

40th SESSION – second part / 40^e SESSION - deuxième partie

Speaking notes for Bryony Rudkin, part II

Monitoring of the Application of the European Charter of Local Self-Government in Armenia (5 minutes)

Dear members, dear colleagues,

Indeed, as Ms HELGESEN underscored, the success of territorial reforms is conditional on effective consultation with local authorities. Because when local authorities are duly consulted in line with the standards set out by the Charter, they become local owners of the reform and contribute to sustainability of its results.

Unfortunately, in Armenia, there is still no legally guaranteed consultation procedure between the central government and municipalities or their national associations on all matters of concern to local authorities. This falls short of the Charter's requirements and is not favourable to the reform implementation.

In this respect, I would also like to touch upon an issue of difficult relationship between the government and the associations. It appears that the territorial administrative reform has left Ministry and the Association of Armenian Communities in conflicting positions.

It is of course conceivable that views may differ, but the issues should be resolved through an open and constructive dialogue among stakeholders. We are convinced, that the root cause of the difficulties of relationship between the central government and the Association we observed is that meaningful consultation has not been taking place. The government therefore needs to enforce dialogue with the association and apply more efforts to address its concerns. The association in its turn need to respond to those efforts at dialogue.

Let me briefly dwell on some other issues that we have raised in our report and recommendation.

Firstly, despite the establishment of consolidated communities, it appears that they have not received yet more powers to regulate and manage a substantial share of public affairs under their own responsibility.

Municipalities continue to play a limited role in delivering public services, contrary to the principle of subsidiarity.

Secondly, local authorities continue to lack financial resources to fulfil their own tasks. In addition, the state doesn't provide communities with matching resources when it delegates competences. As a result, many small communities either simply can't fulfil delegated tasks or can't deliver good quality services.

Next, the work conditions of municipal employees in local government offices are poor. Despite legislative changes aimed to improve the financial equalisation system, financial disparities among communities continue to persist.

Another issue that is raising concern is the unjustified state intervention in local tasks. Administrative supervision of local government decisions goes beyond legality control and various state authorities have overlapping supervisory powers.

To sum up, we have had to conclude, regrettably, that little progress has been achieved in resolving several issues, which had already been raised in the previous monitoring report issued seven years ago. A great deal of efforts is still needed to achieve compliance of local self-government in Armenia with the Charter. And we have suggested a series of recommendations to the Armenian government to bring the local government situation closer to the requirements of the Charter:

- accompany the delegation of tasks by matching financial resources ;
- further decentralise competences to increase the share of public affairs which are regulated and managed by local authorities;
- guarantee in law the right of local authorities to be consulted on matters that concern them directly.

We have been informed that the government has prepared some new legislative initiatives in the area of local referendum, public hearings, and financial assistance to municipalities. Those are welcomed steps.

We trust that all the political changes and reform efforts have opened new perspectives and opportunities for democratic transformation in Armenia to make a positive impact on local democracy and we look

forward to pursue the already longstanding cooperation we have with Armenian authorities.

Thank you for your attention.