

**AMERICAN UNIVERSITY OF ARMENIA**

**THE ROLE OF NGOs IN STRENGTHENING CIVIL SOCIETY IN ARMENIA IN  
THE PERSPECTIVES OF EUROPEAN INTEGRATION**

**A MASTER'S ESSAY SUBMITTED TO  
THE FACULTY OF THE GRADUATE SCHOOL OF  
POLITICAL SCIENCE AND INTERNATIONAL AFFAIRS FOR  
PARTIAL FULFILLMENT OF THE DEGREE OF MASTER OF ARTS**

**BY**

**SUREN MOVSISYAN**

**YEREVAN, ARMENIA**

**NOVEMBER, 2005**

**SIGNATURE PAGE**

---

**Faculty Advisor**

**Date**

---

**Dean**

**Date**

**American University of Armenia**

**November 2005**

## **ACKNOWLEDGEMENT**

*I want to express my deepest gratitude to my faculty advisor, Dr. Asot Galoyan for providing me with advice, encouragement and continuing support in the process of writing this essay.*

*I am very grateful to all members of the faculty of Political Science and International Affairs for the years of study in the American University of Armenia, for providing me with the appropriate knowledge and skills to this study.*

*Also, I would like to say special words of gratitude to the Dean of the Department of Political Science and International Affairs, Dr. Lucig Danielian for providing us with deep understanding of democratic processes during study at the American University of Armenia.*

## TABLE OF CONTENTS

List of Abbreviations .....	5
Abstract.....	6
Introduction.....	7
The Process of Armenia’s European Integration .....	11
Armenia’s membership in the CoE and its commitments .....	14
Transition Societies.....	16
The Role of NGO in Sustaining Civil Society.....	18
Corruption.....	20
The Rule of Law and Corruption .....	21
Development of NGOs in Armenia .....	25
New law on NGO in Armenia, its strengths and weaknesses.....	27
The Role of NGOs in Armenian Politics .....	30
The process of European Integration and its impact on NGO’s activities.....	31
Youth Perception .....	34
Key findings.....	36
Analysis.....	37
Conclusion and recommendations .....	42
REFERENCES .....	47
Appendix A. Tables and Charts.....	51
Appendix B. Questionnaire.....	54

## ***List of Abbreviations***

<b>EU</b>	European Union
<b>NGO</b>	Non-governmental Organization
<b>CEE</b>	Central and Eastern Europe
<b>CoE</b>	Council of Europe
<b>NATO</b>	North Atlantic Treaty Organizations
<b>CSO</b>	Civil Society Organization
<b>USSR</b>	Union of Soviet Socialist Republics
<b>PfP</b>	Partnership for Peace
<b>OSCE</b>	Organization of Security and Cooperation in Europe
<b>PCA</b>	Partnership and Cooperation Agreement
<b>AEPLAC</b>	Armenian – European Policy and Legal Advice Center
<b>CRD</b>	Center for Regional Development
<b>GRECO</b>	Group of States Against Corruption
<b>TI</b>	Transparency International
<b>IFES</b>	International Foundation for Election Systems
<b>ICCPR</b>	International Covenant on Civil and Political Rights
<b>ECHR</b>	European Convention on Human Rights
<b>ENP</b>	European Neighborhood Policy

## *Abstract*

The integration of the Central and Eastern European countries into the European Union is one of the hottest political issues today. While this enlargement is a significant economic and political step for both the European Union and the new members, it does not mark the end of the integration process. Armenia has reiterated that its main priority in foreign policy is a further integration into the European community.

The purpose of this essay is to examine the development of Armenian civil society in the context of the European Integration, to find out recent dynamics of civic activity in Armenia, and then move on to the role of NGOs in the process of strengthening Civil Society in the perspectives of Armenia's European integration. This will provide a basis for analyzing the perspectives of civil society in the forthcoming constitutional referendum campaign as well.

## ***Introduction***

The integration of the Central and Eastern European countries into the European Union is one of the hottest political issues today. While this enlargement is a significant economic and political step for both the European Union and the new members, it does not mark the end of the integration process. Armenia has reiterated that its main priority in foreign policy is a further integration into the European community. During the last few years (since January 2001) the Republic of Armenia became a member of the Council of Europe, and is thus committed to democracy and respect of human rights.

The ongoing tie-building process with the EU enhances development of Armenia in different areas. A strong civil society engaged in a diverse range of public activities is an essential element for a healthy democracy. Civil society also increases the accountability of both central and local governments to their constituencies. An optimal stage of civil society development is achieved when a broad spectrum of politically active non-governmental organizations (NGOs) represents largely diversified groups of citizens who receive fair and objective news from an independent media.

Thus, the purpose of this essay is to examine the development of Armenian civil society in the context of the European Integration, to find out recent dynamics of civic activity in Armenia, and then move on to the role of NGOs in the process of strengthening Civil Society in the perspectives of Armenia's European integration. This will provide a basis for analyzing the perspectives of civil society in the forthcoming constitutional referendum campaign. Finally, the readiness of the Armenian NGOs to be active in European-level political processes will be considered. Therefore the research questions discussed in this paper are:

1. Do the Armenian policy makers' views on the European integration differ from those of Civil Society organizations?

2. What are the ways for improving the area of activities for Civil Society?
3. What activities should be undertaken to improve the public awareness and belief about the European Union?
4. Do Constitutional and Legislative reforms provide a basis for development of the Armenian Civil Society?
5. Armenia's further integration into the European structures will have a positive impact on the process of combating corruption.

### Methodology

In this Master's Essay methods of research to be employed are secondary analyses of relevant articles, book-chapters, monographs, indexes of relevant measures from Transparency International as well as in-depth interview with the experts in the field. The study will describe the role of civil society in democracy and the current stage of development in Armenia. Moreover, the perception of Armenia's European integration among political elites and NGO leaders as well as the perspectives of Civil Society in Armenia are discussed. For collecting necessary data an in-depth interview were conducted with the Heads of the following NGOs and parliament members:

1. Mkrtich Minasyan, Directly Elected Deputy from Nor-Nork District, Member of the Parliamentary Group on European Integration
2. Shavarsh Kocharyan, Deputy, Head of Justice Block, Representative in the CoE
3. Heghine Bisharyan, Deputy, Orinats Erkir Party
4. Galust Sahakyan, Deputy, Head of Hanrapetakan Party in the Parliament
5. Hripsime Avetisyan, Deputy, United Labor Party
6. Avag Tadevosyan, Director "National Pool of Trainers" NGO



7. Avetik Ishkhanyan, Chairman, “Ditord” (Observer. Human rights in Armenia) magazine of the “Armenian Helsinki Committee” NGO
8. Margarit Piliposyan, President, “Civil Society Development” NGO
9. Mkrtich Anushyan, Deputy Director, “Foundation for Civil and Social Development” NGO
10. Karen Asatryan, Director, “Armenian UN Association” NGO

### *Civil Society*

The importance of healthy Civil Society for the functioning of democracy has not always been considered as strong and undisputable as it is today. Many liberal theorists, from John Locke to the neo-liberals such as Friedrich Hayek and Robert Nozick, do not give much value to civic activity from the viewpoint of an individual either, since they consider it subordinate to the pursuit of personal freedom and well-being. In a representative democracy, the decision-making on matters of general interest is assigned to the elites, and personal freedom entails a freedom not to participate in public life. (Held, David, 1987) However, the dominant view among both political scientists and practitioners nowadays is that civil society is an essential component of democracy. The past decades have witnessed a revival of interest in civil society, which has been fuelled by the transition in Central and Eastern Europe (CEE).

The concept of civil society may refer broadly to a particular type of society, characterized by democratic, open and “civilized” relations between citizens and the state. Civil society (in either meaning) is necessary, first of all, because it creates a sense of common identity, a feeling of togetherness, which constitutes the basis for citizenship and links individuals to democratic institutions. It thus helps to legitimize the political system,

and also to control public officials against possible misuse of power. Furthermore, it contributes to the functioning of democracy by transmitting the views and expectations of various social groups to decision-makers, by improving the performance of the state through offering its ideas and expertise to officials, and by taking over certain tasks from the state.

However, there are many definitions of Civil Society given by various scholars. For example, Andrew Arato (1981) has suggested that the institutions of civil society require “the rule of law and guarantee of civil rights, a free public sphere and a plurality of independent associations.” (p. 23) Jean Cohen (1988) conceives “of civil society as involving a classically liberal stabilization of societal institutions on the basis of rights.” (p. 325) Similarly, civil society defined as “a society in which people are involved in social and political interactions free of state control or regulations.” (Almond et al. 2001, p. 75) NGOs, interest groups as well as voluntary associations and even religious groups are essential parts of civil society. Thus, by participating in organizations and associational groups individuals become skilled at organizing and expressing their interests, working with public to achieve common goals.

According to another researcher, “Civil society is conceived as the realm of organized social life that is voluntary, self-generating, (largely) self – supporting, autonomous from state and bound by legal order or set of shared rules” (Diamond 1994, 5). Diamond argues that civil society is distinct from society in general and that is an intermediate entity standing between the private sphere and the state (1994). Actors of Civil Society need the protection of an institutionalized legal order, thus civil society, according to Diamond (1994), not only restricts state power but legitimates state authority when that authority is based on the rule of law. Then Diamond (1994, 7-11) brings some democratic functions of civil society as following:

1. To provide the basis for the limitation of state power and circumscribe the power of democratic government.

2. To supplement the role of political parties in stimulating political participation.
3. To develop such democratic attributes as tolerance, respect for opposite viewpoints, willingness to compromise etc.
4. To generate ways for representation of interests.
5. Fully pluralistic civil society supposedly generates a wide range of interests that may crosscut the principal polarities of political conflict.
6. Recruiting and training new political leaders.
7. Many civic organizations have clear democracy-building purposes that go beyond leadership training.
8. To disseminate information.
9. To consolidate support for and neutralize opposition to reform policies.
10. “Freedom of association.”

Moreover, the role of the government in supporting civil society development is clearly described by Benjamin Barber (1998) in his book “A Place for Us: How to Make Society Civil and Democracy Strong.” He claims that a government obliged to support citizenship and civil society can successfully and legitimately act through “legitimized initiatives and reforms as a positive facilitator of civil society.” (p. 73) In his speech to the Czech Parliament in 1997, Vaclav Havel emphasized, that civil society “constitutes a true guarantee of political stability. The more a community develops the institutions and instruments of a civil society, the more resistant it is to political windstorms or upheavals – solid structures built from below.” (Milner 2001, p. 15)

### *The Process of Armenia’s European Integration*

Generally, the process of integration can be defined as a “process whereby a common political system and political community are constituted among previously independent

systems.” (Raik 2000, p.7) Armenia’s integration into European structures since the very first days of independence has been and remains a foreign policy priority for this country. This is clearly reflected both in the cooperation with the European Union, Council of Europe, NATO and other European organizations. Armenia sees its future in full EU membership.

As it was stated above, one of the first priorities for Armenia is to “integrate into EU models and standards”. For it, the process of Armenia’s integration has run through the following stages:

1. The collapse of the Soviet Union and demise of the USSR and the beginning of Armenia’s cooperation with European organizations and structures.
2. Armenia’s accession to various European and Euro-Atlantic cooperation programs. At this point, on the one hand, Armenia entered various European structures and organizations, on the other hand, increasingly cooperated with NATO as the principal mechanism of European security. This stage is still in progress, since Armenia as an OSCE and Council of Europe member also actively participates in NATO Partnership for Peace program (PFP).
3. Finally, the incorporation of Armenia, along with other South Caucasus states, into the “Enlarged Europe, New Neighbors” initiative that is supposed to stimulate the integration and approximation of the region into the EU, should be considered the third stage of European integration.

The main legal basis of the EU-Armenia cooperation is the Partnership and Cooperation Agreement (PCA) signed in April 1996 and effective since July 1999. The aim is to develop respect of democratic principles, to foster the rule of law and human rights, and to sustain the consolidation of the market economy principles. The Armenian – European Policy and Legal Advice Center AEPLAC (2005), based on the Decree No. 743-A of the Government of the Republic of Armenia of April 29, 2004:

“on development of a National Programme for implementation of the Partnership and Co-operation Agreement between Armenia and the European Community and its member states,”

is preparing a National Programme for the implementation of PCA. The main objective is to promote Armenia's economic, political and social development in line with the priorities set out in the PCA as well as by Armenia - EU cooperation bodies. Moreover, they are assigned to prepare analyses and recommendations regarding approximation of legislation, trade and economic policy, implementation of PCA and related international agreements as well as implementation of the National Programme. Furthermore, in the opinion of the European Commission for Democracy Through Law (Venice Commission) important changes needed to be made in the Armenian Constitution, notably in three areas: separation of powers, independence of judiciary and the manner of appointment of the Mayor of Yerevan.

The involvement of Civil Society in the process of European integration is essential for three main reasons. The first is public awareness: European integration can only be successful if it is supported by a population that is aware of implications, positive as well as negative, of taking such a step. The second reason is effectiveness: the adoption of European norms affects virtually all spheres and levels of society, and hence the expertise and advice of NGOs in various fields is essential for both policy planning and implementation. And third reason is that the involvement of civil society is a way to strengthen democracy; it increases transparency and legitimacy of decision – making and helps to promote general trust in government. For all these reasons, the process of European integration and democratization need to proceed hand-in-hand.

## Armenia's membership in the CoE and its commitments

The process of Armenia's European integration requires signing and ratifying essential European conventions with further adopting within the domestic law. Since 2001, as the Republic of Armenia become a member of the Council of Europe, most European conventions were signed and ratified. As related to the Civil Society the following points are of significant importance.

1. According to the purpose of the already signed and ratified European Charter of Local-self Government the latter is "to make good the lack of common European standards for measuring and safeguarding the rights of local authorities, which are closest to the citizen and give him the opportunity of participating effectively in the making of decisions affecting his everyday environment." (Council of Europe Treaties, 2005) Therefore, the parties are entrusted to implement basic rules that would provide political, administrative and financial independence to local powers. In this way policy exercises (proves) its readiness to fulfill the European principles at all fields (sectors, aspects) of territorial administration; principles outlined by the Council of Europe that acts in the role of the keeper of European democratic conscience and of the defender of human rights in the widest sense. All this leads us to believe that the obtained self-government of the local authorities is the true touchstone of genuine democracy.
2. Taking into account the prohibition of torture, inhuman treatment, inhuman punishment and the like on the side of the national law and several international instruments, certain effective international measures, however, are needed to be adopted in this deal. Some influential (significant) achievements are found due to the work of the supervisory system established by the Convention for the Protection of Human Rights and Fundamental Freedoms. It is generally assumed that "this system,

which is based on complaints from individuals or from States claiming that human rights violations have taken place, could usefully be supplemented by non-judicial machinery of a preventive character, whose task would be to examine the treatment of persons deprived of their liberty with a view to strengthening, if necessary, the protection of such persons from torture and from inhuman or degrading treatment or punishment.” (Council of Europe Treaties, 2005)

3. The processes in labor law and social policies have been under the supervision of the Revised European Social Charter since its establishment in 1961. The Revised Charter is the international treaty that recalls all the rights, amendments to these rights and the new ones established by the Charter itself and the Charter Committee. Consequently, it controls the social life ensuring the completion of both social and economic right on the one hand, and ensuring equal treatment of men and women, on the other.
4. Although the Council of Europe declares that it fights against corruption from a criminal, civil and administrative point of view, basically the reason is the following: as far as the basic principles of the Council, concerning the rule of law, the stability of democratic institutions, human rights and social and economic progress, are altered within the limits of corruption, the Organization cannot stand apart. For that purpose the non-self-executing Civil Law Convention is created (organized) enabling persons suffered damage from the corruption to defend their rights and interests, and in some cases representing compensation for the damage. Importantly, States Parties are demanded to recognize the principles and laws put forward by the Convention.
5. The necessity of criminalizing at international level other forms of corrupt behavior or behavior that could be assimilated to corruption are included in the Additional Protocol to the Criminal Law Convention on Corruption which was signed in 2003 and just recently ratified by the Republic of Armenia. Those forms include:

- a. illegal acquisitions of interest
- b. insider trading
- c. “la concussion” (extortion by a public official)
- d. illicit enrichment
- e. corruption of members of non-governmental organizations
- f. corruption of sport referees
- g. buying and selling of votes (Council of Europe Treaties, 2005)

Obviously, the election process of Armenia is the area to be influenced due to the ratification of the Additional Protocol.

### *Transition Societies*

The existing literature on democratic transition in east and central Europe, drawing on experiences from Latin America and Southern Europe [Pridham 1991; Huntington 1991; Mainwaring et al 1992; O’Donnell et al 1986; Przeworski, 1986], fails to place sufficient emphasis on the nurturing of civil society as a forum for active participation and the fulfillment of democratic ideals. The weakness of transitional societies revealed in the low level of participation in civil society organizations and explained by taking into consideration the elements of communist experience. Marc Morjé Howard (2002), in his article, “The weakness of Post-Communist Civil Society” indicated three important facts which are common for most societies in post communist states. First, the inheritance of distrust of communist organizations reflected in widespread and “extensive repression of autonomous pluralism.” (Howard 2002, p. 161) In contrast to authoritarian regimes which allowed all activities as long as they did not come across the state or military, the communist regimes succeeded in eliminating all kinds of independent group activities and superseded with state-



controlled organizations with mandatory participation for society. Based on such experience the majority of transition societies continue to have a common sense of distrust of organizations today. (Howard 2002)

Second similarity of societies in transition is related to the “vibrant private networks that developed under communism.” (Howard 2002, p. 162) Most people could openly discuss different issues with close relatives, friends because of the high politicization of the public sphere. Moreover, connections have played an important role due to the shortage of goods and services. However, it started to lose its importance with the establishing of market economy, but many people are still framed in their own private circles and are not interested in participating in civil society organizations. (Howard 2002) According to the World Learning for International Development (2004) “the most convenient way to get government to solve a problem is through personal connections.” (p. 38) Moreover, Chairman of Political Party (Armenia NGO Sector Assessment 2004), “there is an interesting tendency concerning the types of influence...; if the bribes is not possible ... then the citizen would try to use some personal contacts.” (p. 38) The other respondent of Armenia NGO Sector Assessment 2004 (World Learning for International Development, 2004), a newspaper editor, stated that personal contacts and bribes are the way to influence government for average citizen.

Finally, the third similarity of transition societies is associated with the postcommunism disappointment and disenchantment political and economic processes after the collapse of socialist camp. During 1989 – 1991, many people in the socialist camp experienced a sole, significant and intriguing time in their lives when the world was changing dramatically. Howard (2002) pointed that “although they had many fears and uncertainties about where the changes would lead them, most people experienced at least a brief moment of genuine excitement, hope, and idealism during those times of rapid transformation ... shared the belief that the end of communist rule, the emergence of new democratic and

market institutions, and the right at long last to speak freely, associate openly with others, and travel to the West would change their lives for the better.” (p. 163) However, the illusion has gone and many people felt cheated by the newly established system which increased the demobilization and withdrawal from public activities in the years since the collapse of communism.

In this context, the importance of civil society and its negative impact on democratic development become significant. As Howard (2002) mentioned, the negative impact of the weak civil society on the quality of democracies in transition has two main reasons. First, citizens of transition societies deprived of opportunities to develop democratic practice being apart from participating in civil society organizations. The second reason why civil society is important for democracy has to do with the direct influence of voluntary organizations as what Theda Skocpol (1999, p. 70) calls “a source of considerable popular leverage” on the political process. According to this historical institutional argument, civil society organizations, which represent the aggregate opinions, interests, and preferences of their members, can protect citizens from potentially unjust laws and policies and promote legislation that their members favor. Therefore, their voices and views are hardly represented in the political decision-making process. As Howard (2002) mentioned, “the distinguishing element of postcommunist democracy is—and probably will continue to be for several more decades and generations—the troubling but not fatal weakness of its civil society.” (p. 165)

### *The Role of NGO in Sustaining Civil Society*

Those who concerned with the possibilities of democratic development of the country being once a part of Soviet Union are concentrated on a subset of Civil Society, non-governmental organizations. Among many definitions of non-government organizations

(NGOs) or civil society organizations (CSOs) one given by Mehran Kamrava and Frank O Mora is of particular interest. They characterize CSO as “self – organizing and self – regulating groups with corporate identities that are autonomous from the state ... may exist within any given social or political setting.” (Kamrava and O Mora 1998, p. 895) However, as they argue, in order to become an agents of democratization and politically relevant groups, they have to meet three additional criteria. First, CSOs “must operate democratically, encompassing and respecting pluralism and diversity, thus in turn bestowing the virtues of democracy on their own members.” (Kamrava and O Mora 1998, p. 895) Second, and most important, that they have to have their own agendas with clear demands for political democracy. And third, that CSOs “need either to gather sufficient powers on their own or, better yet, be complemented by other CSOs, in a process of horizontal relations of civil society within itself.” (Kamrava and O Mora 1998, p. 895) According to the Report of *Common Ground for Development (1997)* “...a strong civil society, and in particular, the NGO sector, is a crucial component of a democratic society. The state has the legitimacy and often the means to deliver to scale. Yet NGOs are often close to the grassroots and in touch with local and community dynamics.”

NGOs as a part of civil society play an important and sometimes leading role in activating citizen participation in socio-economic development and politics and shaping or influencing policy. NGOs are the essential vehicles through which civil society can be developed and its institutions strengthened. Both of them will be important for strengthening and empowering people, both at the local level where they can make sure that decisions are made from the bottom up, and for making sure that citizens can also make an input at the highest levels of decision-making. The links between political parties and the populace are weak, so the former are unable to act as channels for popular aspirations. This creates the space for both associations and NGOs to play this role.

The role of NGO sector in the process of democratization is associated with building the civil society where civil society organizations have to perform important social, political and community functions. In contrast to the socialist political system where the state was the sole provider of social welfare services and the communist party the only institution dictating the political agenda, in a functioning democracy NGOs have to enhance political participation and help the political elite in defining a rational public agenda. During the initial stages of the transition, the NGO sector was considered as an important vehicle for the development of the political, economic and social reform and the main advocate of the new civil society. (Les, 1996)

### Corruption

As one of the oldest and most perplexing phenomenon in human society, political corruption exist in every country in the contemporary world and it is not exclusively a problem of developing countries. The classical concept of corruption as a general disease of the body politics was stated by ancient political philosophers Plato and Aristotle. Plato in his theory of the “perverted” constitutions-Democracy, oligarchy, and tyranny-worried that these regimes instead of being guided by the law were serving the interest of the rulers. “These fundamental general notions of corruption all practically define corruption as dysfunctional. For it is seen as destructive of a particular political order, be it monarchy, aristocracy, or polity, the latter a constitutionally limited popular rule, and thus by definition devoid of any function within a political order.” However, one of the most popular definition of corruption was given by Leslie Palmier (1983, p.207). According to this definition corruption is seen as the use of public office for private advantage.

However, corruption diverts public resources from their intended purposes to private

pockets and distorts the composition of government expenditure. Paolo Mauro (1988) stated, that “empirical evidence based on cross-country comparisons does indeed suggest that corruption has large, adverse effects on private investment and economic growth. Regression analysis shows that a country that improves its standing on the corruption index from, say, 6 to 8 (0 being the most corrupt, 10 the least) will experience a 4 percentage point increase in its investment rate and a 0.5 percentage point increase in its annual per capita GDP growth rate.”(p. 12) In addition, cross- country analysis shows that corrupt governments spend less on education and health, and probably more on public investment. (Mauro, 1988)

Corruption affects democratic development as well and causes a major obstacle to develop not only democracy in its broader sense, but to develop sustainable economic and social prosperity. The rule of law, transparency and accountability in the public sector serve as means to counter corruption. However, in transition countries as well as in countries with small populations, where the likelihood that people fulfilling the various supervisory, auditing, and sanctioning functions have close personal or family relationships is much higher than in countries with much larger populations, achieving transparency and accountability is much more difficult. (Duncan 2005)

### *The Rule of Law and Corruption*

The rule of law or the principle “that refers especially to government under law and to an unending search for reasonableness as law’s most basic norm” is the cornerstone of constitutional democracy. (Cooper and Newland 1997, p. 1) It ensures that the state, or “a set of institutions that possess the means of legitimate coercion, exercised over a defined territory and its population,” exercises its power in a reasonable and not an arbitrary fashion. (World Bank 1997, p.20) Proper checks and balances need to be in place to minimize the

opportunities for the abuse of state power. Therefore, traditionally, the government, or “the people who fill the positions of authority in a state ... the structure and arrangement of offices and how they relate to the governed” (World Bank 1997, p.20), has been separated horizontally into three sets of powers. The legislature makes the law; the executive implements or executes the law; and the judiciary interprets and applies the law. It has also been vertically divided into central and local levels of government.

Given the centrality of the powers of legitimate coercion in its definition, a state can intervene effectively in all aspects of life of those citizens within its boundaries. This means also that people in government, and particularly those in the executive, can abuse their powers and positions to promote their own interests or those of their friends and allies at the expense of public interest, through arbitrary acts and corruption. In many developing countries, despite constitutions that depict horizontal and vertical separations of powers, the state structure in practice centralizes power in the executive branch of government. By contrast, countries-in-transition are states that are rapidly decentralizing their power by shifting from central planning to market orientation and from one-party to multi-party politics. In essence, tight state control is being economically and/or politically loosened so rapidly that short-term profiteering over long-term profit-making and a temporary descent to anarchy result.

Related to the concept of the rule of law are the concepts of transparency and accountability. “For democracy to work, citizens must have access to information about what their government is doing and how decisions have been reached.” (Feinberg 1997, p. 376) Transparency in government means responding to the citizens’ “right to know” through facilitating the access to information and also their understanding of decision-making mechanisms. This can be achieved through accurate, reliable and relevant financial reporting based on published accounts and regular audit reports; freedom of information acts which

allow access to records of and rationale for decision-making; televised parliamentary debates; etc. Government accountability is facilitated by approaches, mechanisms, and practices to ensure that its activities and outputs meet the intended goals and standards. The two concepts of transparency and accountability go hand-in-hand since without adequate information on performance, outputs, and justifications, it is difficult to hold governments accountable for their actions. Giving account of public resources and policy decisions is an integral part of democracy. Transparency and accountability serve as a check against mismanagement and corruption on the part of public officials.

According to the Nations in Transit 2005 Report, Armenia is among the least corrupted countries of former Soviet republics. However, prevalent corruption at governmental level continues to bar the economic and political development of the country spreading the distrust as well as discouraging foreign investments. In its 2004 Corruption Perceptions Index, “Transparency International rated Armenia 82 out of 146 countries, well above its neighbors in the Caucasus, Georgia, and Azerbaijan and, of the former Soviet republics, behind only Belarus. Armenia's score was 3.1, with 10 being the least corrupt.” (Nations in Transit 2005)

However, in early 2004 the Republic of Armenia became a member of the CoE's GRECO. In the late 2003 the Government of the Republic of Armenia initiated its anticorruption strategy to fight corruption in the political area, state bureaucracy, law enforcement agencies and the judiciary with the aim to overcome poverty. According to the Nations in Transit 2005 Report, “the opposition parties have declined to participate in the monitoring committee, citing its closeness to the executive, but several NGOs are represented ... local and international observers remain skeptical that the strategy will be effective, citing concerns at the lack of independence of the bodies set up to implement the strategy and doubts over the government's political will to tackle corruption.” (Nations in Transit 2005)

The involvement of NGOs in anticorruption campaign is still low. According to TI Questionnaire (2003), “only few NGOs have specific anti-corruption projects, many others implement projects that include anti-corruption elements such as access to information, improvement of the current legislation, protection of the rights of the citizen’s or business groups.” (p. 29) Moreover, according to the CRD assessment of Armenia’s anticorruption institutions, “none of the institutions evaluated is functioning effectively ... factors influencing this finding include the absence of political will, the lack of institutional autonomy, poor law enforcement, and the low level of public participation in policy making.” (Nations in Transit 2005)

Furthermore, there is a highly negative perception of official corruption among public. According to IFES survey on “Citizen’s Awareness and Participation in Armenia” (2003), 71 percent of respondents considered corruption to be a serious problem (up from 68 percent in 2002), while the number of respondents who accept it to be very serious decreased from 20 to 16 percent. The widespread official corruption and the government's passiveness to appeal led to the perception that it is too deeply rooted to be eradicated: 81 percent of respondents in the survey believed that Armenians accept corruption as a way of life. (Citizen’s Awareness and Participation in Armenia 2003) The other survey, conducted in September 2004 by the Armenian Center for National and International Studies, found out that about 62 percent of respondents believed that “corruption exists at all levels and that health care institutions, followed by the courts, were the most corrupt structures. Corruption within the political sphere is also widespread: 63 percent of those surveyed were offered a bribe in the 2003 presidential or parliamentary elections. (Corruption in Armenia, 2004)

Similarly, according to the survey conducted by Armenian Socio-Demographic Initiative 64 percent of youth believe that corruption is a biggest obstacle for development of the country.



However, according to the TI Corruption Perception Index (see Table 1), new EU member countries showed slight increase of the perception index, while countries that are involved in the accession process show more positive. Bulgaria, Turkey, Croatia and Romania are the best performers in the non-EU South and Eastern European countries. It means that required legislative reforms in the countries involved in the accession process have strong political background and promote development of civil society. Therefore, the further integration with European structures will give a chance for Armenia to successfully combat corruption within the country.

<b>Table 1: Corruption Perception Index</b>					
	<b>2001</b>	<b>2002</b>	<b>2003</b>	<b>2004</b>	<b>2005</b>
<b>Estonia</b>	5.6	5.6	5.5	6.0	6.4
<b>Latvia</b>	3.4	3.7	3.8	4.0	4.2
<b>Lithuania</b>	4.8	4.8	4.7	4.6	4.8
<b>Poland</b>	4.1	4.0	3.6	3.5	3.4
<b>Czech Rep.</b>	3.9	3.7	3.9	4.2	4.3
<b>Cyprus</b>	=	=	6.1	5.4	5.7
<b>Slovenia</b>	5.2	6.0	5.9	6.0	6.1
<b>Slovakia</b>	3.7	3.7	3.7	4.0	4.3
<b>Hungary</b>	5.3	4.9	4.8	4.8	5.0
<b>Malta</b>	=	=		6.8	6.6
<b>Bulgaria</b>					
	3.9	4.0	3.9	4.1	4.0
<b>Turkey</b>	3.6	3.2	3.1	3.2	3.5
<b>Croatia</b>	3.9	3.8	3.7	3.5	3.4
<b>Romania</b>	2.8	2.6	2.8	2.9	3.0
<b>Armenia</b>	=	=	3.0	3.1	2.9
<b>Source: Transparency International</b>					

On the other hand, civil society is also vulnerable toward corruption as it affects all sectors of the state. Sorin (2003) argues that NGOs are also inclined towards corruption. He states that “as their size and budgets are growing, the level of unethical practices also seems to rise.” (Sorin 2003) Moreover, a recent survey conducted by Global Corruption Report (2003) illustrates that civil

society is not the ideal and that there is a strong correlation between the civil society indicator and the Transparency International (TI) Corruption Perceptions Index.

### *Development of NGOs in Armenia*

According to the Ministry of Justice (MOJ), the number of registered NGOs in Armenia by the May 2000 was 2300. During the last four years, the number of officially

registered NGOs has increased to 3300. (Armenia NGO Assessment 2004) The areas of NGOs activities became larger and included such spheres as public awareness, advocacy, civic education, democratic citizenship and human rights. The rise of these areas is a major change in compare with the year 2000. Those NGOs have started participating in political actions through lobbying and public mobilization. According to the Ministry Official from the Central Government, NGOs, working in the field of advocacy, “clearly understand the legislative field, they point out gaps and initiate the change in that sphere, thus representing the interests of their beneficiaries.” (Armenia NGO Sector Assessment 2004, p. 48) However, advocacy, translated as public interest protection, perceived by NGOs as an activity related to the legal reforms such as new legislation or law amendments. (Armenia NGO Sector Assessment 2004)

Furthermore, civil society groups remain heavily reliant on external funding, particularly from diasporas organizations. According to the Nations in Transit 2005 Report, “Armenia's rating for civil society remains at 3.50<sup>1</sup> while noting the increase in voluntary activity, improved organizational capacity and advocacy skills of civil society groups, and the rise in professional training of such groups, principally among diasporic groups.”

Even though NGOs are quite numerous and involved in a broad range of activities, public participation in civil society is rather poor. Low public participation in NGO activities is determined by poor overall support of the public and low public trust in civil society’s capacity to meet social needs, the lack of transparency in NGOs operations for the larger public and poor NGO reporting on these issues, deficient tax deductions for private donations. According to the Armenia NGO Sector Assessment 2004 Report, the main reason

---

<sup>1</sup> NOTE: Nations in Transit ratings are based on a scale of 1 to 7, with 1 representing the highest level and 7 representing the lowest level of democratic development. The 2005 ratings reflect the period January 1 through December 31, 2004.

of distrust toward NGOs is that “society is detached from degree from social development and people are not well aware of the role and mission of non-profit sector.” (p.78)

**Table 2. NIT ratings for Armenia, 2005**

	1997	1998	1999	2001	2002	2003	2004	2005
Electoral Process	5.50	5.75	5.25	5.50	5.50	5.50	5.75	5.75
Civil Society	3.50	3.50	3.50	3.50	3.50	3.50	3.50	3.50
Independent Media	5.25	5.25	4.75	4.75	4.75	5.00	5.25	5.75
Governance	4.50	4.50	4.50	4.50	4.50	4.75	4.75	n/a
Judicial Framework and Independence	4.75	5.00	5.00	5.00	5.00	5.00	5.00	5.25
Corruption	n/a	n/a	5.75	5.75	5.75	5.75	5.75	5.75
<i>Source: Nation in Transit 2005 Armenia</i>								

However, according to the IFES 2003 Survey, there is a declining tendency of general interest towards politics and government in Armenia. The results of this survey show that “Armenians do not feel confident that their country is moving in the right direction and express cynicism about the working of their government and the political process.” (p. 33)

### **New law on NGO in Armenia, its strengths and weaknesses**

As the role of the non-governmental sector is becoming increasingly important, the establishment of good legal frameworks for the foundation and functions of civil organizations is therefore necessary. Important aspects of these legal frameworks are the international and national laws permitting NGOs to come into existence without undue governmental interference. Internationally the right to freedom of association can be found in the United Nations Universal Declaration of Human Rights from 1948 and in the

International Covenant on Civil and Political Rights (ICCPR) from 1966. Article 22 of ICCPR states that “everyone shall have the right to freedom of association with others” and this article is almost identical to article 11 of the European Convention on Human Rights (ECHR) from 1950. These international instruments have made the right to freedom of association accepted as an international human rights norm today. Important for ensuring the right of non-governmental organizations to come into existence is the registration procedure. The laws should permit a quick, easy and inexpensive registration of NGOs without undue bureaucratic difficulties.

The laws on non-governmental organizations should also address issues such as accountability and transparency, governance and financial sustainability. Transparency in civic organizations is important to ensure that those outside the organization can get an insight into its work and thus guarantee the organizations reliability. Governance needs to be addressed, when self-governance contributes to capacity building of organizations. The laws in this area should set minimum standards for self-governance, which the organizations themselves can impose by self-regulatory mechanisms. Finally, NGO laws should also create the mechanisms that allow the organizations to achieve financial sustainability. This can be accomplished through tax exemptions or through tax deductions for donors.

The civil society is growing rapidly, and many countries are recognizing the value of the NGO sector. To support this growth it is important to have a functioning legal framework governing the sector, and that all governments recognize the right to freedom of association as stated in the United Nations Universal Declaration of Human Rights and in the International Covenant on Civil and Political Rights.

However, the National Assembly of the Republic of Armenia adopted Law on Public Organizations on December 4, 2001. While the Law is still not perfect, it significantly improves legal environment for NGOs in comparing with the previous Law on Public

Associations. According to the online news release of the International Center for Non-for-Profit Law (2002) the Armenian NGOs actively participated in the drafting process of the law on public organizations with government officials and deputies of the parliament through numerous round table discussions and conferences. The most important recommendations and comments made by NGOs and accepted by the Parliament include the following:

1. introduction of an article that allows the existence of public organizations without state registration and without the creation of a separate legal entity. It guarantees the existence of the organization without registering as a legal entity.
2. the definition of public association was enlarged which allows them to be involved in a broad range of activities including humanitarian and material assistance to the needy.
3. eliminating of the article limiting public association activities for members of military and law enforcement bodies.
4. the number of founders were cut down to two persons.

However, the adopted law is not perfect. First of all, according to the Law on Public organizations, the existence of members is required for NGOs to act. If there is no membership, the establishment of NGO becomes impossible which somehow restricts the fundamental right to public activities. Second, while the board of directors of NGO is an executive body, the members of the board are required to be members of the organization as well. Third, the Law on Public Organizations tends to regulate all aspects of activities in details instead of setting a general principle which will limit and hamper the activities of NGOs undoubtedly affecting civil society development. (The Law of the Republic of Armenia on Public Organizations, 2001) Forth, the law on Public Organizations still does not ensure tax regulations and does not improve their self-governance. According to the Armenia

NGO Sector Assessment 2004, the biggest problem related to the tax issue is associated with the volunteers' activities. Government officials claim that volunteers are considered as workers whether they are paid or not, therefore they need social insurance. On the other hand, the NGOs argue that volunteers cannot be considered as workers because they are not paid, thus there couldn't be any legal basis for the tax.

### *The Role of NGOs in Armenian Politics*

The peculiarity of the political field defining the role of non-governmental organisations in Armenia is determined by strong social marginalization. After a certain decline of political activity and public significance, currently NGOs are once again regaining activity. During this period of parliamentary and presidential elections in 1996, 1998, 1999, and 2003 parties couldn't become a link between authorities and general public due to the weaknesses of essential institutional. (CERA, 2005) Ashot Esayan, representative of "Armenian Centre for Political and International Studies" NGO has mentioned in his article that "mechanisms for authorities-opposition dialogue are absent: the opposition even turned to boycotting the regular work of the Parliament. Meanwhile, both the opposition and the authorities are guided by short-term-goal-setting populist slogans." (p. 33)

The role that NGOs play in political life could be integrated in the activities of interest groups. There is a thin line between interest groups' and NGOs activities. As Hague et. al. (1998) defined, "interest groups are organizations which have some autonomy from government or political parties and ... try to influence public policy ... seek to influence government but, unlike political parties, they do not aspire to control it." (p. 113) Discussing the interest groups it is essential to talk about lobbyists as well because the Government of Armenia is going to adopt a Law on Lobbyist activity. According to the online Labor Encyclopedia, "lobbying is in many countries a regulated activity, with limits placed on how

it is conducted, in an attempt to prevent political corruption and most major corporations and political interest groups do hire lobbyists to promote their interests.”

Today, NGOs are somehow involved in lobbying process that do not receive much publicity but could have a serious impact on further development. As an example, the "Co-operation for Open Society" NGO coalition managed to organize a serious public-awareness campaign which annulled the legislative proposal of the Government's to restrict freedom of information. Indeed, NGOs continue to defend the interests of target groups, which are too narrow to capture the attention of political parties. (CERA, 2004)

According to the results of an in-depth interview, political elites are asserted that the role of Armenian NGOs in domestic politics is still weak. On the other hand, the NGO leaders claim, that the role of NGOs become stronger as the integration with European structures goes stronger. Margarit Piliposyan, President, “Civil Society Development” NGO, asserted that “the role of non-governmental organizations in political life become stronger day by day.” The other respondent, Karen Asatryan has brought a supportive argument on increasing activities of NGOs in political life claiming that NGOs are actively participated on broad discussion over the draft Law on Lobbying.

### *The process of European Integration and its impact on NGO's activities*

The European Union is in a unique position to influence the reforms of Caucasian countries because integration requires not only a fully functioning market economy and a certain level of economic development, but also the “stability of institutions guaranteeing democracy, the rule of law, human rights and respect for protection of minorities.” (European Council 1993, p.13.)

Whether Constitutional Reforms will have an impact on the development of civil Society in Armenia is one of the important questions to be discussed. The Chair of the Council of Europe Committee of Ministers declared that:

After several months of intense debate, Armenia's National Assembly has just adopted a number of constitutional amendments, in line with the country's commitment undertaken when joining the Council of Europe. The referendum to be held on 27 November on this reform will be vital for Armenia. By turning out to vote during the referendum, the people of Armenia will indeed be deciding on changes of fundamental importance for their future. The expertise of the constitutional amendments by the Council of Europe's Venice Commission has shown that the reform will allow the alignment of the Constitution with European standards by enhancing the independence of the judiciary, providing a more balanced distribution of power between the executive and the legislative branches, as well as promoting local democracy and freedom of the media. (Human Rights in Armenia, 2005)

However, one of the conditions of Armenia's accession to the Council of Europe in 2001 was Constitutional reforms. The balancing of powers of the Executive and Legislature has always been a key issue that new democracies face when undertaking constitutional reforms. It is fundamental to building a system where both Executive and Legislature are fairly independent, accountable, ready for shared decision-making, and empowered to exercise effective mutual control. If the balance distorted in either direction, the result is almost equally negative: the dominating Executive is likely to weaken the process of democratization, too powerful Legislature, especially in multiparty systems, may undermine the efficiency of the work of the Executive. Therefore, the objective behind constitutional reforms in fairly new democracies with regard to these branches of power is to establish constitutional mechanisms enabling a prerogative<sup>2</sup> Executive work under the oversight of the Legislature where activities of both branches are subjected to a constitutional-judicial scrutiny.

---

<sup>2</sup> See *John Lock*, Two Treatise on Government, Chapter 14-15. Exercising "good judgment" the executive is allowed to take actions not provided by law (not breaking them, just not provided for by them), if their actions serve the society's best interest.



The final draft of the Armenian Constitution which is going to be posed on referendum has significant positive changes in compare with the existing one.

First of all, the constitutional foundation of the institution of the Ombudsperson represents an important step towards ensuring an effective protection of human rights and freedoms in Armenia. An Article 83.1 of the amended Constitution (Constitution 2005) states that “The National Assembly shall elect the Human Rights defender ... an independent official who implements the protection of the violated human rights and freedoms by state and local – government bodies and their officials.” Moreover, according to the same version, Ombudsmen has an immunity envisaged for the deputy and he/she is irremovable. Positive changes were made in the articles related to the Presidential immunity, formation of government, independence of the Judiciary, appointment and dismissal of judges and judicial Council. According to the Venice Commission Report on 21 July 2005 “the revised draft constitutional amendments represent an undoubted improvement as compared to earlier drafts.” (European commission for Democracy Through Law 2005, p.6)

However, referenda usually give an impetus to the activities of NGOs and to civil society in the broader sense, meaning an active citizenry and interaction between citizens and the state. Civic organizations can make a valuable contribution to a referendum campaign by helping to guarantee the plurality of sources of information, and bringing the viewpoints of different social groups to public discussion. The educative function, which is considered one of the main functions of civic activity in general (Pateman 1970), is particularly important during referendum campaigns, since non-governmental actors are often able to reach the citizens better than the state. It is also of vital importance for democracy that official views are balanced with alternative positions and subjected to bottom-up criticism.

## Youth Perception

To discuss the perspectives of Civil Society in the way of Armenia's European Integration it is necessary to study a youth perception on the principles of democracy, rule of law, human rights, respect and tolerance towards minorities, which are fundamental for European countries, as they are going to be a leaders of the country and participate in the process of Armenia's integration in the future. A survey on the "Attitude of Armenian Youth Towards European Values and Accession to Europe" has been conducted in 2005 by OSI Armenian Office. According to them, one of the main differences between Armenian and European mentalities is the perception of the role of governance, its status and functions. Moreover, the same survey has showed that only 1/3 of respondents believe in democracy, more than the half considers it as an illusion. Furthermore, the system of values, life priorities, attitude to the society, labour morale are a set of features that describe the way of thinking that allows to judge how close they are to the European mentality. According to the survey, the family and health are among the main life priorities for Armenian youth today while prosperity of the country and democracy are rated among the lowest priorities.

**Table 3:** Youth Perception of Armenian mentality and Culture

#	Culture	%
1.1	<i>Close to Russian</i>	4.3
1.2	<i>Close to Asian</i>	7.4
1.3	<i>Close to European</i>	6.9
1.4	<i>Close to American</i>	1.6
1.5	<i>Armenian Culture and Mentality are unique</i>	70.5
1.6	<i>Difficult ot say</i>	9.3
	<b>Total</b>	100

Source: *Armenian Socio-Demographic Initiative*

Then, as the vast majority of the respondents interviewed believe, the Armenian culture is unique and incomparable with other cultures while they are well familiar with the European one. The authors of the survey stated that "every fourth respondent thinks that

values of European civilization contradict to those of Armenian and only 10.1% of the interviewed consider European values progressive and developed and look forward to their adoption. While the majority of respondents look forward to accession to EU every 5<sup>th</sup> respondent is not quite clear about the relations of European countries with Armenia. Moreover, the survey shows that youth perception of European values and standards is associated with the encouragement of the homosexuality and religious sects in Armenia.

In this context, the CoE launched its Education for Democratic Citizenship to foster democratic citizenship knowledge and skills and promote democratic tolerance and cultural pluralism. (CERA 2005) The need for such initiative revealed due to the significant decrease in the number of people, especially the youth, taking active participation in public and political life. According to CERA (2005) Democratic Citizenship defined as “the knowledge about how a state and society work, why government functions as it does, where to get information how to vote, etc.” (p. 17) The field of Education for Democratic Citizenship involves human rights education, civic education, peace education, global and intercultural education.

However, does civic education work? Can it teach people in transition countries the basic democratic values, skills, and attitudes that they need? Steven Finkel (2003) in his article “Can Democracy Be Taught?” stated that civic education training has the relatively large effect on political participation. The study aimed to research the influence of civic education on three main components of democratic citizenship, civic competence, political tolerance and democratic participation in three transition countries. The results show a large increase in citizen’s participation in politics. In other words, “exposure to training programs in democracy translates directly into increased involvement in the political system.” (Finkel 2003, p. 140) When moving from participation to civic competence and support for democratic values, civic education’s effects are not as influential or consistent. However,

civic education did increase individuals' awareness of the political process bolstered the core democratic orientations of political efficacy and tolerance.

### Key findings

The overall findings demonstrated that political elites have more knowledge and vision on Armenia's further integration into European structures than NGOs leaders have. They clearly understand the reasons of the process of integration and what the country can get from that in political and economic perspectives. According to Mkrtych Minasyan, "the European structure is the best one in the broad sense from social protection to the human rights issue." Moreover, they have distinct idea on how democracy works and the role of Civil Society in democratic state. As Shavarsh Kocharyan mentioned, Civil Society is the inseparable part, the core of the state." In contrary, the NGOs leaders have vague notion on the issues that were discussed. The benefits, Armenia can get from its integration are improving a tax legislation, availability of and diversity of programs and appropriate donors for their further activities. The leader of "NGO Center" has even doubt whether there is a major role for Civil Society in Europe.

However, the next important finding is that forthcoming constitutional reforms can serve as a basis for the formation of Civil Society in Armenia. Both political elites and NGOs leaders have agreed upon that. As Mkrtych Anushyan claimed, "it's a step toward formation of civil society ... and constitutional reforms in conformity with the European standards are the beginning of that process."

Furthermore, NGO leaders and opposition political elites agreed that the implementation but not imitation of integration is the only way to improve the sphere of activities for civil society in Armenia. Avetik Ishkhanyan asserts that "we should reject any

imitative activity not to have gaps in law and its implementation ... with the involvement of mass media in broad discussion of what “European value” means.”

Next, the process of Armenia’s integration into the European family, and particularly participation in ENP program, will require signing, ratifying and adopting appropriate European norms and conventions that will make the country closer to European standards and promote the development of civil society in Armenia. Taking into consideration the fact that countries involved in EU accession process have significant improve in corruption index, the Republic of Armenia will definitely have the same tendency due to its further integration into the European family.

Finally, both NGO leaders and political elites believe that low level of awareness of NGOs activities as well as the low perception among youth on European integration is a result of poor media coverage and passiveness on NGOs. Taking into consideration this fact as well as the low trust towards the government and politics in general, unfair process and infringements during the referenda will worsen already low trust toward the government and politics which will make the constitutional reforms meaningless.

## Analysis

Going ahead through research questions, derived at the beginning of this paper, and based on key findings, identified throughout the whole research, some analysis about the role of NGOs in strengthening civil society in Armenia in the perspectives of European integration are essential to present.

**Research question #1:** Do the Armenian policy makers’ views on the European integration differ from those of Civil Society organizations?

The integration is viewed first and foremost as the ticket to greater political stability and economic prosperity. From an economic perspective, the integration constitutes a very large export market and is an excellent source of consumer goods and investment products for Armenia. From a political perspective the benefits of Armenia's closer cooperation with the European structures would include a more stable and democratic political system with developed and sustainable institutions and the rule of law with a transparent legislative process, respect for human rights, and an ingrained culture of democracy. European integration would also strengthen Armenia's national security and by extension, the individual security of the citizens of Armenia as an increasingly integrated Europe rejects the use of force as a means to resolve problems.

The data show that there is a huge difference in perception on Armenia's European integration among NGOs and political elites. They clearly understand the reasons of the process of integration and what the country can get from that in political and economic perspectives. Moreover, they have distinct idea on how democracy works and the role of Civil Society in democratic state. In contrary, the NGOs leaders have vague notion on the issues that were discussed. The main concern for NGOs leaders is financial and economic perspectives, tax regulations and existence of programs to implement. Both, NGOs as well as political elites are agreed that the field of the program to implement for the most NGOs does not have much importance. The essential thing is to find a program. "There is no NGO in Armenia that could exactly state the field of its activity, they do wherever the wind is blowing" mentioned one of the NGO leaders. NGO Sector in Armenia is financially dependent on foreign donors' assistance (NGO Sector Assessment 2004) which is the reason for program oriented behavior among NGOs. Armenia NGO Sector Assessment 2004 Report states that "many NGOs are still more oriented toward satisfying donors than Armenians." (p.96)

**Research question #2:** What are the ways for improving the area of activities for Civil Society?

Civil Society covers all the aspects of human activities in the society – political, economic, spiritual and social. Human initiatives in the political sphere include formation of parties, political movements; in the economic sphere – private (non-state) economic entities and trade unions; in the spiritual sphere – unions of creative workers, interest clubs; and in the social sphere – family and other communities. All conceptions of civil society have linked it to democracy. As Secretary General Kofi Annan so concisely put it “a vibrant civil society is the key to a successful democratization process” (Thede 2002, p. 5)

Armenian Civil Society is still weak. According to the Nations in Transit 2005 Report, “Armenia's rating for civil society remains at 3.50 while noting the increase in voluntary activity, improved organizational capacity and advocacy skills of civil society groups, and the rise in professional training of such groups, principally among diasporic groups.”

The research shows that Armenia need to implement Constitutional and Legislative reforms as they are directly related to the development of civil society in Armenia. Moreover, both political elites and NGO leaders agreed on necessity of implementing reforms in the country. Mkrtich Minasyan, a member of the Parliament, argued that we have to review the Law on Public organizations making obligatory their participation on parliament discussions over legislative initiatives. Furthermore, Galust Sahakyan, Head of Republican Fraction, “the most important issue for development of civil society on Armenia is Constitutional Reforms which will deepen the ongoing democratic process in our country.” Furthermore, the ongoing European integration process will require signing, ratifying and adopting appropriate

European norms and conventions within the domestic law that will make the country closer to European standards and will promote the development of civil society in Armenia.

**Research question #3:** What activities should be undertaken to improve the public awareness and belief about the European Union?

European integration should not only be a priority among Armenian governmental officials; it should also be supported by society at large. For this to happen the Armenian public must be informed and educated about the nature of the EU, how it functions and what benefits the EU brings to its citizens. To this end it is the responsibility of the government to initiate a proactive information campaign aimed at society at large in order to promote the broadening of contacts with EU member states.

The research shows that political elites are well aware of the way European structures function. Moreover, as was mentioned above, they have clear understanding on the role of civil society in European political life. On the other hand, NGO sector has limited knowledge and imagination. As Shavarsh Kocharyan mentioned, “the information about European values and culture are limited by abolition of death penalty, permission of activities of religious sects and homosexuality.” Moreover, according to “Attitude of Armenian Youth towards European Values and Accession to Europe” survey (2005), “many young people consider that homosexuality and permission for the activities of religious sects (Witnesses of Jehovah) are almost the main European values and preconditions for EU accession.” (p. 25)

However, the collected data show that mass media and NGOs are not properly cover the process of Armenia’s European integration as well as the basic European values. Moreover, as research show, the low level of awareness of NGOs activities as well as the low perception among youth on European integration is a result of poor media coverage. Both political elites and NGOs leaders claim that mass media is acting passively covering such hot



issues as European integration and basic European values. Hripsime Avetisyan, member of the parliament from ULP, argued that the lack of appropriate literature and sources of information except of internet are the causes of low understanding of European processes ... mass media do not work properly.” Furthermore, all of the interviewees came to the point that the process public awareness on integration and basic European values has to involve some steps from the part of the state as well. Avag Tadevosyan states that “elaboration of manuals and involvement of NGOs should be an essential step.” Then, Hripsime Avetisyan suggested that there should be an allocated separate amount of money in the budget for the purposes of public awareness on this hot issue.

**Research question #4:** Do Constitutional and Legislative reforms provide a basis for development of the Armenian Civil Society?

The research question answers most points that were discussed in this Master’s Essay. Constitutional and Legislative reforms were essential to implement due to Armenia’s membership in European structures. This study shows that forthcoming constitutional reforms can serve as a basis for the formation of Civil Society in Armenia. Both political elites and NGOs leaders have agreed upon that. Galust Sahakyan, Head of Republican Party in the Parliament, asserted that “constitutional reforms will prevent the country from revolutionary processes and without loses on evolutional way amalgamate the process of integration.” The other interviewee, Mkrtych Minasyan stated that there is no alternative for our country, only constitutional reforms will lead to the development of Civil Society in Armenia.

On the other hand, there were some comments on the way the referenda will be carried out. Shavarsh Kocharyan from the political elites group and Avetik Ishkhanyan from NGOs leaders group commented that unfair process and infringements during the referenda

will worsen already low trust toward the government and politics in general which will make the reforms meaningless.

**Hypothesis 1:** Armenia's further integration into the European structures will have a positive impact on the process of combating corruption.

The new EU member countries showed slight increase of the perception index, while countries that are involved in the accession process show more positive increase. Bulgaria, Turkey, Croatia and Romania are the best performers in the non-EU South and Eastern European countries. Comparing with the years 2001 – 2005, new members before the accession have showed significant increase as well. It means that required legislative reforms in the countries involved in the accession process have strong political background and promote development of civil society. According to the World Bank Group (1997), “civil society and the media are crucial to creating and maintaining an atmosphere in public life that discourages fraud and corruption. Indeed, they are arguably the two most important factors in eliminating systemic corruption in public institutions.” Therefore, Armenia's further integration into the European structures accompanied with appropriate legislative and constitutional reforms will promote the development of civil society which for its turn will reduce the corruption in the country.

### *Conclusion and recommendations*

The development of Civil Society in Armenia is a complex process that involves the active integration of the country into European structures with simultaneous development of NGO sector, legislative and constitutional reforms.

For Armenia striving for Europe, EU-Armenia relations are of pivotal significance. The European Neighborhood Policy of the EU indicates a new approach that goes beyond existing relations and cooperation of the European Union with neighboring countries on the Eastern and Southern perimeter of its borders. The purpose of this policy is sharing the benefits of EU enlargement with all interested neighbors through enhancement of stability, security and wellbeing, as well as avoidance of new dividing lines between the enlarged European Community and its neighbors. The implementation of the ENP will be supported with significant financial and technical assistance from the EU. For partner countries, the prospects of advancement towards the EU will create significant incentives for the promotion of comprehensive economic and political reforms.

The development of NGO sector is divided into the following parts that will lead to potential development of non-profit sector.

- 1) Promote the development fundraising;
- 2) Develop organizational skills of staff and volunteers through civic education and intensive trainings.
- 3) Promote the involvement of NGOs in international and regional programs;
- 4) Development of recommendations on transparency and a better understanding of the procedures on project applications of NGOs with regards to projects of foreign donor organizations.
- 5) Enhancement of public awareness of the media representatives as the intermediary link between NGOs and the larger society.

Furthermore, human rights defenders require increased protection because they are on the front lines of democratic development, striving for the recognition of the rights of the marginalized and the excluded. The process of formulation, demand, recognition and enforcement of rights is at the very heart of democratic development. The rights of human

rights defenders should thus be seen as a boundary to democracy that cannot be crossed. As was mentioned by Hina Jilani (2002), the Secretary- General's Special Representative on Human Rights Defenders, "the independence of State institutions and their capacity to offer protection against human rights violations and support for the defense of human rights are severely hampered where the commitment of a Government to the practice of democracy is absent or weak."<sup>3</sup> The independence of Human Rights defender is included within the amended Constitution of the Republic of Armenia. Thus, by adopting it at the referenda, there will be a significant improvement of human rights situation which is the basis for development of Civil Society in our country.

As was mentioned above, referenda usually give an impetus to the activities of NGOs and to civil society in the broader sense, meaning an active citizenry and interaction between citizens and the state. Civic organizations can make a valuable contribution to a referendum campaign by helping to guarantee the plurality of sources of information, and bringing the viewpoints of different social groups to public discussion. The referendum campaign will give a particularly strong boost to civic activity, since it encourages various social groups and organisations to formulate their views and defend their interests in European integration related matters. At the same time, the voice of NGOs in Armenian public discussion grew stronger in general, and interaction between civil society and the state increased. The ongoing integration process can be expected to further improve the conditions for civil society involvement, as it will in many respects end the hard period of transition and bring a move to "normal" politics, with more time and space for the participation of different groups in political processes.

---

<sup>3</sup> "Report submitted by Ms. Hina Jilani, Special Representative of Secretary-General on human rights defenders, pursuant to the Commission on Human Rights resolution 2000/61," United Nations Economic and Social Council, 27 February 2002  
<http://www.unhchr.ch/Huridocda/Huridoca.nsf/0/e816b20139e397e6c1256b9e00477e18?Opendocument>

As the main stakeholders in national governance and ultimate victims of corruption, civil society is a key sector in the fight against corruption. Civil society in general and the media in particular can help to create awareness, deepen appreciation of deleterious consequences, and generate demand for effective measures to reduce corruption. This is important for getting political leaders and policy makers to initiate reforms against corruption. Civil society is also crucial for fostering public support and ownership of reforms and thereby enhancing their legitimacy and sustainability. Indeed, civil society organizations, NGOs, trade unions and anti-corruption advocacy groups can help to make corruption a major issue in national and local elections and transform the electoral system into a veritable facility for throwing out corrupt public officials and motivating elected officials to keep to an anti-corruption agenda. The energy, dynamism and single-mindedness of civil society deployed in this mobilization exercise is the only way to counteract the strong tendency for national leaders and the international community to pay only lip service to combating corruption.

In conclusion, this Master's Essay highlighted some important points on Civil Society development in Armenia and the role of NGOs in the perspectives of European integration. The necessity of Constitutional and Legislative reforms was proven through the research. The differences in perception of European integration among political elites and NGOs leaders as well as the current perception of that process among Armenian youth bring underscore that the development of Armenian Civil society is a longstanding process that requires consolidated notion over above mentioned issues.

The development of NGO is highly depends on the way the referenda on constitution will be carried out. Moreover, appropriate amendments within the Law on Public Organizations will be necessary to adopt. In this context, it would be actual to research into the role of NGOs in community development as well, because this issue becomes an

important one due to the rise of the local government authority and its special article within the amended constitution. Moreover, the development of Civil Society could be seen in comparative perspectives as all three countries are included within the ENP Program.

## **REFERENCES**

- Almond, G. A., Powell, G. B. Jr., Strom, K., and Dalton, R. J. (2001). "Comparative politics: A theoretical framework." Third edition. New York: Longman.
- Arato, Andrew. (1981) "Civil Society against the state: Poland 1980-81." Telos: A Quarterly Journal of Critical Thought. 47:23-47.
- Armenian Center for National and International Studies. (2004) Corruption in Armenia. October 25. (Webpage: [http://www.acnis.am/pr/soc\\_corruption.htm](http://www.acnis.am/pr/soc_corruption.htm))
- Armenian European Policy and Legal Advice Centre (AEPLAC) (2005) Legal and Institutional Approximation. September 22. (Webpage: [http://www.aeplac.am/pdf/reports/NP\\_Current\\_Status/Executive\\_Summary\\_eng.pdf](http://www.aeplac.am/pdf/reports/NP_Current_Status/Executive_Summary_eng.pdf))
- Barber, Benjamin. (1998) A Place for Us: How to Make Society Civil and Democracy Strong. New York: Hill and Wang.
- Cohen, Jean. (1988) "Discourse Ethics and Civil Society." Philosophy and Social Criticism. 14:315-337.
- Common Ground for Development. (1997) Report of the seminar on NGO/Government relations in the Commonwealth. Edinburgh: Commonwealth Foundation.
- Constitution 2005. (2005) Amended Constitution of the Republic of Armenia. November 6. (Webpage: <http://www.ayo.am/>)
- Cooper, Phillip and Chester A. Newland (1997) "Handbook of Public Law and Administration." San Francisco: Jossey-Bass Publishers.
- Council of Europe Information Office in Armenia (CERA) Spring 2005
- Council of Europe, Treaty Office. (2005) October 12. (Webpage: <http://conventions.coe.int/>)
- Diamond, Larry. (1994) "Toward Democratic Consolidation." Journal of Democracy. July 1994.
- European Convention on Human Rights (ECHR). October 5. (Webpage: <http://www.hri.org/docs/ECHR50.html#C.Art11>)
- European commission for Democracy Through Law. (2005) Draft Final Opinion on the Constitutional Reform in the Republic of Armenia. Strasbourg. September 15. (Webpage: [http://www.venice.coe.int/docs/2005/CDL\(2005\)054-e.pdf](http://www.venice.coe.int/docs/2005/CDL(2005)054-e.pdf))
- European Council. (1993) Conclusions of the Presidency. Copenhagen, June 1993. October 12. (Webpage: [http://ue.eu.int/ueDocs/cms\\_Data/docs/pressData/en/ec/72921.pdf](http://ue.eu.int/ueDocs/cms_Data/docs/pressData/en/ec/72921.pdf))
- Feinberg, Lotte. (1997) "Open Government and Freedom of Information: Fish bowl Accountability?" In Cooper and Newland (eds.) Handbook of Public Law and Administration. San Francisco: Jossey-Bass Publishers.

- Freedom House Report. (2005) Nations in Transit, Armenia. September 10. (Webpage: <http://www.freedomhouse.org/research/nitransit/2005/armenia2005.pdf>)
- Finkel, Steven. (2003) “Can Democracy Be Taught?” Journal of Democracy. 14:137-151
- Global Corruption Report. (2003) October 30. (Webpage: [http://www.globalcorruptionreport.org/download/gcr2003/24\\_Data\\_and\\_research.pdf](http://www.globalcorruptionreport.org/download/gcr2003/24_Data_and_research.pdf))
- Hague, Rod, Martin Harrop and Shaun Breslin. (1998) “Political Science: A Comparative Introduction.” New York: St. Martin.
- Held, David. (1987) Models of Democracy. Stanford: Stanford University Press.
- Howard, Marc. (2002) “The weakness of Post-Communist Civil Society.” Journal of Democracy. 13: 157-169
- Human Rights in Armenia. (2005) Constitutional reform in Armenia : Declaration by the Chair of the Council of Europe Committee of Ministers. October 12. (Webpage: <http://www.hra.am/eng/?page=issue&id=15371>)
- Huntington, Samuel. (1991) “The Third Wave: Democratization in the Late Twentieth Century.” Oklahoma City: University of Oklahoma Press.
- International Foundation for Election Systems. (2003) Survey on Citizen’s Awareness and Participation in Armenia. Yerevan, Armenia: IFES –Armenia Head Office.
- International Center for Non-for-Profit Law. (2002) “Adoption of the Law on Public Organizations in Armenia.” October 15. (Webpage: <http://www.icnl.org/PRESS/Articles/2002/20020415.htm>)
- International Covenant on Civil and Political Rights (ICCPR). October 5. (Webpage: [http://www.unhchr.ch/html/menu3/b/a\\_ccpr.htm](http://www.unhchr.ch/html/menu3/b/a_ccpr.htm))
- Kamrava, Mehran and Frank O Mora. (1998) “Civil Society and Democratization in Comparative Perspective: Latin America and the Middle East.” Third World Quarterly. 19: 893-916
- Labor Encyclopedia Online. October 20. (Webpage: <http://encyclopedia.laborlawtalk.com/Lobbying>)
- Les, Ewa. (1996). “The Role of the Voluntary Sector in the Transformation of State Welfare Systems in Comparative Perspective: Poland, the Czech Republic and Hungary.” In Brunon Synak and Miroslav Ruzica. (eds.) Voluntary Sector in a Changing World: A Polish-American Dialogue. Gdansk and Indianapolis: Indiana University Center of Philanthropy.
- Lock, John (1963) Two Treaties of Government. Cambridge University Press.



- Mainwaring, Scott, Guillermo O'Donnell and Samuel J. Valenzuela. (1992) Issues in Democratic Consolidation: The New South American Democracies in Comparative Perspective. Notre Dame: University of Notre Dame Press.
- Mauro, Paolo (1988) "Corruption: Causes, Consequences, and Agenda for Further Research." *Finance & Development*. 35:12-25.
- Milner, Andrew. (2001) Civil society: change and Continuity. September 18. (Webpage: [http://www.commonwealthfoundation.com/uploads/documents/cg\\_civil\\_society\\_paper.pdf](http://www.commonwealthfoundation.com/uploads/documents/cg_civil_society_paper.pdf))
- Open Society Institute Armenia (2005) Attitude of Armenian Youth Towards European Values and Accession to Europe. Yerevan, Armenia. October 30. (Webpage: <http://www.partnership.am/template.php?Lang=E&ID=62&Menu=0>)
- Palmier, Leslie. (1983) "Bureaucratic corruption and its Remedies." In Michael Clarke (ed.) Corruption, Causes, Consequences and Control. London: Frances Pinter.
- Pateman, Carole. (1970) "Participation and Democratic Theory." Cambridge – New York – New Rochelle – Melbourne – Sydney: Cambridge University Press.
- Przeworski, Adam. (1991) "The "East" Becomes the "South"? The "Autumn of the People" and the Future of Eastern Europe." Political Science & Politics. (March): 20 - 27
- Raik, Kristi. (2000) What Kind of Democracy, Whose Integration? Construction of Democracy and Integration into the EU of Estonia. September 18. (Webpage: [http://www.upi-fiia.fi/julkaisut/UPI\\_WP/wp/wp22.pdf](http://www.upi-fiia.fi/julkaisut/UPI_WP/wp/wp22.pdf))
- Ron, Duncan. (2005) "Governance, Civil Society, and Economic Development : A view from the Pacific." October 6. (Webpage: <http://law.anu.edu.au/nissl/duncan.pdf>)
- Sandor, Sorin. (2003) "Great Expectations - Can Civil Society Tackle Corruption in Central and Eastern Europe?" November 2. (Webpage: <http://www.eumap.org/journal/features/2003/july/greatexpect>)
- Schmitter, C. Philippe, Guillermo O'Donnell, and L. Whitehead. (1986) "Transitions from Authoritarian Rule: Latin America." Baltimore, MD: Johns Hopkins University Press.
- Skocpol, Theda. (1999) "How Americans Became Civic." In Theda Skocpol and Morris P. Fiorina. (eds.) Civic Engagement in American Democracy. Washington D.C.: Brookings Institution Press and the Russell Sage Foundation.
- Thede, Nancy. (2002) "Interdependence Between Democracy and Human Rights." October 15. (Webpage: <http://www.unhchr.ch/democracy/D-Thede.pdf>).
- The Law of the Republic of Armenia on Public Organizations. (2001) September 24. (Webpage: <http://www.legislationline.org/view.php?document=62333>)

Transparency International. (2003) National Integrity Systems, Transparency International Questionnaire Armenia. October 31. (Webpage: [http://www.transparency.org/activities/nat\\_integ\\_systems/dnld/armenia.q.pdf](http://www.transparency.org/activities/nat_integ_systems/dnld/armenia.q.pdf))

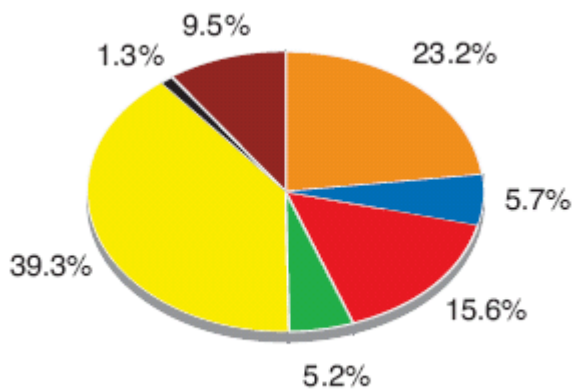
World Bank. (1997) World Development Report. Washington D.C.: Oxford University Press.

World Bank Group. (1997) Helping Countries Combat Corruption: The Role of the World Bank. October 30. (Webpage: <http://www1.worldbank.org/publicsector/anticorrupt/corruptn/coridx.htm>)

World Learning for International Development. (2004) Armenia NGO Sector Assessment: A Comparative Study. Yerevan, Armenia: World Learning for International Development/NGO Strengthening Program.

## Appendix A. Tables and Charts

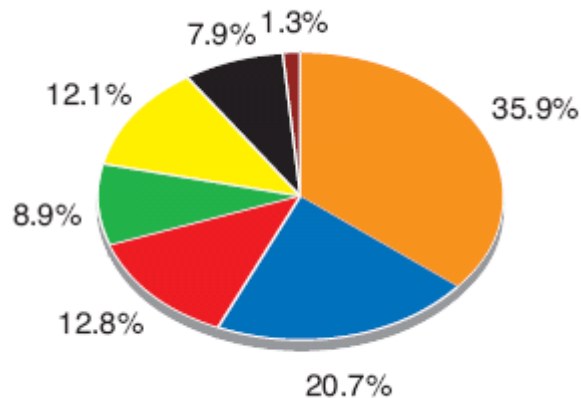
**Table 4. Which branch of government is the most corrupt?**



**Source:** Armenian Center for National and International Studies

1	<i>Executive branch: Armenian government, ministries, government-affiliated bodies, governors' offices</i>	23.2
2	<i>Legislative branch: National Assembly</i>	5.7
3	<i>Judicial branch: courts, prosecutor's office</i>	15.6
4	<i>Local governmental bodies</i>	5.2
5	<i>All of them and equally</i>	39.3
6	<i>None</i>	1.3
7	<i>Difficult to answer</i>	9.5
8	<i>Refused to answer</i>	0.2

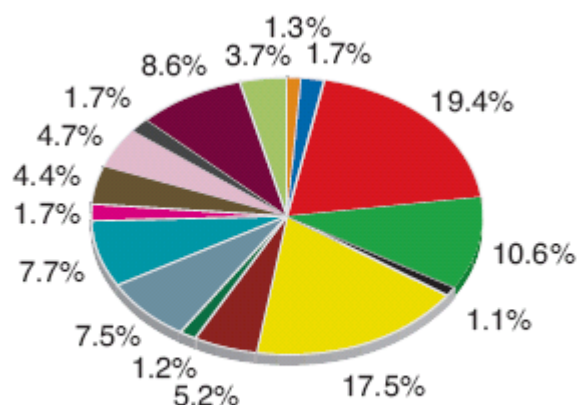
**Table 5. Which is the major factor fostering corruption in Armenia?**



**Source:** Armenian Center for National and International Studies

1	<i>Arbitrariness and unaccountability of the authorities</i>	35.9
2	<i>Prevalence of private and group interests</i>	20.7
3	<i>Tolerance toward unlawfulness in people's consciousness</i>	12.8
4	<i>People's unawareness of relevant laws and decisions being adopted</i>	8.9
5	<i>Lack of clarity in the legislative field</i>	12.1
6	<i>Difficult to answer</i>	7.9
7	<i>Other</i>	1.3
8	<i>Refused to answer</i>	0.4

**Table 6. Which is the most corrupted system or body you have ever encountered?**



1	Civil registry or records office	1.3%
2	Forestry system	1.7
3	Health care system (hospitals, polyclinics)	19.4
4	Army	10.6
5	Banking system	1.1
6	Courts	17.5
7	Prosecutor's office	5.2
8	Energy distribution system	1.2
9	Housing and communal services	0.2
10	Education system (kindergartens, schools, colleges, universities)	7.5
11	Tax bodies	7.7
12	Customs bodies	1.7
13	State transport inspection	4.4
14	Water utilities	0.3
15	Police	4.7
16	Social security system	1.7
17	City halls, local governmental offices	0.7
18	City halls, local governmental offices	0.6
19	Urban planning agencies, architectural oversight agencies	8.6
20	Social security system	3.7

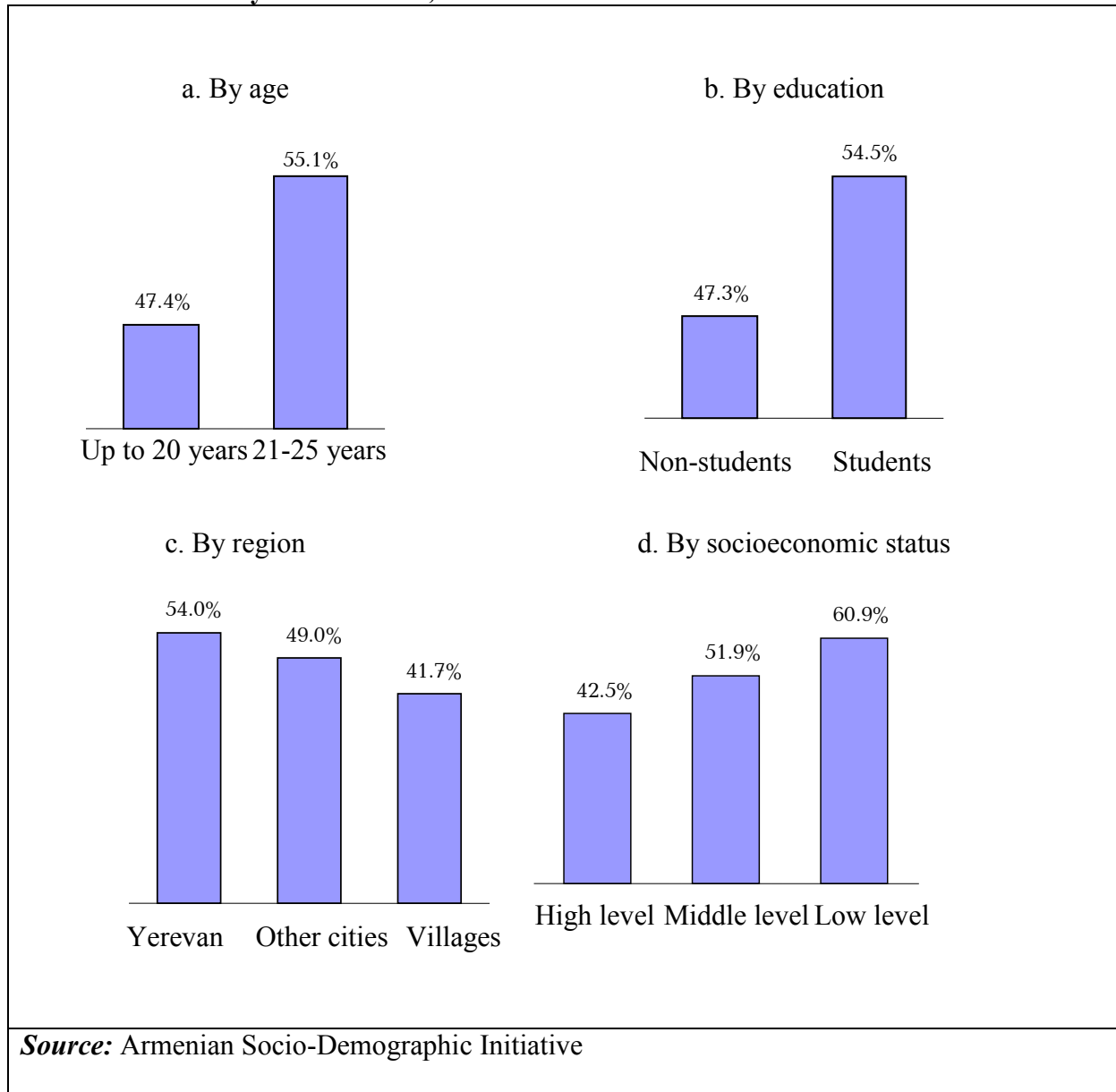
*Source:* Armenian Center for National and International Studies

**Table 7. Control of Corruption, Comparison across selected countries**

	1996	1998	2000	2002	2004
<b>Bulgaria</b>	29.3	39.3	54.8	53.1	56.2
<b>Croatia</b>	34.7	45.9	59.7	63.8	60.1
<b>Czech Republic</b>	77.3	72.7	73.1	66.8	66.0
<b>Estonia</b>	60.0	76.5	80.1	74.5	80.3
<b>Hungary</b>	60.0	76.5	80.1	74.0	74.4
<b>Latvia</b>	31.3	61.7	59.7	59.2	63.1
<b>Lithuania</b>	53.3	67.8	69.4	64.3	69.0
<b>Poland</b>	72.0	76.5	73.7	68.4	61.6
<b>Romania</b>	51.3	44.3	39.8	45.4	49.3
<b>Slovak Republic</b>	72.0	62.8	68.3	64.8	70.0
<b>Slovenia</b>	82.7	82.5	84.9	80.6	83.3
<b>Turkey</b>	61.3	65.6	48.9	40.8	50.7

*Source:* World Bank

**Table 8. Democracy is an Illusion, Armenia 2005**



**Table 9.**

#	Positive	%	#	Negative	%
1	<i>Freedom</i>	28.4	1	<i>Homosexuality</i>	29.3
2	<i>Being Civilized</i>	22.4	2	<i>Selfishness</i>	27.0
3	<i>standard of well-being</i>	15.9	3	<i>Too much freedom</i>	19.3
4	<i>Dominance of the Law</i>	15.7	4	<i>Unresponsiveness</i>	13.1
5	<i>Human Rights Protection</i>	6.8	5	<i>Unstable marriage</i>	7.3
6	<i>diligence</i>	6.4	6	<i>drug addiction</i>	2.3
7	<i>Other</i>	4.4	7	<i>Other</i>	1.7
8	<b>Total</b>	<b>100</b>	8	<b>Total</b>	<b>100</b>

**Source:** Armenian Socio-Demographic Initiative

## **Appendix B. Questionnaire**

Questionnaire N\_\_\_\_\_

Name \_\_\_\_\_

Interview date \_\_\_\_\_

Workplace \_\_\_\_\_

1. Why does Armenia need European integration?
2. How Armenia would benefit in political perspectives from integration into the European Union?
3. What are the economic perspectives of Armenia's integration?
4. What is the role of Civil Society in European politics?
5. What is the role of Civil Society in Armenian political life?
6. Does the Armenian Civil Society have an impact on political agenda?
7. What should be improved to enhance the sphere of activities for Civil Society?
8. What should be done in the short term to improve cross-institutional cooperation as well as to enhance understanding and knowledge of the EU among the public at large?
9. Do Constitutional and Legislative reforms provide a basis for development of the Armenian Civil Society? How?