



PRESS RELEASE

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Yerevan

The new draft law on the Institution of Volunteering restricts and controls CSOs' activities

The new draft law, which is aimed at regulating volunteering activities, includes a number of provisions that are problematic and will hamper the activities of civil society organisations (CSOs).

On 22 November, a number of representatives from the Ministry of Labour and Social Affairs and CSOs organised a discussion on the law in the framework of the EU-funded “Commitment to Constructive Dialogue” project.

Zhora Sargsyan, the Head of the Labour and Employment Department at the Ministry of Labour and Social Affairs, said that the draft would solve all the problems revealed in this field. However, according to some participants, the draft is attempting to restrict the activities of non-profit organisations, as well as to provide leverage to the state to control their activities.

“I came to this conclusion first of all because there is no justification of the need for this draft. There is neither statistics nor facts supporting such a need. Secondly, the draft defines certain areas where no volunteering can be done. Thirdly, the draft limits the number of volunteers; small organisations are not allowed to have one or many volunteers,” Mr. Arsen Stepanyan, “Bridge for CSOs” Project Manager from the Armenian General Benevolent Union (AGBU) said.

Ms Mariam Zadoyan, a lawyer from the Armenian Lawyers’ Association, notes that one of the most problematic provisions is the one allowing organisations to engage volunteers only with a proportion of up to 5 per cent of its staff. *“Simple calculations show us that organisations must have twenty employees to be able to involve just one volunteer. In this case, how can the law encourage the development of the institution of volunteering? In fact, it actually hinders it.”*

Ms Heriknaz Tigranyan, a lawyer from the “Transparency International” NGO, pointed out that one of the statutory directions of their organisation is undertaking observation missions during elections. *“During the constitutional referendum we had around 4,000 volunteers, while our actual staff consists of just 16 people. Thus, we simply cannot abide by this rule,”* she said.

The participants raised another problematic issue as well. The draft imposes obligations on non-profit organisations to sign contracts with all volunteers, which in many cases can become an additional major burden for organisations. For example, in case of signing a contract with 4,000 observers, the organisation will have to keep an entire legal department.

There is also a provision imposing an obligation to provide information on all volunteers to the Ministry of Labour and Social Affairs, as a volunteer register is to be established. *“This is a disproportionate burden on non-profit organisations. In addition, there may be cases when a person does not want to appear in the register, e.g. when volunteering in the field of anti-corruption, and does not want his/her name to appear on that list,”* Mariam Zadoyan said.

At the end of the discussion, the participants decided to apply to the Government of Armenia with a unified stance on the problematic provisions of the draft and recommendations for their solution. They also expressed a hope that the position of the state on this matter would change, otherwise this step would be regarded as a regressive one.



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The “*Commitment to Constructive Dialogue*” project is implemented with the financial support of the European Union by a Consortium of civil society organisations, which are the Armenian Lawyers’ Association (lead organisation), Agora Central Europe (NGO based in the Czech Republic), the Armenian Centre for Democratic Education-CIVITAS, the International Centre for Human Development, the SME Cooperation Association and the Union of Communities of Armenia. The project aims to enhance the influence of civil society organisations (CSOs) and CSO coalitions/networks on public policies in Armenia. This will allow organisations that are already working in sectoral coalitions to access additional resources, new groups of civil society experts to come together and encourage place their causes on the local and national policy agenda, to identify common concerns and priorities and approach government bodies with constructive and strategic policy engagement initiatives. The project will provide sub-grants to CSOs and CSO coalitions for developing public policies and bringing significant changes in the 9 target sectors selected within the project, including those of justice, education and business.

The **Armenian Lawyers’ Association (ALA)** was established in 1995 with a mission to promote to the establishment of the rule of law, democracy and formation of the civil society in Armenia, where the people are aware of their rights and where their rights are protected. Before February 2016, ALA used to be called Armenian Young Lawyers Association.

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