



Identifying the Reasons and Consequences of the Weak Control by the Parliament over the activities of the RA Government

Executive Summary

Parliamentary control over the executive is an integral part of a democratic society. The National Assembly of the Republic of Armenia (hereinafter referred to as the “NA”) has the necessary powers and tools to carry out its control functions, however, it does not use them sufficiently. The National Assembly has regularly been a stage for violence. The ruling power has always had a large presence in the National Assembly in all convocations of the 21st century. The majority of the MPs of the ruling and opposition factions have expressed their unconditional loyalty to the leader in one way or another, which has made them less independent in their actions and decisions. After the 2015 constitutional amendments it was assumed that the Prime Minister would be under parliamentary control. The reduction in number of NA factions has also reduced the possibility for the factions to form alliances and has pushed them to occupy very different positions.

The National Assembly mainly does not carry out its control function. In the cases when the National Assembly did exercise its control function, it did so outside the context of government policies. Armenia is trying to turn from a country with a system of ‘semi-consolidated authoritarian rule’ into a democracy. The policies pursued by the government are not participatory; the National Assembly does not monitor the fulfillment of the requirement of the Law “On Normative Legal Acts” to hold public discussions of draft legislation.

The society has not seen tangible results of the activities of the 10 committees of inquiry formed by the NAs of the 6th, 7th and 8th convocations. Control over the budget process is very weak. The MPs pay limited attention to the opinions of the Central Bank and the Audit Chamber attached to the Central Bank Report and the Budget Execution Report submitted with the Draft Budget, despite the possible and interesting information and disclosures contained therein.

The registration of the written questions of the MPs and the answers is not satisfactory; a considerable part of them were not published on the NA website. A significant part of MPs from the ruling party do not ask written questions of the government; they receive answers to their questions informally, which does not meet the principles of open, transparent, accountable, responsible and inclusive governance.

The MPs from the ruling party use the opportunity to ask questions verbally in order to deprive the opposition MPs of the opportunity to ask sharp questions, or in order to dissolve the sharp

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questions asked by the opposition. The control of the government by the National Assembly suffers from the tactical struggle of the factions of the ruling party and the opposition.

Based on the result of discussion of the answer to the written inquiry, a faction may propose to the RA Prime Minister to discuss the issue of the further incumbency of the member of the Government or to cast a vote of no confidence in the Prime Minister. The proposals of the opposition faction of the NA 7th convocation on the issue of the further incumbency of a member of the government were almost unanimously rejected by the ruling faction. Although after some time the RA Prime Minister dismissed the ministers, the MPs from the ruling party were not interested in the reasons for the dismissal of the ministers who had received their unanimous support.

Hearings have not become an effective tool of parliamentary control. The results of the hearings are not known to the public. The MPs of the 8th convocation have started to apply to the Constitutional Court more often to establish compliance of the NA decisions, the decrees and orders of the RA President, the decisions of the RA Government and Prime Minister, as well as sub-legislative normative legal acts with the Constitution.

The study of the work of the NA sittings and standing committees and the joint sittings of the standing committees proves that no important control work is performed during those sittings. The NA staff and the budget office need capacity building.

It is necessary to strengthen the independence of the MPs, restore the legislative provision on subjecting the RA Government to political responsibility for non-execution of the budget, establish control over the redistributions in the budget by the government and the use of unprojected revenues, clarify and regulate the system of remuneration of the members of the government and the MPs, clarify the responsibility of the standing committees in approving sections of the Draft National Budget, improve the accountability of the NA, the MPs, the standing committees and the factions, change the structure of the hall of the sittings of the committees so that the controlling entity and the controlled entity face each other, provide for the position of an Armenian language specialist in the NA staff, so that the NA documents are free from mistakes and typos.