

**External Evaluation Report**  
**“Armenian Young Lawyer Association”**  
**Non-Governmental Organization**  
**in ARMENIA**

**December 2006**

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**Funding organisation: ICCO, The InterChurch Organisation for Development**  
**Cooperation of The Netherlands.**

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## **1 RESUME.**

The findings of the evaluation on the activities of AYLA NGO will be summarized here after. The evaluation had a more qualitative approach, and some quantitative data were added. AYLA has formulated its targets and policy in several documents. We follow in the summary the items found during the evaluation process executed in December 2006. The summary is formulated in a more conclusive and recommendational way.

### **1.1. Legal consciousness/awareness of the population and the protection of Human Rights**

Because raising the level of legal awareness will help people to find their own way AYLA has increased the number of legal advices. To finance this, AYLA should develop the commercial leg of its organization to become self-supporting within three of four years. The Rights of women should be an important issue to highlight during the activities of AYLA to raise the awareness, not only the awareness of women, but also of men, NGOs and other workers with women. Raising the awareness to strengthen the women and children in general and cooperating NGOs on this issue remains an important target. Although no conclusions can be drawn on the level of legal awareness it is clear that AYLA should continue to raise the awareness on these issues. AYLA should continue to update some leaflets and to create more on new themes (inheritance) and find proper solutions for displaying the leaflets in the regional offices. The idea of establishing information centers in government buildings could be a first step to help the government do its job in providing information (leaflets) on (new) laws or changes in the law. The dissemination process can be done in cooperation with other NGO's. AYLA's Legal Newsletter should be extended and become a professional journal. It might be offered for sale and become self-financing. It is recommended to expand the number and the volume of printed copies of the newsletter and to disseminate these among all advocates, judges, prosecutors, law scientists, and lecturers of law school, other lawyers and law students.

### **1.2. Advocacy, Mass Media Campaign and Lobbying**

AYLA should start advocacy activities and show also lobby activities to change the Laws regarding Advocate, NGO, etc. AYLA should continue these activities and also lobby for a shorter alternative military service. AYLA should continue with drafting new laws texts. AYLA should pay more time and energy on lobbying for new legislation. AYLA should continue to collect data about misinterpretations, misuse and gabs in the laws/ legislations and bring this knowledge to the right places. Lobbying on urgent and serious gabs in the legislation towards the law making body and politicians. Taking into account that frequently questions are asked on labor issues it seems to makes sense to involve more AYLA activities in this regard.

It would be a good idea for AYLA to focus in future activities also on journalists as a group in general to raise the level of awareness and to encourage them to write or show the violations of Human Rights. Press/mass media should be informed in advance or can be sent the reports of meetings, discussions, results etc. Participation in TV Programs with target groups (local-government, court, police, journalists, international organizations, NGOs) should be intensified as being an effective means to raise the public awareness. Showing in public the good results of a case and "lessons learned" (also in the regions) is news, which the mass media/radio would be prepared to broadcast. If the AYLA Heads of office would be prepared to write this kind of articles it will persuade the newspapers to publish a story of success. Getting a permanent column in newspapers regarding legal

issues interesting for the public at large would be an asset. Frequently asked questions could be referred to. Producing its own regional AYLA Legal Newsletter could be another way of raising legal awareness and promoting AYLA's existence.

### **1.3. Police and Military Systems**

The new generation of Police system should be a new target group for AYLA activities. It is important that AYLA will focus on police as an institution and make efforts to change the attitude of the young policemen through informational campaigns. AYLA should contact the Military (Academy) officials to discuss how to change the attitude and how to raise the legal awareness of the military and police officials. Informational education of the Military and Police staff is needed.

### **1.4 Institute of Advocate and Judicial System**

A lot has to be done in this regard not only by AYLA (proposals to reform the judicial system) and other NGOs, but also by the international community. This should have priority at all levels. AYLA should -together with the Institute of Advocacy- continue the support of drafting new Law and legislation on the judicial system. AYLA should continue to network in the field of the education of advocates (qualification of exams, etc.) and to support where possible (organizing corresponding pre-examination and training courses for them. AYLA should cooperate and develop partnership relations with the Advocate Chamber. AYLA should support activities to enhance the role and authority of the Advocate Institute among the population. AYLA should lobby among the new generation of advocates to work a few hours per week without payment to serve the most vulnerable groups.

### **1.5. Young Lawyers**

AYLA should continue to improve the professional legal level of the young lawyers and advocates in a modern way through providing them opportunities to attend training (and re-training) courses and cooperating projects abroad, as well as providing opportunities for refreshment of computer skills and knowledge of English. Strengthening and involving AYLA professional committees and clubs will work in the long run and will give this group a plus in its career development. Renewal of the technical equipment with the help of project funds is an important priority. Improvement of resources for students and young lawyers (library, legal software system, internet provision via own server) in all the regional and Central offices. It is worth to try to convince young lawyers and students that part of their paid job (a few hours per week) can be done unpaid to cover the costs for the most vulnerable group. To make this group aware of the social context of the work for the most vulnerable groups in society by organizing training courses for them.

### **1.6. NGO Collaboration**

AYLA should intensify promoting itself within the circle of the NGO partners. It is recommended to establish a (free) Legal Service Center for NGOs, as well as to prepare a legal guidebook (Manuel) for them. The collection and exchange of information about the cooperating NGOs should be updated (maybe with a modest version of the yearly AYLA report) should be intensified. Being aware of added value of some other NGOs will help in the search for joint activities with these other NGOs. AYLA should continue the drafting of new NGO law to ensure self (income) sufficiency and the proposal for the 1% rules on

income. AYLA should create a proposal for identification of NGOs, which should participate, in the subsidizing system. AYLA should realize a strong alliance to government bodies in cases of desired legislative changes. The outdated survey (2001) of the partner NGOs should be revised.

## **1.7. Organizational and Institutional Development of AYLA NGO**

### **1.7.1. *The membership***

AYLA should continue its activities to support the professional education of its members. AYLA should at short notice find funds for new activities, renewal of pc equipment and library. Realization of a students' seminar room would be an asset. The Membership fee should be made income dependent.

### **1.7.2. *The Organization and Management:***

The Purchase of own office space in the three provinces (Ijevan, Gavar and Goris), where the premises are still rented and not very suitable for the purpose of AYLA's activities, would be an asset. Renewal of office equipment and purchase an own server is urgent. Installation of Internet in all regional offices and "technical means" in the Central Office is essential. Improving training facilities (a seminar room for lawyers and law student), as well as repair and furnishing of the necessary office space for the activities of the committees and resources for members and students is necessary. AYLA should develop a more promotional attitude of all staff involved. AYLA should use more the mass media for raising legal awareness of the Armenian people. AYLA should carry out all goals formulated in Strategy Plan 2004-2006. AYLA should develop a new Strategy Plan 2007-2010.

### **1.7.3 *Institutional Development of AYLA***

1. Advocacy and lobbying should be implemented as an integral part of the NGO activities.
2. An effective outreach system should be established which provides regular input from constituents into the planning and should result in programming decisions.
3. The Management Information System /MIS/ should have the capacity to store and process large amounts of baseline and survey data to monitor the progress against indicators and to assess its impact.
4. The MI System should provide accurate and timely information.
5. The salary scale and benefits package of AYLA's staff members should be established with clear criteria for entry and advancement; the system should be formally documented in policy and procedures manual, and followed (this is depending on financial resources).
6. All projects and project activities should have long-term funding plans (current funds are adequate to meet the needs of the management plan, which also depends on financial issues).

7. Community/constituency should become equal partners with the NGO in defining services to be provided and in offering management of projects/programs. The systems and procedures to ensure community input should be institutionalized, and information gathered regularly should be used.
8. The NGO and constituency should view relationship as full partnership serving common purposes. The NGO, which is now widely perceived as an effective organization, must seek to regularly receiving requests for information from the public.
9. The NGO must endeavor to play a leadership role in promoting coalitions and NGO networks.
10. A specific strategy should be designed for advocacy activities based on concrete issues or a constituency group.



## **2 INTRODUCTION.**

The NGO “Armenian Young Lawyers Association” (AYLA), was founded in 1995 with the aim of joining the efforts of the members and supporters of the organisation, to promote and support the establishment of Armenia as “a sovereign, democratic, legal and social state”.

The organisation was founded by a group of students at the faculty of Law at the Yerevan State University and a group of young lawyers. Most of them are still a member of AYLA taking part in the activities of the organisation.

### **2.1 Position of NGOs in Armenia.**

In Armenia a 4500 NGOs exist, but approximately a 400 are real active working, of which a 20 are busy with legal service and activities. Only 2 or 3 are providing (free) legal service to the people. It is said that most NGOs are created to lobby for money of international donors. It is claimed that they work as long as there is money and that they are falling down in activities or even disappear when the money source stops.

It seems that NGOs in Armenia in general are rather free in its work and that its activities can be implemented without specific limitation by law or local government. The Government has a rather positive attitude and approach towards the NGOs and it maintains cooperative relations with them. The goal of the Government is clear: NGOs should assist to improve the social, economic, political problems of the people, in particular of the most vulnerable groups, like refugees, jobless and handicapped persons, and the very poor . In particular the NGOs which are working with refugees sometimes even act on behalf of the Republic of Armenia, with the consent of the Department of Migration.

There are no constraints or complaints in regard of free working space of the NGOs itself. However, in the NGO legislation, there is one particular issue that creates an impossibility for NGOs to become self supporting unless they have established a business enterprise to ensure own sources of direct income. This concerns the rule in the NGO LAW that it is forbidden for an NGO to generate its own income. This is felt, for every NGO, as a very limiting factor in becoming self-sufficient. We will come back later on this issue.

### **2.2 Position of the AYLA NGO.**

AYLA counts currently 42 full members, 61 associate members and 24 members in connection with the so called “AYLA JESSUP Club of Armenia”. In addition AYLA counts 200 active volunteers, who participate in the implementation of the AYLA projects and organised events.

During its existence the AYLA NGO has, according to its mission, implemented a great number of different projects and activities, from which several thousands of beneficiaries have profited. During the 11 passed years, these activities have been funded by different international donors, of which one is ICCO, Netherlands. During 2005-2007 AYLA organisation executed two projects on Human Rights (a six months project, which is accomplished and a one year project, which is currently under way).

Currently AYLA has established one Central Office in Yerevan and 7 Regional branch offices in the rural area of Armenia. One in Yerevan, two in the South, three in the North and one in the East.

These offices have at least 2 paid personnel: one lawyer and one secretary/librarian. The local member volunteers are supporting the activities of the AYLA Offices in the region.

Any lawyer, law student or person who is interested in jurisprudence can become a member of the Organisation. The number of the members of the Organisation, who are not lawyers, cannot exceed the five percents of the total number of the Organisation's members.

The system is that one has to become first an associate member for one year, to show one's commitment and volunteering activity within AYLA. After one year one can become a full member.

A yearly membership fee for full members is 24000 Drams (about 50 €), 12000 Drams (about 25 €) for associate membership, and 6000 Drams (about 12,50 €) for student membership.

Despite this source of income NGO AYLA is not self supporting and it is very dependent on international donor funding. However, it is remarkable that in periods of less income from donor money, AYLA was able to inspire its staff to continue the work for AYLA without proper payment.

It should be mentioned here that very recently AYLA was rewarded a small subsidy from the newly established Presidential Fund.

The AYLA JESSUP Club organises, under the auspice of AYLA, yearly competitions among young Law students. The Minister of Foreign Affairs is a Honorary Member of this Club.

AYLA has established an extensive network within Armenia with all kind of stakeholders, in particular with other NGOs and also with international (legal) counterparts.

AYLA has, outside the NGO, also a commercial branch for paid legal activities, but this branch is not developed very much yet.

Although AYLA is an organisation of Lawyers working on legal issues, it became not very clear during this investigation which International Conventions, Treaties and Agreements had been ratified already by the Armenian Government, or which ones are due to be signed in the near future.

Certain is that Armenia is a member of the Council of Europe and that in this regard the Armenian Government has promised to develop democratic reforms and establish a Civil Society. However, the Armenian Government has reacted very slowly on these promises so far.

### **3 INSTRUCTIONS OF ICCO AS A BASIS FOR THIS ASSESSMENT**

The basis for this assessment was laid down in a Terms of Reference (ToR) document from ICCO (attachment 1), which was approved by the AYLA after due consultation with ICCO.

In the period of 2005 – 2007 (till end of May) ICCO has funded AYLA's two "interim project" on Human Rights: a six months project, which is accomplished, and a one-year project, which is currently under way.

Although AYLA has executed a Self Assessment in 2003 and in 2005, the ICCO organisation wanted AYLA to be assessed from different (external) views, before deciding to prolong this project.

The outcome of the external evaluation is presented in this report with facts and findings, analysis and recommendations.

The results of the evaluation will be used by

- AYLA to elaborate further its strategy and activities, not only in the sphere of Human Rights, but also in the sphere of staff and financial management developments;
- ICCO, its back donors and other representatives of the Donor's community to decide on continuation of this project and on what conditions;
- other possible interested partner organisations if requested and if wanting to cooperate with AYLA.

The instructions of ICCO covered the following aspects:

### **3.1 The assessment of the AYLA mission**

- to assess AYLA's mission; goals; objectives, strategic directions
- to assess its conformity with defined needs and requirements of the society and potential beneficiaries
- its effectiveness and efficiency on:
  - promotion of Human Rights protection;
  - development of Civil Society;
  - the activities AYLA developed;
  - finding existing and potential obstacles;
  - the chosen strategic directions and extent of realisation;
  - the conceptual bases of the organisation's activities.

### **3.2 The assessment of the institutional level of development of AYLA**

- the Management;
- the Activities and Management systems;
- Human Resources;
- Financial Resources;
- Provision of Services;
- External relations/protection of interests;

### **3.3 The assessment of the effectiveness and efficiency of AYLA's project Activities.**

### **3.4 Establishing the level of legal awareness of the beneficiaries in connection with the protection of their human rights.**

### **3.5 Providing recommendations for raising the level of legal awareness.**

## **4 THE EXTERNAL EVALUATION**

Following the above mentioned instructions/guidelines of ICCO and after due consultation with ICCO and AYLA, the best way to get answers to the posed questions was to execute a mainly qualitative research among stakeholders, board and staff of AYLA and beneficiaries of AYLA activities. Besides this also some quantitative data were collected.

After selection of the external and local evaluator the period of evaluation was established. After that a procedure was developed for the practical organisation of the evaluation.

### **4.1 Selection of the external evaluators**

ICCO had approached an international external evaluator with skills and experience in particular with international qualitative research and acquainted with Human Rights issues.

To complete the team, three possible Armenian candidate research counterparts were proposed by AYLA of whom the external evaluator chose one, Mr. Karen Sargsyan, in close cooperation with ICCO. Mr. Sargsyan spoke sufficient English to discuss the evaluation project and its results with the external evaluator, while for the communication with the beneficiaries and stakeholders, an interpreter was used.

Both evaluators did not have specific links or relations with AYLA, nor with ICCO.

Karen Sargsyan knew the AYLA NGO from a former meeting in the context of NGO cooperation.

Dorothy van Bakelen, never worked for ICCO before. From both evaluators the CVs are attached (attachement 2).

#### **4.2 The time period of the investigation**

Since the ICCO project runs from 2005-2007, a decision about the continuation of the Human Rights Project should be taken at short notice.

The proposed period to execute the evaluation was not later than in December 2006, due to the fact that in January/February the AYLA organisation had planned its yearly strategy meetings with all members to prepare and discuss the future strategic direction and also decide on the development of the institutional part of the AYLA NGO.

The evaluation was executed from 10-22 December 2006. The concept conclusions were presented to AYLA shortly after the evaluation mission and the concept report has been presented in January 2007 to AYLA before presenting the final report to ICCO in February 2007.

#### **4.3 The practical organisation of the evaluation**

Early December the first contact with ICCO was made. The purpose of the evaluation and the ToR was discussed and agreed upon and the respective relevant documents were made available.

The week of 5-10 December was used for studying the documents and preparing remaining questions to AYLA. The responses came very quickly and a planning was made by AYLA for interviews and meetings to cover all the questions posed. In the first week of December the local expert had 7 days of preparation and answering the general questions posed by the external evaluator.

On 11 December the first working day started in Yerevan. A detailed schedule of the whole evaluation period is attached (attachment 3).

The preliminary results of the evaluation were presented to the AYLA staff and discussed on 20 December 2006. In the next weeks AYLA branches realised to distribute 1000 questionnaires under its beneficiaries and the results thereof will be the part of chapter 4. This work was realised by the local expert during 5 days of January.

### **5 THE QUANTITATIVE METHODOLOGICAL APPROACH.**

As AYLA had collected statistical data during the period 2003-2005, the data during 2006 were gathered by AYLA.

Besides that -after having studied the project documents- a choice was made to produce a list of Human Right issues for a limited quantitative research among the AYLA beneficiaries. The major accent however was put on the qualitative evaluation.

#### **5.1 The gathering of quantitative information.**

To get a clear picture on the number of free legal advices during the year 2006 we collected these facts through the AYLA staff in Yerevan and the regional branch offices. During 11 months in 2006 (January – November) in total 3,638 persons made use of this service. The spread among the 7 AYLA offices was as follows:

<b>Region</b>	<b>Clients</b>	<b>Inhabitants</b>
Yerevan	970	1,500,000
Gavar	575	40,000
Goris	432	30,000
Gyumri	694	100,000
Ijevan	262	30,000
Kapan	377	40,000
Vanadzor	328	80,000
Total	3,638	1,820,000

*Table 1 Number of clients per AYLA office*

## **5.2 Breakdown of the group of beneficiaries**

Advice was requested on all kind of legal problems. The most asked question were about legal advice on:

Civil Rights	1520	42.04%
Labor issues	371	10.20%
Marriage/Family	349	9.60%
Social Security	349	9.60%
Civil Procedure	196	5.39%
Landownership	153	4.21%
Administrative	117	3.22%
Criminal Law	117	3.22%
Housing	136	3.74%
Education	49	1.35%
Criminal Procedures	26	0.71%
Health	22	0.60%
International Law	6	0.16%
Environmental	1	0.03%
Trafficking	0	0.00%
Gender issues	0	0.00%
Other legal issues	216	5.94%
Total	3638	100.00%

*Table 2 Breakdown of legal advice given from Jan 2006-Nov 2006*

**Conclusion:** This number of 3638 advices in 11 months in 2006 is 2104 less than in the 12 months of 2005. This is in contradiction with the meaning heard during the interviews. The reason for the decrease of the number of legal advice is due to the fact that in November 2005 AYLA executed an advocacy campaign on the RA Constitutional Changes, and provided legal advice to 1075 citizens. In addition during the external evaluation AYLA had not yet summerized the data for December 2006. Another reason for decrease of the number of legal advice was the fact that due to the insufficient financial means AYLA did not have the opportunity to inform more people on the free legal advice services, which the organisation provides,

**Recommendation:** As we will learn later all beneficiaries were of the opinion that more free legal advice was needed. AYLA should look for means to finance these free legal services.

Free legal advices were given to:

Pensioners	607
Unemployed	1,024
Single parents	10
State employees	267
Students	133
Disabled	233
Refugees (asylum seekers)	118
Peasants	132
Teenagers (under aged)	2
NGO sector workers	786
Other	107
Non commercial organisations	4
Mass Media	0
Private entrepreneurs	76
Commercials	48
Total	3,547

*Table 3 Free legal advice given from Jan 2006-Nov 2006*

**Conclusion:** More than 1/3 of the requests for legal advice had to do with labour rights and income, pensions and income and disability and income and housing. The NGO sector had among others asked for advice on the issues of the NGO Law.

**Recommendation:** Raising the level of legal awareness will help people to find their own way.

### **5.3 Measuring the legal awareness of beneficiaries**

To get a picture of the awareness of the beneficiaries a questionnaire was presented to the regional offices. See Attachment 4.

In this so called quick scan 33 Human Right items were presented and the beneficiaries were asked to mention problems in legislation, implementation and execution of rules.

1000 forms were sent out and 550 were returned.

As, by accident, the column "I don't know" was left out, it is difficult to draw conclusions about the level of awareness of the beneficiaries. However, all returned forms were filled out on every detailed item.

### **5.4 Results of Quick Scan**

The average outcome of problems given by the following beneficiaries on the 33 questions was as follows:

Average of 33 Questions	Law	Implementation	Execution
Lawyer, Advocates	79,87%	60,82%	50,56%
Policemen	73,52%	65,15%	65,76%
Military persons	70,85%	60,97%	55,45%
Teachers, Lecturers	71,94%	53,58%	48,73%

Students	76,52%	68,69%	62,93%
Central and province officers	86,52%	67,73%	62,80%
Ethnic minorities	84,30%	56,06%	45,88%
House wives	73,99%	54,04%	48,69%
Outdoor people	73,45%	62,42%	57,15%
Unemployed	71,06%	58,23%	58,03%
Single Women Gyumri	93,64%	33,03%	5,76%

*Table 4 Average outcome of 33 questions on Human Right issues*

A detailed breakdown per group is attached (attachment 5).

**Conclusion:** It is remarkable that in general all beneficiaries are stating that there are more problems in the legislation than in the implementation and execution. From AYLA was heard that there are no big problems in the Law but more in the implementation (local rules) and execution (interpretation). Single women, central and province officers and ethnic minorities score extremely high.

**Recommendation:** Although no conclusions can be drawn on the level of legal awareness it is clear that AYLA should continue to raise the awareness on these issues.

## **6 THE QUALITATIVE METHODOLOGICAL APPROACH**

A further analysis of the the scope of instructions of ICCO resulted in the choice to put more emphasis on a more qualitative approach in order to get a more complete picture of the AYLA organisation.

### **6.1 The gathering of qualitative information in general**

For that purpose a 2 weeks schedule was produced by AYLA for the external and local evaluator to meet with the AYLA board, direction and staff, with several stakeholders, many beneficiaries and local government officials, with court representative, media representatives and cooperating NGOs.

It was a tight schedule. Every day was filled with meetings, interviews and visits to four of the seven regional offices.

In every meeting the following key issues were raised for discussion:

- How do you experience the situation of Human Rights in Armenia
- What kind of experience do you have with AYLA and
- How satisfying (or not) was this contact.

After the interviews, in the evening, a protocol was written of every meeting and interview, which served as the basis for the resulting data. The protocols are available for ICCO and AYLA.

These data were analysed, conclusions were drawn and recommendations were made. The preliminary results, as said before, were presented in a meeting with the AYLA Board and Staff on 20 December, before leaving Armenia.

## 6.2 The gathering of information on Human Rights issues.

During the mission and in all meetings questions were asked, not only about AYLA, but also about the Human Rights situation in Armenia. Compared to other former Soviet Republics the Human Rights situation in Armenia is closer to generally accepted standards. Economically, the transition process from a centralised economy to a free market economy is developing in the right direction. Political freedom has improved somewhat, although there is no control of the parliament. In fact the President has the power.

There are no rules and regulations in place which are derived from the Law, or not interpreted in the right way. Besides that there are a lot of administrative entities to deal with.

In the history of the development of Human Rights, first the so-called constitutional (civil) rights (like free press, freedom of religion, right on life) were formulated by the UN. Years later the second generation of human (economic, social and cultural) rights were developed and the latest set of human rights are the more collective human rights (right on self-decision, right on country minerals, a fair spread of wealth, etc.). There are approximately 30 basic human rights formulated.

The following noticeable information was gathered as far AYLA is involved in (Protection of Human Rights) and formulated in a conclusive way:

### *6.2.1 On freedom of working for NGOs.*

We have spoken with approximately 25 representatives of different NGOs in Yerevan and the regions. The names of the NGOs are mentioned on the daily work schedules attached (attachment 3).

All NGOs were of the opinion that they could work freely on its mission. There are no limitations in the Law on NGO's or in local governmental rules.

Sometimes it was mentioned that they could freely work "as long as they have no criticism on the political responsible persons." As long as the criticism is expressed in general, it was accepted. When personalised, it could become difficult.

One issue all participants mentioned was on the limitation in the Law that NGOs are not allowed to generate their own income directly through the NGO. This makes it impossible to ever become independent from donor funds. AYLA is working on a proposal for changing the NGO legislation on this issue.

**Conclusion:** AYLA has signalled this problem in the legislation and is working on an improvement of the Law on NGOs.

**Recommendation:** AYLA should continue this activities and show also lobby activities to get changed this part of the Law.

### *6.2.2 On Freedom of Information and Press*

The Law is in this regards without major problems. But it does not work in practice. The administrative bodies refuse to give the required information to which people are entitled to (according to the Law). It is often heard: "we have an internal rule which does not allow us to provide the information" or sometimes a delay on the time schedule is made on purpose. Rules to avoid these "excuses" have to be made.



All media representatives confirmed that they can work freely in its sector. The writing press as well as the multimedia press. However, almost all the mass media are State controlled. Some independent TV stations have lost its licence due to a more critical attitude towards government. When asked more in detail it became clear that it is not possible for the mass media to take own initiatives on delicate subjects. There are no such research journalists on Human Rights, as Anna Politkovskaya was in Russia.

**Conclusion:** One can say that freedom of press is limited in Armenia.

**Recommendation:** It would be a good idea for AYLA to focus in future activities also on journalists as a target group in general and to organise relevant trainings for them aimed to raise the level of legal awareness. AYLA should encourage them to write or show the violations of Human Rights, as well as based on the annual results, to promote the journalists, which had prepared the best materials on Human Right issues, through handing them corresponding awards.

### **6.2.3 On Women's Rights**

Although Armenia has ratified the Convention to protect the Rights of Women, to eliminate violence against women, women are sometimes suppressed, intimidated or even violated by administrative bodies. It is common practice that women are paid less salary than men for the same job and in the same function. It happens often that women are dismissed from a job as soon as they become pregnant.

After signing the UN Covenant, the government promised to provide all the documentation available. So far, it has not be done.

Some NGOs are working particularly on such gender issues.

**Conclusion:** The Rights of women are not equal to the rights of men.

**Recommendation:** Rights of women should be an important issue to highlight during the activities of AYLA to raise the awareness, not only the awariness of women, but also of men, NGOs and other workers with women.

### **6.2.4 On Labor Rights**

In the Labor Law several basic rights are not included for the workers. In recent months it happened that 40 workers were dismissed for having organised/participated in a "preliminary" strike.

On its own initiative AYLA has helped the Workers Union against the multinational (Telephone) company to redress the dismissal.

**Conclusion:** AYLA is active in advising the workers on their rights.

**Recommendation:** Taking into account that frequently asked questions are posed on labor issues it makes sense to involve more AYLA activities in this regard.

### **6.2.5 On Freedom of Religion**

Over 90 % of the Armenian people are of Christian Apostolic Church. This Church has more rights than other religions. Other minority religions are the Russian and Greek Orthodox Church, Muslim (Azeri and Kurds), Jews, Yazidis and the Jehovah Witnesses. The latter two

are the most harassed religious minorities in particular with regards to their refusal of participating in the Army Service. There is no specific problem between the various religions. A Muslim Community hardly exist, as a result of the forced migration between Azerbaijan and Armenia during the Nagorno Karabakh war. (1920 and 1994).

**Conclusion:** AYLA is advising the Jehovah Witnesses on their rights to fulfil their military duties in alternative military services.

**Recommendation:** AYLA should continue these activities and also lobby for a shorter terms alternative military service.

### **6.2.6 On Domestic Violence**

Most beneficiaries and NGOs recognised domestic violence as a common problem. There are no figures available about the complaints on domestic violence. The Criminal Code does not yet define or recognise domestic violence as a crime. There are hardly shelters for victims of domestic violence. The victims do not report easily domestic violence as a crime to the police and if so, the crime often remains uninvestigated and unpunit. Sometimes women are afraid to report for fear of reprisals from abusive partners, prosecution for other offences, shaming the family, low self-esteem and financial insecurity. There are not many NGOs working on this issue in particular, only the ones which are also dealing with gender issues. AYLA has not dealt with this issue either. Only in some individual cases.

**Conclusion:** Domestic violence is a non-issue in general, but it exists and the actual numbers are believed high, according to the beneficiaries during the interviews.

**Recommendation:** Raising the legal awareness to strengthen the women and children in general and the cooperating NGOs on this issue remains an important target.

### **6.2.7 On Discrimination of Minorities**

More than 90 % of the people are Armenian. Minorities in the country are Russian (2 %), Kurds, Assyrians and Greeks, Georgians and Azeri. There are no specific problems between the different minorities. However, the difficult situation of the enclave Nagorno Karabakh proves that the Azeri are not very much liked by the Armenian.

Homo and Lesbian persons can live their lives as long as it is not too obvious. There is no specific hate against them, with the exception maybe in the Army.

**Conclusion:** As there are only a few minorities and not much numbered, it seems that there is no specific problem.

**Recommendation:** Being aware of the potential problems in this regards remains important.

### **6.2.8 On Relations with the Law Enforcement Bodies and Judiciary System**

The experience with the police officers was expressed by the beneficiaries as not very positive.

There have been reports of violation of Human Rights and arbitrary arrests carried out. Beatings and torture of detainees before trial is used to obtain confessions or information.

Demonstrations against the government have been dispersed with force, and opposition leaders have been detained.

Most police officers have still a strong soviet mentality. There are also problems in the prosecution system, the preliminary investigations, arrestants' rights, and violation of rights. There are problems to term execution of the procedure by delaying documents and there is no awareness among the police officers of Human Rights essential documents.

Reform of Court system and Advocacy system has priority now.

Higher (Law) rules must have priority, but they are not followed. Internal regulations get more priority and are used as excuse not to follow the higher rules.

When filed a complaint, little success is booked due to the whole judicial system.

There is a common opinion among the beneficiaries that it is impossible to influence and to change the police attitude towards the people, due to the very closed police system. Also some AYLA members shared this opinion. Most of the interviewed persons did not have any faith or trust in the police force in general. They did not feel that the police was protecting their rights. Also mentioned was the problem of corruption among police officers, starting with the Traffic Police officers in the street. "Only when you can bring money, you can get your right". We will come back later on this issue.

This phenomenon was also notified for the judicial system as a whole. Advocates were even seen as mediators in transferring the money from the client to the judge.

There is a lot unknown about the behaviour of the police during custody, pre-trial detention and penal detention. However, there is since 2004 (under the promises to the Council of Europe) a Public Monitoring Group assigned to monitor the detention facilities of the Penal Services in Armenia. They have produced a report in 2004 and in 2005.

**Conclusion:** There seems to be a widespread suspicion among the beneficiaries concerning the Law in general and the police, lawyers and judges in general. In some individual cases AYLA has built up a good relationship with police officers in the regions.

**Recommendation:** The Police system should be a new target group for AYLA activities. It is important that AYLA will focus on police as an institution and make efforts to change attitude of the officers. It would be good to start at the police academy, where new police officers are educated.

### **6.2.9 On Experience with Military Officials**

Finally the Law on Alternative Military Service is adopted now in the Constitution, but not executed yet properly. In fact the same Soviet attitude rules in the Military Service. Abuse is common in the army and is suspected as the cause of many suspicious deaths.

The military system is also seen as a very closed system, where a lot of unauthorised matters occur, like torture and even murder, which remains often unpunished. Well known is the fact that the Jehovah Witnesses were discriminated in general, due to their refusal of serving the military and that they are sometimes not allowed to get an Alternative Military Service (for which can be applied now).

**Conclusion:** It seems that a lot of violation of Human Rights within the Military system is not known well.

**Recommendation:** AYLA should contact Military (Academy) officials to discuss how to change attitude and how to raise the awareness of military officials. (Legal) (re-) education of the Military staff is needed.

### **6.2.10 On Corruption**

Corruption in Armenia is a complex issue which reaches intolerable proportions. It is said that also in circles of government officials a lot of corruption is doing its work in local as well as in the national government.

The Parliament of the Council of Europe has expressed its worry about the wide spread dimension of Corruption in Armenia, and wants the authorities to work on a real change of behaviour and show the political will to efficiently combat corruption in the country. The government of Armenia has promised to reform f.e. the Court system. It is said that this reform is executed by now. But it was only a material reform (new material and internet access).

The World Bank is funding anti-corruption measures.

**Conclusion:** A total reform of the judicial system is needed. As long as there is

- very low salary;
- only a small group of very rich people who has the power, in whom the public has no trust;
- absence of governmental protection of Human Rights for the average citizen;
- no accountability of state officials;
- a poor law enforcement and generally no punishment at all;
- a deficiency in the main legislation and no compliance with local rules;
- insufficient transparency to the public, there will remain a high tolerance of corruption in all governmental institutional bodies, which hinders to conduct fair professional activities at all levels. It is difficult to eradicate this.

**Recommendation:** A lot has to be done in this regard not only by AYLA (proposals to reform the judicial system) and other NGOs, but also by the international community. This should have priority at all levels.

### **6.3 The gathering of information on the conflict zone Nagorno Karabakh**

The Nagorno Karabakh problem is the basis of the Armenian-Azerbaijani relations. Both countries are involved in the UN, the CIS and other international structure as the NATO programs “Partnership for Peace” and “European Neighborhood“. The position of the Republic of Armenia concerning the Nagorno Karabakh problem is based upon the following grounded arguments:

1. Exclusion of vertical interrelations between Azerbaijan and Nagorno Karabakh.
2. Establishment of the necessary conditions for the Republic of Nagorno Karabakh to participate in the progressive processes world wide as well as international guarantees for the land frontier with the Republic of Armenia.
3. The factual existence of clearly defined international guarantees for non/renewal of the war and ensuring the security of the population of Nagorno Karabakh.

The development of cooperation between Armenia and Azerbaijan is becoming a MUST. Negotiations are dealt with by the USA, France and Russia. The Karabakhi people are not participating at this moment in the negotiation talks.

**Conclusion:** There seem to be an international political unwillingness to solve the problem.

### **5.4. The Ombudsman**

The institute of Ombudsman has been established in Armenia since the signing of the Council of Europe Treaty. However, so far the situation of this institute is very weak.

It has to work without any staff, no support and no power to change things. Little work has been done so far. The citizens do not understand the functioning of the Ombudsman. They are experiencing the Ombudsman as fake. As a window dressing element. The example of the businessman who made a complaint about the corruption of the customers and was instead thrown in jail himself now.

AYLA is in favor of supporting the Ombudsman as much as possible, because it would be a pity if this institute would disappear due to initial problems.

The NGOs on Human Rights have to support the Ombudsman where possible and try to make him/her a partner to fight violations of Human Rights. The AYLA member who is responsible for the AYLA committee on Human Rights became recently the lawyer of the Ombudsman office. This makes cooperation much easier. The President of AYLA, Mr. Karen Zadoyan, has just been appointed as an expert in the Advisory Board of the Ombudsman. If it turns out that this Board is a paper institute Mr. Zadoyan will quit.

**Conclusion:** AYLA is aware of the importance of helping this institute to be successful.

**Recommendation:** AYLA should continue in its efforts.

## **7 THE MISSION OF AYLA.**

Due to the fact that most of the sitting public officials have the old fashioned way of thinking and experiences about the legal system, AYLA has focused on the new generation of lawyers, advocates and law students, to change the attitude and to provide them with the modern tools and attitudes.

“The Mission of AYLA NGO is to develop a new generation of highly professional lawyers, which have a new way of thinking and will promote the establishment of the rule of Law, Democracy and formation of the Civil Society in Armenia. Where people are aware of their rights and their rights are protected. “

Strategic goals are being formulated and for each goal objectives and activities are specified, with a time table and the designation of responsible AYLA persons.

The strategic goals are formulated in the Strategic Plan 2004-2006 as follows:

### **7.1 Raising the level of legal consciousness of the population and the protection of Human Rights and interest.**

Realisation of this goal is done by:

- Providing free legal assistance to the socially vulnerable people. These groups are clearly defined;
- Dissemination of legal and social services provided by the State among the population (by leaflets, seminars, TV programs, mass media involvement);
- Free legal services to the population using new methods;
- Publication of legal periodicals.

*Statement: Giving legal information about laws and regulations means that in fact AYLA does in this respect what the government should do.*

*In different meetings participants were asked about their opinion on this statement. Most of the participants agreed upon this, but as there are no requirements or provisions given in the law to enforce this education, no government body does this or/and is able to do this.*

**Conclusions:** In fact AYLA is filling the missing link between the government and the public. AYLA does this by producing leaflets on legal (hot) issues. These leaflets are introduced by the Law professionals to the AYLA staff and members during seminars. All members have the duty to give similar seminars for the public. They do this in schools, in small villages, for NGOs, etc. Local government is always invited and also the cooperating partner NGOs and the mass media to cover the legal issue.

These leaflets are appreciated by the beneficiaries as very much informing and useful. However, in the regional AYLA offices the leaflets are not displayed in a very practical and clear way.

It is tried to give the leaflets a fixed place in some information centers of local government buildings.

AYLA regional offices started last year so-called “site visits” to very remote area. These visits are rather popular, even among local government officials.

AYLA also provides free legal advice for individual citizens. This advice is very much appreciated among the most vulnerable public. Even if the advice did not lead to success, the beneficiaries are satisfied by the human and respectful way they were approached by the AYLA office.

It appears a very strong medium to raise the awareness in individual cases. Sometimes the media cover such a “story”.

The risk in this kind of dealing with free legal issues is that it attracts sometimes work which should actually be done by other bodies (f.e. the preparation of documents for the overloaded notary office; legal advice on SMEs). It takes much discipline to refuse this cases.

All beneficiaries and also cooperating partner NGOs and local government officers plead to continue this service to the public and even to enlarge it. However, free legal service is dependent on the financial means of AYLA.

### **Recommendations:**

- AYLA should continue to collect data about misinterpretations, misuse and gaps in the laws/ legislations and bring this knowledge to the right places.
- AYLA should continue with drafting new laws texts.
- AYLA should pay more time and energy on lobbying for new legislation.
- AYLA should continue to update some leaflets and to create more on new themes (inheritance) and find proper solutions for displaying the leaflets in the regional offices.
- Finding a way to cover at least part of the free legal service by other paid legal activities (developing of the commercial leg of AYLA; lobbying for changing the law on NGOs, which forbids that NGOs can have their own income to cover the running costs).
- Press/mass media should be informed in advance or can be sent the reports of meetings, discussions, results etc.
- Participation in TV Programs with target groups (local-government, court, police, journalists, international organisations, NGO's) should be intensified as being an effective means to raise the public awareness.
- The idea of establishing information centers in government buildings could be a first step to help the government do its job in providing information (leaflets) on (new)

laws or changes in the law. The dissemination process can be done in cooperation with other NGO's.

- AYLA should develop the commercial leg of its organisation to become self-supporting within three of four years.

## **7.2 Development of professional skills of the new generation of lawyers and Law students**

This is realised by:

- Organisation of activities (courses, seminars, trainings, conferences and court competitions) aimed at the development of skills and abilities of the new generation of young lawyers, advocates and law students.
- Realisation of internal reform of AYLA (professional committees, clubs).
- Furnishing the AYLA offices with necessary sources (computers, internet, legal literature).

### **Conclusions:**

- The system for improvement of professional skills as such is established quite well.
- The seminars are mostly very much appreciated and experienced as useful.
- The system of applying the knowledge obtained in the seminars by member volunteers to other groups in society is solid and works well.
- The committees are a strong instrument in this context.
- YLA's legal newsletter is already well known and required among the professional lawyers. The outfit is in a pre-professional state.
- It is difficult to work in the regional offices, due to the fact that the technical equipment is out dated.
- The internet connections do not properly operate in the local branch offices, not all promised connections are provided.
- The library should be enlarged and legal computer software needs to be updated more regularly.
- The in the Strategy Plan mentioned computer courses and English language courses were not executed in the time frame of the Plan. The last trainings were conducted in 2004.
- The Strategic Plan was ambitious and the financial means were limited for realisation of all these goals.

### **Recommendations:**

- AYLA should continue to improve the professional level of the young lawyers and advocates in a modern way through providing them opportunities to attend training (and re-training) courses and cooperating projects abroad, as well as providing opportunities for refreshment of their computer skills and English knowledge. It will work in the long run and give this group a plus in its career development in strengthening and involving AYLA professional committees and clubs.
- AYLA's Legal Newsletter should be extended and become a professional journal. It might be offered for sale and become self financing.
- It is recommended to expand the number and volume of printed copies of the newsletter and to disseminate these among all advocates, judges, prosecutors, law scientists, and lecturers of law school, other lawyers and law students.

- Renewal of the technical equipment with the help of project funds is an important priority.
- Improvement of resources for students and young lawyers (library, legal softwaresystem, internet provision via own server) in all the regional and Central offices.
- It is worth to try to convince young lawyers and students that part of their paid job (a few hours per week) can be done unpaid to cover the costs for the most vulnerable group. To make this group aware of the social context of the work for the most vulnerable groups in society by organising training courses for them.

### **7.3 Assistance to the reform and development of the advocacy institute in Armenia.**

Realised by

- Prompt assistance to the reforms of advocacy legislation (Law of Advocacy and Advocacy Activities), through discussions, mass media and lobbying of the draft Law in cooperation with partner organisations. Assistance in internal organisational reforms of the Union (Chamber) of Advocates.
- Assistance to the development of advocacy institute in Armenia, carrying out the advocacy campaign to enhance the role of advocates through mass media.

#### **Conclusions:**

- AYLA has an important influence in this new target group (advocacy) which is very important for protecting Human Rights
- Assisting in new legislation on Advocacy is under way and looks promising.
- AYLA already built a good professional relationship to improve the advocacy system;
- In the past the Advocacy was part of the Court system. In fact the lawyers were intermediaries between the judges and the clients. A more transparent and system of Advocacy for the public is being created by the new Institute of Advocacy, in which AYLA played a supporting role.
- AYLA participated also in the establishment of the “Mediation Court”. AYLA would like to develop a so-called “Alternative Solutions Project”.
- There was/is a lack of sufficient involvement of mass media on this important reforms.
- The time schedule as presented in the Strategic Plan has not been met.

#### **Recommendations:**

- AYLA should -together with the Institute of Advocacy- continue the support drafting of new Law and legislation on the judicial system.
- AYLA should continue to network in the field of the education of advocates (qualification of exams, etc.) and to support where possible (organising corresponding pre-examination and training courses for them.
- AYLA should cooperate and develop partnership relations with the Advocate Chamber.
- AYLA should support activities to enhance the role and authority of the Advocate Institute among the population.
- AYLA should lobby among the new generation of advocates to work a few hours per week without payment to serve the most vulnerable groups.



## 7.4

### Assistance to the development of the NGO sector in Armenia.

The development of the NGO sector in Armenia is realised by

- Assistance to the reform of the legislation field regulating NGO activities;
- Assistance to the development of the Armenian NGO sector.

#### **Conclusions:**

- AYLA works closely together with NGOs which also work on Human Rights and Democracy issues. Unfortunately these NGOs do not have enough resources and are not yet ready in its organisational infrastructure.
- AYLA supports the NGOs in providing the charter and preparing documents for NGO registration and/or re-registration at the Ministry of Justice.
- AYLA is registering gaps in the legislation on NGOs
- AYLA is providing draft legislation texts on new NGO legislation (concerning creating the commercial means for self sufficiency).
- AYLA is advocating and draft writing on subsidising NGOs amounting to 1% of each Armenian income money. It will however be difficult to decide on what criteria subsidy should be given.
- Cooperation with other NGOs seems to be at a different level in the regional offices. In some regional offices a joint project with other NGOs have been proposed and in other regional offices hardly exchange of information exists.
- Neither in the Central Office, nor in the regional offices a systematic updated collection of all NGO reports and other material is not in place. Most information is dated until 2003-2004.
- In 2002 AYLA produced a survey of 22 (legal) partner-NGOs in 2001. This survey is outdated.
- Vice versa, AYLA does not provide its annual reports extensively in the regions to partner NGOs (due to limited finances). Telling NGOs that the report is accessible at the website is not enough in terms of library maintenance.
- There seems to be a lack of cooperation between the NGO private sector and governmental bodies in social partnership in general.
- The time table does not meet the targets in Strategic Plan 2004-2006

#### **Recommendations:**

- AYLA should intensify promoting itself within the circle of NGO partners.
- It is recommended to establish a (free) Legal Service Center for NGOs, as well as to prepare a legal guide book for them.
- The collection and exchange of information about the cooperating NGO's should be updated (maybe with a modest version of the yearly AYLA report).
- Searching for joint activities with other NGOs should be intensified. Being aware of added value of other NGO's.
- Continue the drafting new NGO law to ensure self (income) sufficiency and the proposal for the 1% rules on income.
- AYLA should create a proposal for identification of NGOs which should participate in the subsidising system. AYLA should realise a strong alliance to government bodies in cases of desired legislative changes.
- The outdated survey of partner NGOs should be revised.

## **7.5 Promotion of AYLA as Protector of Human Rights.**

Although this was not one of the specific formulated strategic goals in the Strategic Plan 2004-2006, it is one of the most important side effects of the AYLA activities. And since AYLA wants to become the most influential and well-know legal institute in Armenia, we have also assessed this issue.

### **Conclusions:**

- Concerning the raising of legal awareness a lot has been done and a lot has been established by leaflets, seminars and others activities, included mass media contacts.
- There is however a slow process of law and legislation adoption by the government which might be based on political unwill.
- AYLA is carrying out the activities in close cooperation with governmental bodies and NGOs.
- AYLA is able to present itself very often as a professional body for protection on Human Rights, however the promotion of AYLA as protector of human rights could be done in a more pro-active way.

### **Recommendations:**

- By showing in public the good results of a case and "lessons learned" also in the regions this is news, which the mass media/radio would be prepared to broadcast.
- Try to persuade the newspapers to publish a story of success if the AYLA Heads of office would be prepared to write these articles for publication.
- Try to get a permanent column in news papers regarding legal issues interesting for the public at large. Frequently asked questions could be referred to.
- Producing its own regional AYLA newsletter could be another way of raising awareness and promoting AYLA's existence.
- Lobbying on urgent and serious gabs in the legislation towards law making body and politicians.

## **8 SELF-ASSESSMENT REPORT OF AYLA**

The self assessments carried out in 2003 (over the period 2000-2003) and in 2005 (over the period 2004-2005) was laid down in a report.

The assessments was focussed on the more organisational and financial issues (human resources, leadership, projects, management and financial sustainability) and less on the results of the Mission and the strategic goals of the Human Rights protection.

### **8.1 Findings**

The problems mentioned in this reports were: not enough provision of English, a lack of professional qualities (in the defence of citizen's rights), computer illiteracy in the offices in the regions and missing job descriptions and career development.

Good results were mentioned in the field of: coalitions with partner NGOs, dissemination of information through the website, strong leadership, contact with international partners.

Also Financial sustainability, Management, Human Resources, products and services and environmental appreciation were reported of an acceptable level and Leadership was found as outstanding.

It is a good thing that AYLA uses these findings for improvement of the organisation as such.

## **8.2 Comparison.**

In the next chapter the results of our experiences during the external evaluation mission has been described and in one of the last paragraphs Mr. Karen Sargsyan, IAI assessor/expert, has used a standard assessment instrument. It is striking that we both came to the same conclusions.

## **9 INSTITUTIONAL ASSESSMENT OF THE AYLA NGO**

### **9.1 The structure of AYLA NGO**

The AYLA organisational structure is as follows:

The General Assembly is the decision making institute.

The Board consists of 7-9 members of which one is the President, Mr. Karen Zadoyan. Five of the Board members are male and 4 female.

The members and the associate members are participating in 5 committees.

Committee of Civil Law, Committee of History of the Armenian Law, Committee of Criminal Law, Committee of International and Constitutional Law and the Committee of Human Rights. Three of the heads of committees are female and two are male.

There is a strong Law students division and a large group of volunteers and clubs. The Clubs have a cultural and sports character.

The Central Office in Yerevan has an executive director and a staff of seven persons. Besides the regional one in Yerevan, AYLA offices have been established in 6 rural regions (Shirak, Lori, Tavush, Gegharkunik, Syunik, Kapan and Goris), most of them in own buildings, and in two cases in rented locations.

AYLA produced 65 leaflets for beneficiaries and several Newsletters (for students and professionals).

AYLA values its members and volunteers as a precious tool in executing its Mission. Vice versa it was remarkable that all persons we met were very dedicated to the Mission and the strategic goals of AYLA. They obviously experience AYLA as their organisation (ownership). We have analysed the position of the membership as far as we have witnessed it.

#### **9.1.1 *The membership***

#### **Conclusions:**

- The structure of full membership versus associate membership and volunteers is a strong one. It means that candidate members have to prove to be worth becoming an AYLA member. It raises the legal awareness and support also the professional education of students and gives incentives to young lawyers.
- The number of members in the regions are rather low.
- The membership fee does not represent the income level of the members.
- The library is an important tool for the membership to collect the relevant information.
- Internet access is also an important tool, which is only available in the Central office.
- It is a pity that there is no space in the Central Office where members can experience and prepare court sessions and have training courses.

- The members have their own Newsletters. One for and by students. One for the public at large and one for the legal professionals.
- The club activities support the commitment from the members to AYLA.

### **Recommendations:**

- AYLA should continue its activities to support the professional education of its members.
- AYLA should at short notice find funds for new activities, renewal of pc equipment and library.
- Realisation of a students seminar room would be an asset.
- Membership fee should be made income dependent.

### **9.1.2 The Organisation and Management:**

#### **Conclusions:**

- AYLA has a clear mission and philosophy.
- AYLA has clear defined valued targets.
- AYLA is able to develop policy, strategy and define tasks for all (staff) members.
- AYLA has a strong and transparent organisational structure.
- AYLA has a strong management body.
- A Management Information System is in place (Weekly/monthly reports-monitoring system-annual strategy meetings) and works properly if the (internet) communication tools are working. This is a weak point within AYLA.
- AYLA is able to execute self assessment.
- AYLA has established a professional name in the field of NGOs.
- AYLA has an experienced and well-trained staff.
- AYLA is developing a Human Resource policy, not only internal, but also external.
- AYLA has a good and transparent financial reporting according to international standards, however, this system is dependent on only one AYLA staff member. This seems rather vulnerable.
- AYLA has an open attitude about other projects, funded by other donors (see the AYLA website).
- AYLA is professional able to be involved in legislation making/changing process.
- AYLA is able to influence government organisations.
- AYLA is cooperating with other (legal) entities.
- AYLA has committed Board members.
- AYLA has established its (own) offices in the capital and the regions, although not all of them have suitable office space.
- AYLA is too financially dependent on donor funds, due to the fact that the commercial leg of AYLA is not developed.
- Lobbying in no obvious part of the organisational structure (no financial and human) resources.
- AYLA lacksthe financial means for: Library updating (+ Irtek system), own offices in regions, technical equipment (pc. Internet (server), printer, Xerox, etc.), training facilities.
- AYLA is not enough disseminating its annual reports to all relevant organisations/partners.

- AYLA does not demonstrate a clear pro-active attitude and makes insufficient use of mass media.

**Recommendations:**

- Purchase of own office space in the three provinces (Ijevan, Gavar and Goris) left would be an asset.
- Renewal of office equipment and purchase own server is urgent.
- Installation of internet in all regional offices and “technical means” in the Central Office is essential.
- Improving training facilities (a seminar room for lawyers and law student), as well as repair and furnishing of necessary office space for activities of the committees and resources for members and students is necessary.
- AYLA should develop a more promotional attitude of all staff involved.
- AYLA should use more the mass media for raising awareness.
- AYLA should carry out all goals formulated in Strategy Plan 2004-2006.
- AYLA should develop a new Strategy Plan 2007-2010.

**9.2 Justification of the assesment instrument applied**

Karen Sargsyan has used a well known instrument for the assessment of the organisational and management aspects of the NGO and for use in the NGO capacity building and training aspects of its projects. i.e World Learning’s Projects in International Development and Training Division (PIDT) prepared by the Institutional Analysis Instrument (IAI).

IAI is divided into six areas of competency and each of them is also divided in sub-categories, which are further divided into main elements. For example, under “Governance” the sub-category of “Mission” comprises three elements:

- 1) statement of purpose,
- 2) staff understanding of mission, and
- 3) links between mission and programs.

Each of these elements is described according to its stage:

start up /it means one for 1 to 4/,  
 developing /two for 1 to 4/,  
 consolidating /three for 1 to 4/ and  
 mature /four for 1 to 4/.

In this way both quantitative and qualitative results are achieved.

The area’s and sub-categories of IAI are:

1. Governance (Board of directors or other Governing Body, Mission, Legal Status, Constituency, Leadership)
2. Operations and Management Systems (Management of Information, Administration, Planning, Communications, Program Development and Implementation)
3. Human resources (Staff roles, Task management, Performance Management and Staff development, Salary Administration, Team Development and conflict resolution)
4. Financial resources (Accounting, Budgeting, Financial controls, Audit/External financial review, Resource base)
5. Service Delivery (Sectoral Expertise, Community ownership, Impact assessment)

6. External Relations and Advocacy (Public relations, Government collaboration, NGO collaboration, Advocacy, Mobilization of resources)

The conclusions and recommendations of the IAI assessment tool are summarised below. To obtain them refer to the quantitative results (see also the chart of the assessment result after the conclusions and recommendations of IAI analysis).

We have also defined an average grade of the assessment. The average grade equals the sum of all sub-categories in stage numbers from 1 to 4 as above mentioned divided by 28 (because there are 28 sub-categories for all area's.) AYL A scores 3,70 out of 4,00, which is very high.

### **9.3                    The Governance /Conclusion/**

#### **9.3.1    *Board /Mature Stage/***

The Board is operational and meetings are regularly held with all members present. The Board fully focuses on playing its role of providing vision, overall policy direction, and financial oversight. Most members of the board are serving full terms; the replacement process is duly respected. There is a complete representation of the constituency including many leaders in the field of organisation's mission. The people involved are capable of carrying out key roles in policy direction, financial management, etc.

#### **9.3.2    *Mission /Mature Stage/***

Mission statement, which clearly presents the organization's vision for addressing a particular problem or set of problems, serves as a motivating concept for staff and stakeholders. The vision and mission are clear to staff, stakeholders and the general public. Strategic objectives and programs are in line with the mission.

#### **9.3.3    *Legal Status /Mature Stage/***

NGO appears able to assist organizations to obtain the same legal status and compliance capacity. The NGO is in full compliance with reporting, tax and labor requirements.

#### **9.3.4    *Constituency /Consolidating Stage/***

There is a broad target group, which is constituency defined according to certain defined characteristics. It identifies key advocacy issues; participates in meetings and opportunities organized by others. Community/constituency is seen as important and stakeholders are being consulted regularly; outreach systems are developed but not fully utilized.

#### **9.3.5    *Leadership /Mature Stage/***

The Board and executive director provide clear direction and vision. The NGO is able to motivate staff and constituents to contribute maximal towards accomplishing the organizational mission. It develops, through the participation of all stakeholders, a clear vision of the NGO's goals; it clearly and consistently articulates this to provide direction. The vision is truly a shared one. It describes the executive director style; provides staff authority to act along with responsibility and seeks to develop staff skills to get the actual work done. Staff, board and management are appropriately involved in direction and policy development.

## **9.4 Operating and Management Systems /Conclusions/**

### **9.4.1 *Management of Information /Consolidating Stage/***

The Management Information System (MIS) manual or computerised, is operational and data are integrated into the operational planning and decision making process. All relevant staff has access and necessary skills.

Staff analysis of data from the MIS is used to improve project planning. All relevant staff should be trained to use MIS: it provides regular analyses for some activities.

### **9.4.2 *Administration /Mature Stage/***

The Manual is considered as an arbiter of the procedures. The systems are accessible, flexible, and utilised by all. The Staff is continuously seeking best practices and is allowed time and opportunity to make improvements. External (donor/constituent and internal staff) customer surveys are conducted to determine procedural modification requirements.

### **9.4.3 *Planning /Mature Stage/***

Strategies and program objectives based on the mission statement are in place. All organisational stakeholders are involved in annual operating plans; plans are in line with the mission and long-term strategies. Regular review of long-term and annual plans are conducted on basis of full environmental scan and baseline impact review.

### **9.4.4 *Communications /Mature Stage/***

Communications are open and inter-hierarchical. Meetings are held with appropriate frequency and adhering to a predetermined agenda. The Meetings accomplish what they have set out to do. All staff who wishes to contribute speak up at meetings, and their input is actively encouraged.

### **9.4.5 *Program Development and Implementation /Mature Stage/***

Important framework is the main NGO tool for organising work and resources and for planning future activities to ensure complementary and synergistic activities. The NGO system and managers provide information required by donors in appropriate form. Constituent/community serve as partners in comprehensive program design, implementation and evaluation. The full integration of monitoring and evaluation data is realised by monitoring of key indicators and evaluation of their impact. Lessons learned from this information are applied to future activities.

## **9.5 Human Resources /Conclusions/**

### **9.5.1 *Staff Roles /Mature Stage/***

Clear relationship between the NGO's current objectives and the Staff functions has been established. The Staff have input into revising and/or expanding their job descriptions. This approach enables to adapting or meeting new staffing requirements as they arise.

### **9.5.2 Task Management /Mature Stage/**

Workplans are developed that distribute tasks appropriately based on staff skills and workload, and that lead to progress in reaching objectives. Team work is encouraged; management and staff are skilled in team-building and are using teams effectively. Formal mechanism is in place for cross-team planning; coordination and work review are available.

### **9.5.3 Performance of management and staff development /Mature Stage/**

The formalized hiring procedures are consistently utilised. A performance appraisal system is in place and consistently utilised. A clear understanding of links between staff and NGO performance is available. There is a high level of productivity while maintaining good staff morale. There is a good incentive program in place. Training plans are regularly updated according to the performance improvement and career development needs of individual and the human resource plan of the organization. Most of the training plan is implemented.

### **9.5.4 Salary Administration /Consolidating Stage/**

A System of benefits is established but not always applied. Job classification is based on function; the system is transparent to all. Salary increases are based on job performance and determined by a performance assessment procedure. There is a limited staff turnover due to salary related issues (the benefit and salary benefits issues are dependent on financial resources).

### **9.5.5 Team development and conflict resolution /Mature Stage/**

Organisational development is recognised as a legitimate NGO management function. The NGO has policies and methods to develop the skills and manage relationships as well as the performance. Grievance procedures are used effectively. More staff has been trained.

## **9.6 Financial Resources /Findings/**

### **9.6.1 Accounting /Mature Stage/**

Financial reports and data system are well documented enough to provide sense of NGO's financial health. Financial reports are clear and complete, even if the portfolio becomes more complex. Reports are always timely. Reports are always of high quality, and are feed back into the financial planning process.

### **9.6.2 Budgeting /Mature Stage/**

The Budgeting process is integrated within the operational planning process. The Budgets are integral part of the project management and of the organisational unit management, and are adjusted as project implementation warrants. The organisational unit senior staff is responsible for preparation, justification and management of unit/project budgets.

### **9.6.3 Financial Controls /Mature Stage/**

Physical assets are managed properly; future requirements planned for. There are excellent stock and cash controls for creditors and debtors. Cash management duties are always segregated. All (different) project funds are separated; adequate controls exist to avoid co-



mingling of project funds. Staff time-sheets are timely; analysis is integrated into planning process.

#### ***9.6.4 Audit/External, financial review /Mature Stage/***

Recommendations are followed up consistently and in a timely manner. Independent audits or external financial reviews are performed with regular and appropriate frequency.

#### ***9.6.5 Resource Base /Consolidating Stage/***

However, still dependent on single or limited donors, recourses are available. A financial planning process within the NGO is developed and a small percentage of core costs are covered by locally generated resources /e.g membership dues, fees, regular fund-raising, direct entrepreneurship, etc./. There are attempts for long-term financial planning; frequent adjustments are required. Funding is available for the short term costs, and medium-term funding strategies exist within the financial plan.

### **9.7 Service Delivery /Conclusions/**

#### ***9.7.1 Sectoral Expertise /Mature Stage/***

There is an efficient delivery of appropriate services; there is an extensive consultants roster for effective external inputs. The NGO is able to adapt program and other service delivery capacities according to the changing needs of constituency and to extend service delivery to additional constituencies. There is a full recognition of this NGO as expert in the sectoral/technical area of the legal bodies in Armenia; and this recognition results in a consultative status in certain sectors by government and multi-lateral bodies. The free of charge services is a strong point of this NGO.

#### ***9.7.2 Community Ownership /Consolidating Stage/***

Formal mechanisms exist to ensure regular communication regarding program design and management, although not all suggestions are accepted. Training and identification plans are regularly updated according to the performance improvement and the review of the capacity of community/constituency-based institutions.

#### ***9.7.3 Impact Assessment /Mature Stage/***

Sustainability strategies have been successfully tested and replicated. An impact measurement system is in place and is, on a regular basis, available. Measurable and appropriate indicators of success and impact have been determined for projects and programs and are monitored regularly, providing useful information to measure progress and to highlight any implementation difficulties or successes. Strategic (3 years) and operational (1 year) planning have been conducted, along with annual work plans and reviews.

### **9.8 External Relations and Advocacy /Conclusions/**

#### ***9.8.1 Public Relations /Consolidating Stage/***

The NGO has numerous materials with clearly outlined mission and track record, tailored to different audiences; materials are distributed on a timely and cost-effective basis. Other

promotional activities are organised on a regular basis. More or less systematic media campaigns are executed, but not thoroughly integrated into overall public relations strategy. The NGO actively and systematically solicits constituent input and uses it in its planning and programming. Constituency view NGO as facilitator/resource. The NGO is beginning to receive requests for information from the public. Name recognition among donors, and general public is increasing.

#### **9.8.2 *Government Collaboration /Mature Stage/***

AYLA NGO engages in open dialogue with government on operational and policy issues. There is a collaboration with the government – often at informal level – in addition to specific project or sectoral collaboration and on contracts that the NGO now performs for government.

#### **9.8.3 *NGO Collaboration /Consolidating Stage/***

The NGO is involved in several collaborative efforts with other NGOs, and sees value in working together. Increasingly known and trusted by others in NGO community.

#### **9.8.4 *Advocacy /Developing Stage /Consolidating Stage/***

Regular attempts are made at analysing policy; one issue at a time. Advocacy integrated into the overall NGO long-term strategies are viewed as essential to the NGO mission. The NGO views itself as the specialist, providing advocacy as an expert. There is no fully developed practice involving appropriate persons. The NGO has a systematised approach of getting its agenda into the public domain. The NGO comprehends how policy is implemented, and has relationships with actual decision-makers which result in positive responses. The NGO actively tracks implementation of policy, and ensures enforcement of the policy for clients/members. The NGO is partially aware of full ramifications of a particular policy.

#### **9.8.5 *Mobilisation of Resources /Mature Stage/***

NGO regularly schedules fundraising efforts; local fundraising generates a small percentage of income, but raises profile for other forms of resource mobilisation. Private is sectoring active on board. The NGO is successful in more than one instance in obtaining support from private operators. The NGO has a wide range of contacts in areas related to its mission; it has diversified funding bases, which includes multi-year funding from a variety of donors. A long-term program development with donors is underway.

### **9.9 Recommendations**

1. Advocacy and lobbying should be implemented as an integral part of the NGO activities.
2. An effective outreach system should be established which provides regular input from constituents into planning and result in programming decisions.
3. Management Information System /MIS/ should have the capacity to store and process large amounts of baseline and survey data to monitor progress against indicators and to assess impact.
4. The System should provide accurate and timely information.
5. The salary scale and benefits package should be established with clear criteria for entry and advancement; the system should be formally documented in policy and procedures manual, and followed (this is depending on financial resources).

6. All projects should have long-term funding plans (current funds are adequate to meet the needs of the management plan, which also depends on financial issues).
7. Community/constituency should become equal partners with the NGO in defining services to be provided and in offering management of projects/programs. The systems and procedures to ensure community input should be institutionalised, and information gathered regularly should be used.
8. The NGO and constituency should view relationship as full partnership serving common purposes. The NGO, which is now widely perceived as an effective organisation, must seek to regularly receiving requests for information from the public.
9. The NGO must endeavor to play a leadership role in promoting coalitions and NGO networks.
10. A specific strategy should be designed for advocacy activities based on concrete issues or a constituency group.



**11. ATTACHMENTS**

- I. ToR from ICCO
- II. CV Dorothy van Bakelen
- III. CV Karen Sargsyan
- IV. Daily Work schedule
- V. Daily Protocol of interviews and meetings
- VI. Quick Scan Form
- VII. Quick Scan Forms results.
- VIII. Preliminary Conclusion (SWOT)

**12. USED LITERATURE**

- I. World Learning NGO Strengthening Program, WLP, 2003
- II. Strategic Plans AYLA 2004-2006
- III. Annual Reports AYLA 2001/2002 - 2003 – 2004 - 2005
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- V. Democratisation and Peace building, ICCO Policy paper
- VI. Stop Violence Against Women, Amnesty, October 2006
- VII. Universal Declaration of Human Rights, UN, 1948.
- VIII. Annual Report of Amnesty International (2003 t/m 2005)
- IX. Program of Action, UN, Cairo, 1994.
- X. National Minorities of the Republic of Armenia in Transition, National Academy of Sciences of the Republic of Armenia, 2005
- XI. Citizens' Assessment of the Educational, Health and Social Services, National Opinion Poll, Price Waterhouse, Yerevan, 2006
- XII. Free Legal Services in Armenia among NGOs, AYLA, 2001
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- XIV. Country Report Armenia. London, 2006  
The Economist Intelligence Unit.
- XV. Country Profile Armenia, London 2006  
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- XVI. All relevant project documents.