government services.¹⁰⁵

National legislation

In Armenia there are no specific legal provisions requiring the establishment of complaints mechanisms for local government, but it is necessary for local self-government bodies to form such mechanisms in order to improve accountability, and engage citizens in

detecting issues and improving service for them. Local self-government bodies should therefore adopt complaint mechanisms on a voluntary basis.

National guidelines

Currently there are no concrete settings for the establishment of complaints mechanisms, as those mechanisms should be adapted to the local context, taking into consideration factors such as cultural norms, existing institutions, social patterns, etc. Even though there are no concrete settings for developing a complaints mechanism, there is broad a consensus on key principles which suggest that the mechanism should be transparent, independent, accountable, accessible, safe and easy to use.¹⁰⁶

According to a set of guidelines published by the Government of Ireland, a «*complaint form should be relatively easy to complete and information requirements should be kept to a minimum*». In addition, the mechanism should «*make it as easy as possible for members of the public to make a complaint*». Local authorities should make every effort possible to publicise complaints mechanisms.¹⁰⁷

It is worth mentioning here a reference guide on best practices for the implementation of effective complaint mechanisms made by Transparency International.¹⁰⁸ The purpose of this document is to set out guiding principles and good practices for establishing and implementing complaint mechanisms which provide safe channels for citizens to alert a public or private institution about any corruption risks or incidences.

Example of best practice

There are a few successful examples of using complaint mechanisms to increase efficiency and public trust towards local governments. For example, in the United Kingdom, Local Government and Social Care Ombudsman uses complaint mechanisms to increase the efficiency of the services that local public institutions provide to citizens. The Ombudsman's website (www.lgo.org.uk) provides all necessary information for submitting complaints.¹⁰⁹ There is also a section on the website which provides top tips for making a complaint.¹¹⁰

5.2. OPEN POLICY MAKING

Open policy making is a broad term describing policy development which is transparent and participatory. It describes a way of making policy and decisions which draw on the latest analytical tools and are interactive in nature. There is no one-way to do open policy making: different policy decisions will need different approaches.

International standards

Although there are no specific open policy making standards, the following provide a useful starting point:

- The **Council of Europe's Guidelines for civil participation in political decision making**¹¹¹ sets out standards for engaging with citizens and civil society.
- The **OECD's Guiding Principles**¹¹² support the development of a culture of openness.
- The **OECD's Focus on Citizens: Public Engagement for Better Policy and Services**¹¹³ explores how to put open policy making into practice.
- The **OECD's Observatory of Public Sector Innovation**¹¹⁴ lists useful toolkits and resources.
- The **Open Government Partnerships Guide**¹¹⁵ and **Toolkit**¹¹⁶ provide an extensive range of support.
- Both **Australia**¹¹⁷ and **the UK**¹¹⁸ have both produced useful **toolkits**.

National context

The institutions of open policy making and public engagement are in formation process in Armenia. The Government has taken steps to reform the policy-making process to be more transparent.

In the autumn of 2011, the Armenian Government joined the Open Government Partnership (OGP) initiative and displayed readiness to ensure transparency and accountability in the provision of public services. The Government also took responsibility to engage the public in policy-making processes.¹¹⁹

In 2016, the Government launched a website (www.e-draft.am) where drafts of legal acts written by governmental bodies are made available on an online platform specially designed for their publication. The website allows for the presentation of drafts of legal acts to the public, organising online discussions, and as a consequence the active participation of representatives of civil society in the law-making process. The registered users are able to present their suggestions, and see the suggestions that are adopted and the justifications given for those that are rejected.

National legislation

The Law on Local Self-Government requires that the public be kept informed about the sessions of the Council of Elders. The Law states that at least seven days before the regular session of the Council of Elders, the head of the community should publish the draft agenda of the council meeting, indicating the venue and the scheduled date and time of the session.

In addition, the Law defines citizen participation in local governance as a major principle. According to the Law, any citizen who is above 16 years old has a right to participate in local governance. In order to ensure their participation, the head of the community has to include in the community's five-year development programme the creation of a community-based consultative body.¹²⁰

National guidelines

In October 2014, the OSCE Office for Democratic Institutions and Human Rights (ODIHR) published the *Assessment of the Legislative Process in the Republic of Armenia*.¹²¹ The assessment is a situational analysis of the formal procedures and the actual practices in the Republic of Armenia that apply to the preparation, drafting, enactment, publication and communication of legislation. The report recommends the Government consider introducing procedures which will ensure a comprehensive and consistent process for civil society consultations on draft laws. It also recommends the National Assembly consider and assign a more active role to parliamentary committees in shaping legislation.¹²²

Examples of best practice

The Law on Public Organisations was adopted with the active engagement and participation of civil society. With the support of USAID and Counterpart International, a working group of civil society organisations was formed which actively worked with government to reform the law. Civil society organisations' inputs evolved over seven years with a high level of participation at all stages, from the initial concept stage right through to the drafting of the law and the parliamentary review of the legislation, when around 60 out of 70 recommendations put forward by civil society organisations were adopted and featured in the final law adopted by the National Assembly.¹²³

5.3. PARTICIPATORY BUDGETING

Participatory budgeting began in Porto Alegre, Brazil in the late 1980s and has spread worldwide. It provides a way for community members to have a direct say in how public money should be spent. It creates opportunities for engaging, educating, and empowering citizens. It can also promote transparency, which in turn can help reduce inefficiency and corruption.

International standards

Although there are no specific standards for implementing participatory budgeting, the following provide a useful starting point:

- The **OECD Policy Brief No. 22**¹²⁴ provides a series of policy recommendations for how key stakeholders can contribute to successful participatory budgeting.
- The **World Bank's book *Participatory Budgeting***¹²⁵ provides an overview of the underlying principles, analyses current practice and includes seven in-depth case studies.
- The **UN Habitat's 72 Frequently Asked Questions about Participatory Budgeting**¹²⁶ explores how to implement participatory budgeting.

- The **UK's Participatory Budgeting Unit** has a useful list of resources and toolkits.¹²⁷
- The **Subnational Open Budget Survey Questionnaire**¹²⁸ of the International Budget Partnership sets out a range of metrics for measuring the openness of local government budgets.
- The **Principles of Public Participation in Fiscal Policy**¹²⁹ of the Global Initiative for Fiscal Transparency.

National context

Citizen and civil society participation in the state budget-making process is limited. There are no concrete mechanisms prescribed by the Law on State Budget to engage stakeholders in budget making. Instead, there are concrete participatory budget-making mechanisms in the Law on Local Self-Governance.

National legislation

The Law on Local Self-Government provides mechanisms for public participation. Article 84 of the Law states that the head of the community should ensure the participation of community members in the formation of the annual budget, and should also ensure the creation of a consultative body adjunct to the head of the community which will consist of residents, experts and other stakeholders.¹³⁰

National guidelines

The 2015 report *Support for the consolidation of local democracy in Armenia* gives guidelines on how to engage citizens and civil society organisations in the priorities identified in the community budget and how they can have a role in the allocation of resources. It teaches taxpayers to work with the government to help contribute towards making budget decisions that affect their lives. According to the guidelines, the public benefits of local authorities and civil society organisations working together are that local authorities are able to collect good ideas and suggestions for better solutions, and citizens develop a sense of responsibility towards public goods and the community.¹³¹

Example of best practice

On 1 November 2016, the Gyumri-based Civil Youth Centre NGO presented a number of suggestions to be included in Gyumri's five-year development plan and also in Gyumri's city budget. Thirteen of the suggestions were included in the final plan. The suggestions included lightening up the city, putting new waste containers in the streets and adding new bus stations in the city.¹³² The active participation of civil society helped the municipality more efficiently target priorities and develop participatory governance.

5.4. PUBLIC CONSULTATION

Public consultation is a formal, often legally required, process for citizens and other stakeholders to give their views at key stages of the policy process. It can be both online and offline, or a mixture of both. Its main goals are to improve efficiency, transparency and public involvement in important decisions. Done in a timely and effective way, public consultation will increase the quality of decision making, improve compliance, reduce enforcement costs and support greater public trust in decision making.

International standards

Although there are no specific standards for implementing public consultations, the following provide a useful starting point:

- The **OECD Background Document on Public Consultation**¹³³ defines consultation and provides a summary of consultation tools.
- The **Council of Europe's Guidelines for civil participation in political decision making**¹³⁴ set out the different types of civil participation in decision making.
- The **Council of Europe's Recommendation Rec(2001)19 on the participation of citizens in local public life**.¹³⁵

National context

Public participation in the law-making process in Armenia is a *«growing but ineffective»* process. The ministries publish draft laws on the official website for public consultations (www.e-draft.am), but the suggestions are not usually taken into serious consideration.¹³⁶ Effective consultation would help policy makers to engage citizens in the policy-making process, to increase the capacity of implementation and to gain public trust, which is crucial for policy making.

National legislation

According to the Rules of Procedure of the National Assembly (NA), the President of the NA and the parliamentary committees are authorised to *«organise hearings at which those whose interests are affected by draft legislation can make their views known, but the practice is not institutionalised»*.¹³⁷

The Law on Legal Acts requires consultation with the public, which create opportunities to participate in law-making processes. Civil society consultation is undertaken by displaying the draft law on the government's website and on the websites of the relevant ministries, and sometimes also by means of parliamentary hearings. Of all the tools relevant to ensuring good quality legislation, public consultation seems to be the one that is currently the least anchored in the legislative process.¹³⁸

National guidelines

On 22 January 2015, the Government of Armenia approved the Methodological Guidelines on Drafting Concepts, Strategies and Action Plans.¹³⁹ The guidelines require the state bodies to organise public consultations with the engagement of citizens and legal persons on the above-mentioned procedures. The guidelines also seek to gather opinions from citizens and legal persons, which will be taken into consideration in the drafting of concepts, strategies and programmes.

Examples of best practice

With the support and advice of the Council of Europe through the project 'Local initiatives on ethical governance and transparency',¹⁴⁰ the Tashir and Aygepat communities started live broadcasting the meetings of the Council of Elders, which increased the quality of discussions. Now the councillors are more active in engaging in discussions and expressing their positions on issues at stake. The Tashir community even went further and, in co-operation with a local NGO, established and institutionalised a youth council, defined a consultation mechanism between citizens and local authorities and allocated funds from the municipal budget to the youth council so that it can implement their initiatives.

5.5. PUBLIC PETITIONS

Public petitions enable citizens to raise issues with public authorities. The number of signatures collected can indicate the level of support for the issues being raised. They aim either to raise the profile of the issue, or also to demand that specific actions are taken. Petitions are often inspired by civil society activity, but they are increasingly submitted through official, often online, platforms whereby petitions with a defined number of signatures will receive an official response.

International standards

■ The **OECD's Promise and Problems of e-Democracy**¹⁴¹ provides a section on the value and challenges of establishing an online petitioning platform.

National context

Around 70% of Armenia's population are active internet users. Besides, 680 000 citizens are actively using social media from mobile devices.¹⁴² Internet coverage enables citizens to promote and engage in local government activities via different mechanisms. Among them, public petitions are one method by which local authorities can engage more systematically with citizens.

National legislation

Article 53 of the Constitution of Armenia states that «everyone shall have the right to submit, either individually or jointly with others, petition to state and local self-government bodies and officials and to receive an appropriate reply within a reasonable time period». The Constitution provides a mechanism for citizens to initiate constitutional change and propose, upon popular initiative, draft laws to the National Assembly. Article 202 states that if 200 000 citizens (who have the right of suffrage) sign a petition, the right to initiate the constitutional amendment process will be given. Article 109 states that citizens shall be entitled to propose, upon popular initiative, a draft law to the National Assembly if 50 000 citizens sign a petition. Article 204 prescribes how citizens can overcome the National Assembly's rejection of the adoption of the draft law submitted by civic initiatives. If an additional 300 000 citizens join the initiative of adopting draft law, then the draft law is put to a referendum.¹⁴³

According to the Law on Local Self-Government, residents of a community can start a petition to bring any community level issue to the agenda of the Council of Elders. In order for the issue to be included on the Council's agenda, the initiative should gather the signatures of 1% of the community's population if there are less than 10 000 residents in the community, and 2% if there are more than 10 000 residents. The residents should gather the signatures on paper and send them to the head of the community.

National guidelines

In 2015, the European Association of Local Democracy together with the Local Democracy Agency Foundation Armenia published a set of guidelines on citizen participation.¹⁴⁴ The guidelines bring the example of Georgia where public petitions are stipulated by law, which enables citizens to increase their level of participation in policy making. In Armenia usually citizens use Change.org to organize petition and promote policy changes.

Example of best practice

The Compass NGO developed a website in co-operation with the municipality of Gyumri in which the city's budget is published (www.gyumribudget.am). The website also publishes petitions to engage citizens in local governance issues. For example one of the latest public petitions asks citizens whether they are ready to sort the garbage at home. Based on the answers of the citizens, the Compass NGO develops policy proposals to the local authorities of the municipality of Gyumri.

CONCLUSION

Local government plays a critical role for the well-being of citizens, delivering services, and providing the first point of contact between people and public administration. The proximity with citizens can help ensure that public authorities and services are truly responsive and accountable, improving people's lives and their trust and confidence in local institutions. However, the very qualities that make local and regional governments so important to citizens can also make it more prone to corruption.

Local governments in Eastern Europe are taking important strides towards more open and inclusive decision-making. As well as being important qualities of local democracy, transparency and civic participation can be tools to help deliver effective public services, combat and prevent corruption, and build citizens' trust in government.

The mechanisms outlined in this handbook present a variety of ways in which local and regional authorities can prevent corruption, reduce its risks, and develop effective and accountable institutions at all levels. Other reforms, such as protection of whistleblowers and support for independent media and civil society, are also critical to building open government, public ethics and accountability. The most effective approach to rooting out corruption is often through reporting by public officials, the media and civil society, who need to feel confident that they will be listened to and protected.

The Congress of Local and Regional Authorities of the Council of Europe is committed to supporting local governments in their efforts to improve the quality of local democracy, prevent corruption, increase ethics and public accountability, and promote transparency and citizen participation.

ENDNOTES

¹ For the purpose of this publication, the term “public officials” refers to elected representatives, public authorities and civil servants (either at local, regional or national level) who hold a legislative, administrative or judicial office, and to any person exercising a public function, including for a public agency or a state-owned enterprise.

² *Preventing Corruption and Promoting Public Ethics at the Local and Regional Level in Eastern Partnership Countries*, European Committee of the Regions, 2017. Available at: <https://cor.europa.eu/en/documentation/studies/Documents/Preventing-Corruption.pdf>

³ Transparency International. *People and Corruption: Europe and Central Asia, Global Corruption Barometer*. 2016. Available at: <https://www.transparency.org/whatwedo/publication/7493>

⁴ <http://www.oecd.org/corruption/oecdantibriberyconvention.htm>

⁵ <https://www.iso.org/iso-37001-anti-bribery-management.html>

⁶ <https://www.oecd.org/daf/anti-bribery/44884389.pdf>

⁷ Transparency International. *People and Corruption: Europe and Central Asia, Global Corruption Barometer*. 2016. Available at: <https://www.transparency.org/whatwedo/publication/7493>

⁸ Ibid.

⁹ Criminal Code of the Republic of Armenia: <http://www.arlis.am/DocumentView.aspx?DocID=114411>

¹⁰ Criminal case No: AVD/0030/01/15, registered on 27 April 2015 in the Criminal Court of Appeal. Available at: http://www.datalex.am/?app=AppCaseSearch&case_id=27303072740959819

¹¹ Organisation for Economic Co-operation and Development. *Managing Conflict of Interest in the Public Service: OECD Guidelines and Country Experiences*. 2003, page 24. Available at: <http://www.oecd.org/gov/ethics/48994419.pdf>

¹² <https://rm.coe.int/16806cc1ec>

¹³ <http://www.oecd.org/gov/ethics/managingconflictinterestinthepublicservice.htm>

¹⁴ <http://www.oecd.org/gov/ethics/enhancingintegrityinpublicprocurementchecklist.htm>

¹⁵ <https://www.unodc.org/unodc/en/treaties/CAC/>

¹⁶ <https://www.unodc.org/unodc/en/treaties/CAC/technical-guide.html>

¹⁷ <https://www.coe.int/en/web/conventions/full-list/-/conventions/treaty/173>

¹⁸ <https://www.coe.int/en/web/conventions/full-list/-/conventions/treaty/174>

¹⁹ <http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=LEGISSUM:I33027>

²⁰ <https://rm.coe.int/conflicts-of-interest-at-local-and-regional-level-rapporteur-david-wil/1680758cd9>

²¹ Commission on Ethics of High-Ranking Officials of Armenia: <http://www.ethics.am/en/>

²² Commission on Ethics of High-Ranking Officials of Armenia: <http://www.ethics.am/en/>

²³ Law on Public Service of the Republic of Armenia: <http://www.arlis.am/DocumentView.aspx?docid=68771>

²⁴ “TIAC applied to the Ethics Commission for High Ranking Officials and Yerevan Mayor”, Transparency International Anticorruption Center, 27 July 2013. Available at: <http://transparency.am/en/news/view/640>

²⁵ “The response of Ethics Commission for High Ranking Officials to TIAC application”, Transparency International Anticorruption Center, 22 October 2013. Available at: <http://transparency.am/en/news/view/687>

²⁶ <https://www.unodc.org/unodc/en/treaties/CAC/>

²⁷ <https://www.unodc.org/unodc/en/treaties/CAC/technical-guide.html>

²⁸ <https://www.coe.int/en/web/conventions/full-list/-/conventions/treaty/173>

- ²⁹ <https://www.coe.int/en/web/conventions/full-list/-/conventions/treaty/174>
- ³⁰ <http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=LEGISSUM:I33027>.
- ³¹ Global Corruption Barometer, Transparency International: <https://www.transparency.org/research/gcb/overview>
- ³² Global Corruption Barometer 2016 Survey in Armenia: <https://transparency.am/en/gcb/2016>
- ³³ Criminal Code of the Republic of Armenia: <http://www.arlis.am/DocumentView.aspx?DocID=114411>
- ³⁴ Criminal case No. EKD/0313/01/15, registered on 28 December 2015 in the Criminal Court of Appeal. Available at: <http://www.datalex.am/?app=AppCaseSearch&page=default&tab=criminal>
- ³⁵ Badalyan N., "Member of precinct electoral commission arrested for trying to bribe 'No!' Front's proxies", ArmlInfo, 4 December 2015. Available at: http://armlinfo.info/full_news.php?objectid=search&objectid=61F4A7E0-9A90-11E5-99BB0EB7C0D21663
- ³⁶ "Ընտրակեղծարարների պատ" [Wall of Election Falsifiers], Transparency International Anticorruption Center: <https://transparency.am/en/elections/falsifiers/person/?pid=441>
- ³⁷ <https://www.unodc.org/unodc/en/treaties/CAC/>
- ³⁸ <https://www.unodc.org/unodc/en/treaties/CAC/technical-guide.html>
- ³⁹ <https://www.coe.int/en/web/conventions/full-list/-/conventions/treaty/173>
- ⁴⁰ <https://www.coe.int/en/web/conventions/full-list/-/conventions/treaty/174>
- ⁴¹ <http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=LEGISSUM:I33027>
- ⁴² Morales L., "Women Worldwide Less Confident Than Men in Elections", Gallup News, 11 October 2012. Available at: <http://news.gallup.com/poll/157997/women-worldwide-less-confident-men-elections.aspx>
- ⁴³ *Armenia, Parliamentary Elections, 2 April 2017: Final Report*, Organization for Security and Co-operation in Europe, 7 July 2017. Available at: <http://www.osce.org/odihr/328226>
- ⁴⁴ Electoral Code of the Republic of Armenia: <http://www.arlis.am/DocumentView.aspx?docid=105967>
- ⁴⁵ Criminal Code of the Republic of Armenia: <http://www.arlis.am/DocumentView.aspx?DocID=114411>
- ⁴⁶ Law on Combating Money Laundering and Terrorism Financing: https://www.cba.am/Storage/EN/FDK/Regulation/aml_cft_law_eng.pdf
- ⁴⁷ "Armenian Public School Directors Sue Civil Group Over Pre-election Scandal", The Armenian Weekly, 11 April 2017. Available at: <https://armenianweekly.com/2017/04/11/armenian-public-school-directors-sue-civil-group-over-pre-election-scandal/>
- ⁴⁸ "Only 1 recording contains criminal elements; Prosecutor General's Office on school directors' campaign involvement report", Armenpress, 27 March 2017. Available at: <https://armenpress.am/eng/news/884283/only-1-recording-contains-criminal-elements;-prosecutor-general%E2%80%99s-office-on-school-directors%E2%80%99-campaign.html>
- ⁴⁹ Kaghvantsyan S., "Գյումրիի թիվ 37 դպրոցի տնօրենի արարքում «քրգործի հիմքեր չկան»" [In the actions of the director of No. 37 school of Gyumri there was no grounds for the criminal case], Radio Free Europe / Radio Liberty, 17 April 2017. Available at: <https://www.azatutyun.am/a/28434875.html>
- ⁵⁰ <https://www.unodc.org/unodc/en/treaties/CAC/>
- ⁵¹ <https://www.unodc.org/unodc/en/treaties/CAC/technical-guide.html>
- ⁵² <https://www.coe.int/en/web/conventions/full-list/-/conventions/treaty/173>
- ⁵³ <https://www.coe.int/en/web/conventions/full-list/-/conventions/treaty/174>
- ⁵⁴ <http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=LEGISSUM:I33027>
- ⁵⁵ <https://rm.coe.int/nepotism-recruitment-of-staff-rapporteur-harald-bergman-netherlands-l-/1680758bcd>
- ⁵⁶ "Քո գրպանից՝ նախագահի աշխատակցի հարազատներին" [From your budget to the relatives of the President's employee], CivilNet, 27 October 2017. Available at: <https://www.youtube.com/watch?v=a8-u7nciAvk>
- ⁵⁷ Law on Public Service of the Republic of Armenia: <http://www.arlis.am/DocumentView.aspx?docid=68771>
- ⁵⁸ Law on Public Service of the Republic of Armenia: <http://www.arlis.am/DocumentView.aspx?docid=68771>

- ⁵⁹ Criminal Code of the Republic of Armenia: <http://www.arlis.am/DocumentView.aspx?DocID=114411>
- ⁶⁰ Criminal case No. EKD/0011/01/13, registered on 08 December 2014 in the General Jurisdiction of Kentron and Nork-Marash Administrative Districts. Available at: http://www.datalex.am/?app=AppCaseSearch&case_id=14355223812294473
- ⁶¹ <https://rm.coe.int/1680084826>
- ⁶² <https://www.unece.org/fileadmin/DAM/env/pp/documents/cep43e.pdf>
- ⁶³ “Տեղեկատվության ազատությունը ՏԻՄ-երում” [Freedom of Information in Local Self-Government Bodies], Freedom of Information Center of Armenia, 11 December 2012. Available at: <http://www.foi.am/hy/news/item/1149/>
- ⁶⁴ Constitution of the Republic of Armenia: <http://www.parliament.am/legislation.php?sel=show&ID=5805>
- ⁶⁵ Law on Mass Media of the Republic of Armenia: <http://www.arlis.am/DocumentView.aspx?docid=1379>
- ⁶⁶ *Ինչպես օգտագործել «Տեղեկատվության ազատության մասին» ՀՀ օրենքը* [How to use the Law on Freedom of Information?], Freedom of Information Center of Armenia, 2005. Available at: http://www.foi.am/files/library_pdfs/5.pdf
- ⁶⁷ “Midterm Self-Assessment Report on the Third Action Plan of the Republic of Armenia (2016-2018)”, Open Government Partnership, September 2017, pages 27-30. Available at: http://www.ogp.am/en/news/item/2017/10/22/mself_3/
- ⁶⁸ <https://rm.coe.int/1680703fd3>
- ⁶⁹ <http://workspace.unpan.org/sites/Internet/Documents/Guidelines%20on%20OGDCE%20May17%202013.pdf>
- ⁷⁰ <http://opendatatoolkit.worldbank.org/en/>
- ⁷¹ <http://5stardata.info/en/>
- ⁷² http://opendatacharter.net/wp-content/uploads/2015/10/opendatacharter-charter_F.pdf
- ⁷³ Մեկ անձից կատարվող գնումներ [Purchases made by one person]: <https://www.e-gov.am/transparent>
- ⁷⁴ Commission on Ethics of High-Ranking Officials of Armenia: <http://www.ethics.am/hy/>
- ⁷⁵ “Open Data in State Sector of Armenia”, Kolba Lab, 1 December 2016. Available at: <http://kolba.am/en/post/open-data-government-armenia/>
- ⁷⁶ Law on the Budgetary System of the Republic of Armenia: <http://parliament.am/legislation.php?sel=show&ID=1503>
- ⁷⁷ Law on Local Self-Government of the Republic of Armenia: <http://www.parliament.am/legislation.php?sel=show&ID=5665>
- ⁷⁸ Անձնական Տվյալների Պաշտպանության Քաղաքականության Ուղեցույց [Guidelines on Personal Data Protection], Digital Rights NGO and The Open Society Foundations, October 2014, Yerevan. Available at: http://www.osf.am/wp-content/uploads/2015/04/DataProPolicyGuide_arm_final.pdf
- ⁷⁹ Ինտերակտիվ բյուջե 2017 [Interactive Budget 2017]: <https://www.e-gov.am/interactive-budget/>
- ⁸⁰ Երևան քաղաքի ինտերակտիվ բյուջե [Yerevan Interactive Budget]: <http://budget.yerevan.am/>
- ⁸¹ Գյումրի համայնքի վիզուալ բյուջեի [Gyumri community budget]: <http://www.gyumribudget.am/view/1>
- ⁸² Budget of the Office to the President of the Republic of Armenia: <http://www.president.am/hy/the-budget/>
- ⁸³ <https://rm.coe.int/16806cc1ec>
- ⁸⁴ <https://www.oecd.org/gov/ethics/48994419.pdf>
- ⁸⁵ <http://www.oecd.org/corruption/anti-bribery/47489446.pdf>
- ⁸⁶ Constitution of the Republic of Armenia: <http://www.parliament.am/legislation.php?sel=show&ID=5805>
- ⁸⁷ Rules of Procedure of the National Assembly: <http://www.parliament.am/parliament.php?id=bylaw>
- ⁸⁸ Հանրային ծառայությունում շահերի բախումը կարգավորող օրենսդրության վերլուծության և առաջարկությունների գեկույց [Report on analysis and recommendations on legislation regulating conflict of interest in the public service in Armenia], Transparency International Anticorruption Center, 2015. Available at: <https://transparency.am/files/publications/1435321403-0-425779.pdf>

- ⁸⁹ “Armenia End-of-Term Report 2014-2016 – For Public Comment”, Open Government Partnership. 2017, pages 16-17. Available at: <https://www.opengovpartnership.org/documents/armenia-end-of-term-report-2014-2016-public-comment> <https://www.opengovpartnership.org/irm-commitments/4-ensuring-transparency-of-asset-and-income-declarations-of-ra-high-ranking>
- ⁹⁰ <https://www.iasplus.com/en/resources/global-organisations/ipsasb>
- ⁹¹ <http://www.issai.org>
- ⁹² Constitution of the Republic of Armenia: <http://www.parliament.am/legislation.php?sel=show&ID=5805>
- ⁹³ Constitution of the Republic of Armenia: <http://www.parliament.am/legislation.php?sel=show&ID=5805>
- ⁹⁴ Law on Internal Audit: <http://www.parliament.am/legislation.php?sel=show&ID=4072>
- ⁹⁵ Հաշվապահական Հաշվառում և Աուդիտ Հայաստան [Accounting and Auditing: Armenia], World Bank, 2008, Washington DC. Available at: <http://documents.worldbank.org/curated/en/594011468185928282/pdf/62544-ARMENIAN-PUBLIC-ARMENI-2.pdf>
- ⁹⁶ <https://rm.coe.int/16806cc1ec>
- ⁹⁷ <https://www.oecd.org/mena/governance/35521740.pdf>
- ⁹⁸ <https://wcd.coe.int/ViewDoc.jsp?id=1378293>
- ⁹⁹ <https://transparency.am/files/publications/1435321403-0-425779.pdf>
- ¹⁰⁰ Հանրային ծառայությունում շահերի բախումը կարգավորող օրենսդրության վերլուծության և առաջարկությունների գեկույց [Report on analysis and recommendations on legislation regulating conflict of interest in the public service in Armenia], Transparency International Anticorruption Center, 2015. Available at: <https://transparency.am/files/publications/1435321403-0-425779.pdf>
- ¹⁰¹ <https://news.am/arm/news/325759.html>
- ¹⁰² <https://www.alnap.org/help-library/complaints-mechanism-handbook>
- ¹⁰³ <https://www.alnap.org/help-library/overview-of-ngo-community-complaints-mechanisms-global-accountability-discussion-series>
- ¹⁰⁴ https://www.transparency.org/files/content/corruptionqas/Complaint_mechanisms.pdf
- ¹⁰⁵ *Customer Complaints: Guidelines for Local Authorities*, Department of the Environment, Heritage and Local Government of the Republic of Ireland, July 2005. Available at: <http://www.housing.gov.ie/sites/default/files/migrated-files/en/Publications/LocalGovernment/Administration/FileDownload%2C2046%2Cen.pdf>
- ¹⁰⁶ “Local-level complaint mechanisms in developing countries (U4 Expert Answer)”, Anti-Corruption Resource Centre, 17 October 2014. Available at: <https://www.transparency.org/files/content/corruptionqas/2014-17.pdf>
- ¹⁰⁷ *Customer Complaints: Guidelines for Local Authorities*, *ibid.*
- ¹⁰⁸ *Complaint Mechanisms: Reference Guide for Good Practice*, Transparency International, 2016. Available at: https://consultations.worldbank.org/Data/hub/files/ti_document_-_guide_complaint_mechanisms_final.pdf
- ¹⁰⁹ “How to Complain”, Official website of the Local Government and Social Care Ombudsman: <http://www.lgo.org.uk/make-a-complaint>
- ¹¹⁰ “Top tips for making a complaint”, Official website of the Local Government and Social Care Ombudsman: <http://www.lgo.org.uk/make-a-complaint/top-tips-for-making-a-complaint>
- ¹¹¹ https://search.coe.int/cm/Pages/result_details.aspx?ObjectID=09000016807509dd
- ¹¹² <http://www.oecd.org/gov/46560128.pdf>
- ¹¹³ <http://dx.doi.org/10.1787/9789264048874-en>
- ¹¹⁴ <https://www.oecd.org/governance/observatory-public-sector-innovation/blog/page/findingtherighttools.htm>
- ¹¹⁵ <https://www.opengovpartnership.org/resources/open-government-guide>
- ¹¹⁶ <https://www.opengovpartnership.org/resources/ogp-toolbox>
- ¹¹⁷ <https://innovation.govspace.gov.au>
- ¹¹⁸ <https://www.gov.uk/guidance/open-policy-making-toolkit>

- ¹¹⁹ “Second Action Plan of the Republic of Armenia (2014-2016)”, Open Government Partnership. Available at: http://www.gov.am/u_files/file/bkg%20angl.pdf
- ¹²⁰ Article 11 of the Law on Local Self-Government of the Republic of Armenia: <http://www.parliament.am/legislation.php?sel=show&ID=5665>
- ¹²¹ Օրենսդրական Գործընթացի Գնահատումը Հայաստանի Հանրապետությունում [Assessment of the Legislative Process on the Republic of Armenia], OSCE Office for Democratic Institutions and Human Rights, 30 October 2014, Warsaw. Available at: <http://www.osce.org/odihr/126128>
- ¹²² Օրենսդրական Գործընթացի Գնահատումը Հայաստանի Հանրապետությունում [Assessment of the Legislative Process on the Republic of Armenia], *ibid.*
- ¹²³ Lovitt J. (ed.), *Civil Participation in Decision Making in the Eastern Partnership Countries (Part Two: Practice and Implementation)*, Council of Europe, April 2017, pages 51-52. Available at: <https://rm.coe.int/coe-civpart-book-part-2-web-new/1680713e2b>
- ¹²⁴ http://www.oecd-ilibrary.org/development/strengthening-participation-in-public-expenditure-management_640564834060
- ¹²⁵ <http://siteresources.worldbank.org/PSGLP/Resources/ParticipatoryBudgeting.pdf>
- ¹²⁶ <https://unhabitat.org/books/72-frequently-asked-questions-about-participatory-budgeting/>
- ¹²⁷ <https://pbnetwork.org.uk/participatory-budgeting-toolkits-and-how-to-guides/>
- ¹²⁸ https://www.internationalbudget.org/wp-content/uploads/SN-OBS_Questionnaire_final02054vrquestions_em.pdf
- ¹²⁹ http://www.fiscaltransparency.net/pp_principles/
- ¹³⁰ Law on Local Self-Government of the Republic of Armenia: <http://www.parliament.am/legislation.php?sel=show&ID=5665>
- ¹³¹ Valmorbida A. and Alexandryan L., *Strengthening Local Democracy in Armenia: Guidelines on citizens' participation*, Council of Europe, September 2015. Available at: <https://rm.coe.int/16806cb757>
- ¹³² Facebook page of the Gyumri Civil Youth Centre: https://www.facebook.com/permalink.php?story_fbid=1149963188419934&id=882096598539929
- ¹³³ <https://www.oecd.org/mena/governance/36785341.pdf>
- ¹³⁴ https://search.coe.int/cm/Pages/result_details.aspx?ObjectId=09000016807509dd
- ¹³⁵ <https://rm.coe.int/16804f513c>
- ¹³⁶ Օրենսդրական Գործընթացի Գնահատումը Հայաստանի Հանրապետությունում [Assessment of the Legislative Process on the Republic of Armenia], *ibid.*, page 9.
- ¹³⁷ Օրենսդրական Գործընթացի Գնահատումը Հայաստանի Հանրապետությունում [Assessment of the Legislative Process on the Republic of Armenia], *ibid.*, page 9.
- ¹³⁸ Օրենսդրական Գործընթացի Գնահատումը Հայաստանի Հանրապետությունում [Assessment of the Legislative Process on the Republic of Armenia], *ibid.*, page 9.
- ¹³⁹ Methodological Guidelines on Drafting Concepts, Strategies and Action Plans of the Government of the Republic of Armenia: <http://www.arlis.am/DocumentView.aspx?DocID=95885>
- ¹⁴⁰ The project was supported by the Congress of Local and Regional Authorities of the Council of Europe, as part of the thematic programme ‘Strengthening institutional frameworks for local governance’, within the framework of the Council of Europe / European Union Partnership for Good Governance (2015-2017) in the Eastern Partnership countries.
- ¹⁴¹ <http://www.oecd.org/gov/digital-government/35176328.pdf>
- ¹⁴² “Report: 70% of Armenia’s population actively use internet”, IteI.am, 29 January 2016. Available at: <http://www.iteI.am/en/news/7775>
- ¹⁴³ Constitution of the Republic of Armenia: <http://www.parliament.am/legislation.php?sel=show&ID=5805>
- ¹⁴⁴ Valmorbida A. and Alexandryan L., *Strengthening Local Democracy in Armenia: Guidelines on citizens' participation*, Council of Europe, September 2015. Available at: <https://rm.coe.int/16806cb757>

Transparency and citizen participation are key tools in the development of good local governance. Both help create the conditions for citizens to understand and evaluate the decisions which the government is taking on their behalf, as well as make their own needs and views known to government as it takes those decisions.

Effective transparency and participation can help to drive out corruption and government malpractice. They are also more positive tools as they help produce the conditions for increased trust. Finally, they also help governments to draw on the skills and experience of citizens to enable better decision making and the delivery of more effective public services.

To that effect, this handbook aims to support local and regional authorities in their efforts to make communities more open, ethical and citizen-oriented. It provides practical guidance on transparency policies and citizen participation mechanisms, includes a concise assessment of the most prevalent corruption risks in the country and incorporates actual examples of best practices.

The European Union is a unique economic and political partnership between 28 democratic European countries. Its aims are peace, prosperity and freedom for its 500 million citizens in a fairer, safer world. To make things happen, EU countries set up bodies to run the EU and adopt its legislation. The main ones are the European Parliament (representing the people of Europe), the Council of the European Union (representing national governments) and the European Commission (representing the common EU interest).

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The Council of Europe is the continent's leading human rights organisation. It comprises 47 member states, 28 of which are members of the European Union. The Congress of Local and Regional Authorities is an institution of the Council of Europe, responsible for strengthening local and regional democracy in its 47 member states. Composed of two chambers - the Chamber of Local Authorities and the Chamber of Regions - and three committees, it brings together 648 elected officials representing more than 200 000 local and regional authorities

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