"Advanced Public Research Group" NGO

Collective Labor Rights Protection Mechanisms in Armenia

Research Report

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Abbreviations

APR	Advanced Public Research Group
NA	National Assembly
ILO	International Labor Organizations
LC	Labor Code
USA	United States of America
CTUA	Confederation of Trade Unions of Armenia
RA	Republic of Armenia
NGO	Non-Governmental Organization
BRTU	Branch Republican Trade Union
TTU	Territorial Trade Union
LSG	Local Self-Government

Introduction

In September 2018 “Advanced Public Research Group” NGO (APR Group) launched “Supporting to mechanisms for collective protection of labor rights” project in Armenia with the financial support by the US Department of State. The goal of the project is to promote trade union movement in Armenia as a mechanism of collective labor rights protection.

Within the framework of the project a research on existing issues and challenges in the field of collective labor rights protection was conducted to identify gaps in legislation and enforcement practice, as well as find solutions to the establishment of effective trade union system.

During the project a legal analysis of the current legislative framework was carried out. Additionally, the project initiated in-depth interviews with experts and stakeholders involved in this sector followed by the sociological analysis of data received through interviews. During the research the project established cooperation with the Confederation of Trade Unions, Branch trade unions, primary trade union organizations, Republican union of employers of Armenia, National Assembly, newly established trade unions, initiative groups, representatives of human rights NGOs, including lawyers/advocates.

This report presents collective labor rights protection mechanisms, including results of legal and sociological analysis. A separate focus was paid to trade union issues and main tools applied by them – collective negotiations and strikes.

The research also revealed existing gaps in the field of collective labor rights protection and main solution recommendations presented by respondents.

Executive Summary

The culture of collective labor rights protection in Armenia is still not established so statements on its development and promotion should be done with certain reservations. The issue is not only legislative or practical, but also cultural and social-psychological.

Labor relations between employees and employers are regulated by international treaties, RA Constitution, RA Labor Code and other legal acts containing labor rights norms.

As one of mechanisms established by the state for guaranteeing labor rights (and human rights in general) and freedoms as well as protection of violated rights, courts should be outlined as a practical tool for protection of labor rights. In case of legal dispute employees can apply to the court, but in practice employees don't undertake any measures aiming at restoring their rights due to various reasons (unawareness on 2-month period for lawsuit, time consuming, expenses and other factors). In this regards, it's worth emphasizing the importance of legislative amendments in RA Code on Civil Court Proceedings according to which labor disputes are examined within 3-month period.

The RA Labor Code regulates both individual and collective labor relations including signing and rules and conditions of collective agreements, as well as responsibilities of parties according to their obligations.

Bodies protecting rights and legal interests of employees in the Republic of Armenia are trade union. The trade union organization is a voluntary union of employees which is in labor relations with the given employer to present and protect labor and labor-related professional, economic and social rights and interests of employees.

Procedures for foundation of trade union organizations, principles of their activities, framework of their power as well as relations connected with the protection of rights and interests of trade unions and their participants (members) are regulated by the RA Law on Trade Unions.

Trade unions have the function of presenting and protecting employees' rights. For implementation of their functions trade unions have certain power, however, mechanism of its enforcement is not defined by any legal act and, thus, trade unions don't apply this power in practice.

Newly established labor relations and labor market oversupply in the market economy environment create beneficial conditions for employer. Thus it's highly important to have trade unions with higher power as a counter-balance which can protect rights and legal interests of employees from employer's arbitrariness. However, current legislative regulations don't support the increase of the role and meaning of trade unions and they don't possess any tool to influence on individual labor disputes in employer-employee relations to protect the rights of employee. It's necessary to make amendments

and changes to legal regulations, particularly procedures for disputing decision of employees' representative body by employer (when the court can invalidate the decision if it violates the rights of employer) particularly on regulations for discharging employees (including trade union member and executive), disagreement on discharge of employee etc.

If parties are able to successfully negotiate in case of individual labor disputes, collective disputes fail to be solved because of different reasons. The main issue was and still is the legislation defining complicated collective protection mechanisms and its application in practice. If we add also the low level of employees' trust in trade unions as defenders of their rights, the image becomes clearer.

Although today trade unions don't have power provided by the legislation to protect labor right, however their members amount 191098 employees. Through becoming a member of trade union, first of all employees expect quality and professional protection of their interest, including court protection, however current Armenian trade unions don't have the court access right and can't directly provide court protection for their members. Even in cases when trade union lawyers provide consultancy to their members on court protection of their labor rights, they are not reflected in court-employee relations and documentation which makes it difficult to assess the efficiency and result of legal consultancy. Particularly, it's challenging to assess the efficiency of trade union activities and development of recommendations on the improvement of their effective functioning when open sources (including mass media) don't provide information on financial resources of trade unions, use of those resources, activities of trade unions in courts as well as trade union activities in labor dispute processes, progress and results registered by trade unions. The research allowed to reveal that awareness on the real role of trade unions for its members and general society is very low.

Social partnership institute was introduced in Armenia as a mechanism for collective labor rights protection. Within the framework of social partnership collective negotiations are initiated resulting in signing collective agreements. In RA collective agreements are signed at republican, branch, territorial and organizational levels. Efforts of social partners don't result in any visible results as they negotiate from unequal positions from the beginning. The Government, represented by the RA Ministry of Labor and Social Affairs, having the state power, acts not as a regulator but dictator. Similarly, the union of employers has the position of dictator conditioned with the fact that they are creating work places. And only trade unions are legally weak in these negotiations.

In addition to trade union engagement in collective negotiations, they should also have the right to organize strikes. While being the Constitutional right of employee, strike was never initiated by employees themselves as it prescribes complicated procedures and conditions. So, with a view to make the right for strike feasible to initiate, the report recommends to simplify mechanisms for organizing strikes (i.e. decrease the required quantity of votes for decision, dates etc.).

Based on the research findings the report offers a number of recommendations targeting changes at both legislative and practical levels.

Methodology

Within the framework of the project sociological study and legal analysis was conducted.

The main objectives of the research are:

1. To reveal existing mechanisms for collective labor rights protection in Armenia deriving from both current legislation and ratified international treaties,
2. To identify non-legislative issues of collective labor rights protection mechanisms related to law enforcement practice,
3. To reveal existing gaps, legal obstacles and legislative shortcomings within collective protection mechanisms in Armenia.

Study of a set of issues and challenges enabled developing recommendations on legislative shortcomings or incomplete regulations. Recommendations were developed based on both opinions shared by experts during sociological study and legal analysis.

Description of data collection methods.

The study was conducted in two main directions:

1. Legal analysis
2. Sociological study

1. Within the framework of legal analysis content analysis of documentation was conducted in accordance with the set objectives. The project's labor rights expert conducted analysis of following documents:

- RA Constitution,
- International treaties, including ILO conventions and European Social Charter (revised) ratified by RA,
- RA Labor Code,
- RA Law on Trade Unions
- Other legal acts containing labor rights related norms.

Main issues raised by respondents during sociological study also became a keystone for the legal analysis.

2. The sociological study was conducted using qualitative method. In-depth interviewing method[1] was applied with the engagement of all parties, including sectorial experts involved in the topic of the study. This method allowed to uncover opinions of different stakeholders on existing practice and gaps within collective labor rights protection mechanisms, as well as legislative and non-legislative obstacles. Separate attention was paid to challenges of trade unions, their main tools – collective agreements at different levels and collective protest actions, namely strikes.

In-depth interviews were organized with:

- Representatives of trade unions, such as confederation, branch unions and primary organizations,
- Representatives of newly established trade unions,
- Non-trade union member employees (a part of respondents expressed a wish to establish a trade union),
- Representatives of the union of employers,
- Employers,
- Representative of the legislative body,
- Human rights defenders.

As a tool for interviews, a questionnaire with open-ended questions was used where the main groups of questions and directions were developed in advance, however during interviews questions were modified in accordance with each case. The study results were analyzed and opinion by each respondent was summarized in the report in generalized form. During interviews the anonymity of respondents was ensured. In total, 26 in-depth interviews were conducted. Interviews were either recorded or transcribed. The list of respondents is attached to the report as Annex 1.

2.1. Other research reports on this topic became a subject to sociological study as well.[2] Secondary data analysis was conducted.

Respondent selection method: The selection of respondents was done taking into account their relation to the topic of the study. During the methodology development phase, tentative groups of

[1] In-depth interviews are face-to-face interviews which are conducted in a form of open talk and with open-ended questions developed in advanced. However, questions may be modified depending on the situation. (Rubin H.J., Rubin I.S., 1995, Qualitative interviewing: The art of Hearing Data. SAGE Publitions, Inc.):

[2] 1. "Issues, challenges and needs of Armenian trade unions", Armenia, 2010 2. Research report on the state of labor rights protection, Armenia, 2018

respondents were identified and the final respondents' list was compiled during the field work through the "snowball" method.

Nature of the research period: The research was conducted in October-November 2018 when the internal Armenian politics was marked with certain changes, namely dissolution of the National Assembly. These processes affected the research because of uncertainties as well as the fact that experts and officials were preparing for the NA pre-election campaign. That was the reason why some of in advance identified experts couldn't participate in interviews (e.g. party representatives), however, they expressed readiness in the research results.

Legal mechanisms related to labor rights

Labor rights protection is the legislative definition of rights and respective mechanisms for proper protection of those rights.

Labor relations between employee and employer are regulated by international treaties, RA Constitution, RA Labor Code (hereinafter Code) and other legal acts containing labor rights related norms.

While defining the rights of employee, the RA Labor Code allows at the same time to apply the analogy of the law, namely the rights of employee that are not directly defined by the specific norm of the Code, can be regulated by other norms of the legislation. However, implementation of those rights defined by the Code in practice is possible only in case of availability of relevant guarantees, namely legal protection mechanisms. Otherwise, any right of employee can have solely declarative nature.

According to the article 38 of the Code, labor rights protection is implemented through:

- Recognizing the right,
- Restoring the state preceding the act of violation of rights,
- Preventing or eliminating actions violating rights or creating a risk for such violation,
- Invalidating acts issued by the state or local self-government body
- Not implementing act issued by the state or local self-government body contradicting with the law by the court,
- Self-protection of rights,
- Forcing to follow obligations,
- Getting compensation for damage,
- Imposing penalties,
- Suspending or changing legal relations,
- Other means defined by the law.

Selection of above-mentioned means of right protection is conditioned with the specific labor right violation type.

The guarantee for human rights and freedoms, as well as protection of violated rights is one of the most important issues of each state. For protection of and restoring violated labor rights the state should create effective mechanisms. Those mechanisms include courts whose effective functioning

dictates the level of human rights protection and guarantees within the country. Today the only practical mean for protection of labor rights is the judicial protection.

Employee can file a case to the court to restore and protect his/her violated labor rights, if there is a legal dispute. According to the article 263 of the Code, labor dispute between employee and employer is a disagreement that arises during implementation of rights and responsibilities defined by the labor legislation, other normative acts, internal legal acts and labor or collective agreement.

In practice, employees very often do not undertake any steps to restore their rights conditioned with different reasons. At the same time the Code defines that the claim limitation period is two months. This means that in case, when a person doesn't follow up on restoration of his/her violated labor rights because of unawareness on the law or any other reason and misses the deadline for claim submission, he/she becomes deprived of judicial protection. Many employees with violated labor rights avoid applying for judicial protection because of time and expenses. In this regard, it's important to proceed with changes within the RA Code on Civil Court Proceedings according to which labor disputes are examined within three-month period.

In addition to national legislation and domestic institutions, the Republic of Armenia has ratified 29 conventions of the International Labor Organization (ILO) which are benchmarks for resolution of specific labor institutions and have important role in labor rights protection. They include the Convention N132 on Paid Vacations (revised), Convention N138 on the Minimal Age, Convention N29 on Forced or Compulsory Labor, Convention N17 on Employee Compensation in case of Industrial Accidents, Convention N135 on Labor Representatives, Convention N98 on Application of Principles of the Right for Organization and Holding Collective Negotiations etc.

Ratified international treaties include the European Social Charter (revised), International Covenant on Economic, Social and Cultural Rights, Universal Declaration of Human Rights, as well as a number of other bilateral agreements. Out of these treaties the European Social Charter (revised) has a particular importance, which prescribes a number of important guarantees, namely ensuring healthy and safe work conditions, ensuring the right for fair compensation, protection in case of discharge etc.

In 1998 the supplementary protocol to the European Social Charter (revised) entered into force, which prescribes an opportunity for collective claims against the state on violation of provisions of the Charter. These claims are examined by the European Committee of Social Rights. International organizations of employers, trade unions, as well as other international non-governmental organizations with consultative function have the opportunity to submit a collective claim. Until now the Republic of Armenia hasn't signed that protocol.

Armenia has signed but still hasn't ratified the supplementary protocol to the International Covenant on Economic, Social and Cultural Rights adopted in 2008, according to which the Committee of Economic, Social and Cultural Rights examines a claim submitted by an individual or group of individuals of the respective member state, reporting on violation of economic, social and cultural rights prescribed by the Covenant. With the ratification of that protocol employees will have an opportunity to apply to the committee for protection of their rights.

It's worth outlining that the RA Labor Code regulates both individual and collective labor relations, including signing and regulations and conditions for implementation of collective agreements, responsibilities of parties according to their obligations etc.

Principles of social partnership, particularly consideration and respect of interests of parties require that any issue arising between parties relating to issues of implementation of collective and individual labor agreements should be resolved through consent by parties (their representatives).

Trade Union as a mean for collective labor rights protection

Non-state oversight over the implementation of requirements of other normative legal acts containing norms of labor legislation and labor rights, as well as collective agreements are conducted by representatives of employees and employers (representative of employers) [3]. In addition to that, the law stipulates that representatives of employees are in charge of labor rights protection[4]. Bodies protecting rights and legal interests of employees in the Republic of Armenia are trade unions.

The rights for union is stipulated by the RA Constitution, which says that "each person has the right to freely unite with others, including establishment of and membership to trade unions aiming at protection of his/her labor interests" [5].

According to the article 21 of the RA Labor Code, based on their will, employees can freely unite to create trade unions to protect and represent their rights and interests in accordance with regulations defined by the law.

In essence, trade union is a tier uniting and organizing employees whose activities are targeting protection of rights and interests of employees.

Trade union is a voluntary union of employees who are in labor relations with the given employer to represent and protect their labor and labor related professional, economic and social rights.

[3] RA Labor Code, article 33
[4] RA Labor Code, article 38
[5] RA Constitution, article 45

Regulations for foundation of trade unions, principles of their work, framework of power, as well as relations between trade unions and their participants (members) in terms of protection of rights and interests are regulated by the RA Law on Trade Unions (hereinafter law) [6].

Trade unions are empowered with a number of competencies to protect rights and legal interests of employees. Main functions of trade unions include but not limited to:

- representative,
- social,
- protective.

None of the mentioned functions should be privileged as the role and essence of trade unions highly depends on the correct combination of these three functions. In case of effective implementation of representative function, when competencies and opportunities of employer and employee are balanced, the protective function stops being priority one. Therefore, it can be viewed as an exceptional mean which implies protection of labor rights of employees, restoration of violated rights and prevention of labor rights violations defined by the law.

According to the law, the priority goals of trade unions are to:

- represent and protect labor and labor related social and other interests and rights before employer and/or third person,
- submit recommendations to employer on improvement of work and leisure conditions of employees, introduction of new technique, relief of hand work, revision of production norms, size of and regulations for remuneration.

To achieve their goals trade unions are lodged with certain competencies, particularly, have the right to visit work stations, monitor work conditions of member employees of trade union and in case of risks of threat to life or health of employee, submit a petition to employer demanding to undertake measures to prevent the risk or suspend the work in accordance with regulations defined by the law. In response to petitions, employer is obliged to inform trade unions on measures undertaken within the period defined by the legislation of the Republic of Armenia[7]. However no legal acts defines mechanisms for implementation of these competencies. In other words trade union's petition may remain unanswered and have no consequences, as there are no such regulations within the RA legislation. There is even no responsibility if employer doesn't undertake any measures and/or doesn't inform trade unions about that. Moreover trade union doesn't have any tool to force to consider its petition which means that, in practice, trade unions don't have such competencies.

[6] Was adopted on 05.12.2000 and entered into force on 15.01.2001

[7] Article 17, the RA Law on Trade Unions

In addition to that, the law prescribes that collective agreement also can provide other competencies to trade unions that don't contradict to the law. In this case availability of trade union competencies is conditioned with the availability of collective agreement, while the requirement to sign collective agreement is not imperative and cases of signing collective agreements in collective labor relations are very rare.

During the Soviet period, when the state was ensuring total employment, employee and employer were equal. In these conditions trade unions were supporting the state through oversight over working conditions for both employees and employer. Therefore, Soviet trade unions had quite high authority among all society groups.

In the market economy environment newly established labor relations and oversaturation of the labor market create beneficial conditions for employee. And today it's very important to have a highly empowered trade union, as a counterbalance, which can protect rights and legal interests of employees from employers' arbitrariness. However, current legislative regulations do not promote the increase of the role and essence of trade unions, particularly when trade unions don't have any influential tool to protect employee's rights in case of individual employee-employer labor dispute. For that reason the law should define obligatory requirement, according to which in cases of employee's discharge or applying disciplinary penalties by employer's initiative opinion or conclusion by trade union should be mandatory. Moreover, trade unions should be legally entitled to file a lawsuit to court to protect the rights of third person.

If employees establish a representative body – trade union that means that they have the right to expect and demand from trade union to protect their rights while the RA Labor Code and Law on Trade Unions doesn't prescribe such competencies for trade unions. In addition to that, the Code contains discriminatory regulation (article 119) according to which employees elected within representative bodies cannot be fired by employer's initiative without preliminary agreement by trade union. In case of discharge of these individuals employer should apply to the representative body of employees to get consent. For employers, that are not considered as representatives but are members of trade union, such mechanism is not prescribed and the issue is to be regulated by collective agreement.

Taking into account the circumstance that signing collective agreement is not a mandatory requirement, no collective agreement is signed in practice. Even if collective agreement is signed, conditioned with the lack of legislative requirement of getting trade union's consent, such a provision is not included in the agreement.

Thus, it appears that if an employee is an elected member within trade union bodies, it's "difficult" for employer to fire him/her and that requires a process consisting of several phases. But if an employee is "an ordinary member" there is no obstacle for employer to fire him/her. This obviously contradicts to the UN fundamental principles of the independence of the court system according to which court verdicts are issued based exclusively on facts and law without considering private interests or any other influence.

Existing labor rights protection mechanisms: the role of Armenian trade unions in labor rights protection process

The history of trade unions in Armenia goes to early 1900s. In 1905 a trade union of house employees was founded. In 1906 trade unions of curriers (Yerevan), railroad workers (Aleksandrapol, Kars), copper mining workers (Alaverdi), print house workers, bakers and post-telegraphy workers (Yerevan) were established. But trade unions in Armenia got mass popularity starting from 1921.

In the Socialistic country trade unions were carrying out functions mostly related to allocation of benefits and oversight over working conditions. They were established not as a result of increasing demand to solve social issues by employees (from bottom) but were created by the state (from top) as one of tools of the ruling (Communist) party. Employees were becoming a trade union member once getting a job on mandatory basis. As the state was the employer trade union-state relations implied mutual support and dependence. In addition to oversight tools, trade unions also had resources provided by the state (e.g. space, resorts etc.).

The role and working style of present trade unions still carry the influence of previous trade union experience which is reflected in the mentality of different trade union tiers, as well as in the public opinion on trade unions. In this context, the lack of state support brings forward the need to present the real role of trade union both within the union and among broader society. However, the lack of initiative by trade unions makes their work not visible among state and non-governmental organizations, as well as public.

In Armenia trade unions have specific organizational structure: trade union organizations[8] established in workplace are united within the branch republican trade union[9] (BRTU). According to

[8] Trade union is "a social union which unites employers who are in labor relation with the give employer according to regulations defined by the law and voluntary basis to represent and protect labor and labor related professional, economic and social rights and interests…"

[9] Branch republican union of trade unions is a non-profit organization, which unites more than the half of acting trade unions in the sphere of economy /production, service delivery/ which has the highest number of

the RA Law on Trade Unions, Territorial Trade Unions (TTU) are union of legal entities which unite more than the half of acting trade unions within a specific territory (region or city or any other specific territory) which unites the highest number of employees in the given territory to protect labor and labor related professional, economic and social rights and interests of employees who are in labor relations with the union of employees, local self-government bodies and territorial bodies of the state government of the given territory/geographical location. In this chain the republican union of trade unions is also an important tier represented by the Confederation of Trade Unions of Armenia (CTUA). It's a union of legal entities which unites more than the half of branch republican trade unions which has the highest number of members in acting trade unions within the Republic and its member organization unite the highest number of employees to represent and protect labor and labor related professional, economic and social interests and rights in labor relations with the Government of the Republic of Armenia and the Republican Union of Employers of Armenia[10].

According to reports presented by the branch republican unions as of January 1, 2018, there are 19 branch republican unions in Armenia with 641 trade union organizations and 191098 members. It's worth stating that according to 2010 data[11] the number of trade union members was 251187 with 717 trade union organizations united within 24 branch trade unions. This comes to prove that the number of trade union members within the last 8 years has considerably decreased (for about 60000 members). The decrease of the number of members can be conditioned with different factors, including the general demographic state of the population, migration and subsequent decrease of employed population etc. So, in 2010 the RA population counted 3.249.500 people, while in 2017 this number made up 2.972.700. Thus, the number of the population has decreased for 276.800. The number of employed population was 673.900 in 2010 and 603.300 in 2017[12]. Thus the number of employed population has decreased for 70.600. In addition to that, membership to trade unions was mandatory and very often without notifying employees which has gradually changed. According to some experts trade unions do not make enough efforts and awareness raising to promote trade union membership. *"They are relaxed, that they have space, income and in many cases do not work on collection of membership fees or attracting new members…"*

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member employees in the sector to protect and represent labor and labor related professional, economic and social rights and interests in labor relations in the given branch union, republican bodies and local self-government authorities.

[10] Article 2, RA Law on Trade Unions

[11] Page 28, Report on "Armenian Trade Unions. issues, challenges and needs", Armenia 2010

[12] RA Statistical Committee, Population and social processes, Employment and unemployment http://armstatbank.am/pxweb/hy/ArmStatBank/ArmStatBank__2%20Population%20and%20social%20processes__23%20Employment%20and%20unemployment/PS-eu-13-2017.px/?rxid=602c2fcf-531f-4ed9-b9ad-42a1c546a1b6&fbclid=IwAR0DFNURdIpVArmEOFzBWYlpVfC0rmPbu9xTRWkKQK4kxx1exnxG7sd4CaQ

However, 2018 data proves that trade union structures still possess considerable resources and are positioned as an important tier for labor rights protection.

In order to understand above mentioned and other possible issues, as well as to identify solutions, it's highly important to assess the efficiency of activities of trade unions and primary organizations in collective labor right protection. Institutional management approaches, financial management, progress made in protection of members' rights and other aspects of trade union functions could become a target for efficiency assessment.

Trade unions are a type of social union so they don't have any competency to influence on employers using administrative or legal tools (e.g. decision on full or partial suspension of their activities, defining penalties etc.). Trade unions don't have a legal opportunity to protect their members' rights at court instances. As all non-governmental organizations (except for nature protection), trade unions don't have the court access rights neither, thus becoming unable to ensure advocacy of their members' rights at court. However, when becoming a trade union member employee, first of all, expects quality and professional protection of his/her interests, including judicial protection.

Thus, expansion of trade union competencies would have considerable influence on labor rights protection of employees.

According to statements by trade union representatives their lawyers have provided and continue providing active legal consultancy to trade union members on issues related to labor rights protection at courts. In addition to that, support of trade union lawyers (which legally can't be considered as a trade union support) in many cases is not reflected in court-employee legal relations and documents which makes it difficult to assess the efficiency and outcomes of legal support of trade unions.

In the context of assessment of the trade union efficiency, financial management issues is also of high importance. Here trade unions highlight that they are accountable only before their members and are not obliged to speak about their financial flows publicly. However, at the same time they don't bring any mechanisms (e.g. audit) which would provide a picture on the effective use of trade union financial resources. It should be added that trade union financial resources are mostly generated from membership fees and other sources not prohibited by the legislation (e.g. grant, space/asset rental etc.). According to existing regulations, trade union membership fee usually makes up 1% of employee's salary. As the research was unable to get any information on financial flows of trade unions and their use, it's worth doing a hypothetic and conditional calculation to develop some image. If theoretically all trade union members are paid a minimum monthly salary, which is AMD

55.000[13], in case of 191.098 members the financial flow to trade union will make up AM 105.103.900 monthly and AMD 1.261.246.800 or USD 2.600.000 annually. So not taking into account, how the budget is allocated, which part stays in primary organizations and which part is transferred to branch unions and CTUA, generally USD 2.600.000 is circulated within the trade union system. In case when no information on financial revenues and their use is available in open sources (including media), it's impossible to understand how effective the trade union's financial circulation is organized, whether the collected amounts are enough for legal protection initiatives, and if not, what they are enough for, how the situation could be improved to increase the efficiency of trade union activities etc.

Thus, according to the research results, trade unions have several essential issues, which contain serious risks not only in terms of efficiency of trade union activities, but also relate to the labor rights protection process in general. As an important one, the lack of information, as well visibility or insufficient visibility of trade union activities in different sectors could be outlined. Thus, the lack of trade union visibility in court instances and labor rights related disputes contains several risks conditioned with the low efficiency of trade unions in labor rights protection and resolution of labor disputes. Low level of labor dispute resolution through courts, as well as lack of information on those processes can considerably affect labor right protection processes and the trade union role in that context.

Non-transparent and non-accountable operation of trade unions decreases the level of trust in the efficient management of their financial resources. When there is no specific information on how financial resources are allocated for different functions, it's impossible to speak of efficient allocation of resources. If we add also the fact that there is no information also on trade union activities and results, it increases the risk or doubts on financial abuses and inefficient use of resources.

The next issue, worth to highlight, relates to trade union approaches in reacting to issues. In many cases trade unions react when issues arise, in other word, they perform reactive working style, while, in addition to human rights protection, one of strategic priorities of trade unions should be the active performance of trade union in forecasting, preventing and/or mitigating labor rights related issues and risks.

As a result of the study it appeared that there is a very low level of awareness of the real role of trade unions both among trade union members and broad public. The attitude towards trade union

[13] Article 1, the RA Law on Minimal monthly salary

activities still carries the Soviet Union era stereotypes (as a distributor of benefits, provider of vouchers, event organizers etc.).

Respondents outlined also issues that relate to trade union members. According to them, trade unions still face the shortage of young members and leaders well aware of contemporary negotiation methods, as well as active and initiative human resources. Unemployment and shortage of vacancies in the country still continues to remain a priority point in list of issues, and therefore, the fear of losing job constrains trade union members (in primary organizations).

Issues of trade union are also connected with their legislative competencies. Compared to past, trade unions have lost their functions provided by the law and the most important thing, that almost all representatives, in their interviews, spoke with sorrow, related to the oversight function of trade unions over working conditions, having trade unions consent in case of discharge of employees etc.

In 2004 the State Labor Inspection was established within the Ministry of Labor and Social Affairs of RA. Moreover, in 2005 the Law on State Labor Inspection came into force that defined the framework of inspections competencies and functions. That law became void in 2015. According to the RA Government decision, in 2013 the State Hygiene and Epidemiological Inspection of the RA Ministry of Healthcare and RA State Labor Inspection of the RA Ministry of Labor and Social Affairs were merged and reorganized into the Healthcare Inspection. In 2013-2015 the environment of state oversight and control over the implementation of the requirement of the labor legislation became problematic and uncontrolled.

On March 23 2018 the RA Law on Bodies of the State Governance System was adopted, according to which the Healthcare and labor inspection body was established under the subordination of the Government, whose charter with limited competencies was adopted by the RA Prime Minister's decree N755 as of June 11 2018.

Speaking about the newly established inspection body, respondents expressed their frustration regarding both inactivity of that body and limited functions defined by the law; *"…it deals only with health and safe labor conditions. That structure doesn't deal with legal issues, salary, work regime etc…"* Moreover, that structure with its functions doesn't comply with the requirements of the International Labor Organization (ILO) as it only carries out oversight over the health and safety of employees and is deprived of important functions such as oversight and control over the process of implementation of obligations defined by collective agreements, undertaking steps to restore violated

rights of employees, study of cases of gender related arbitrariness etc. according to regulations defined by the law.

The highest tier of inspection bodies is the council consisting of governmental and non-governmental structures. According to respondents, they don't involve neither employees nor trade unions. Thus, to ensure involvement of social partners in the activities of that structure, it is recommended to engage both the Union of Employers and trade union in the Council (through making changes to the Law on "Inspection Bodies"). Only in case of their involvement it would be possible to speak of labor right of employees to look at the issue broader, than simply ensuring health and safety conditions of employees. According to respondents the inspection should have:

1. educational function and projects; *"it's necessary to education not only employers, but also employees, even before starting a job – in schools, colleges and universities"*,
2. oversight-control function.

Freedom of collective negotiations as a principle of social partnership

According to the Convention on supporting collective negotiations, "collective negotiations" term refers to all negotiations held between an employer, group of employers or one or several organizations of employers, from one side, and one or more organizations of employees, from another side, with following goals:

a) to define labor and employment conditions, and/or

b) to regulate relations between employer and employee, and/or

c) to regulate relations between employer or their organizations and organization or organizations of employees.

Appropriate measures relevant to national conditions are being undertaken to support collective negotiations.

The RA Labor Code regulates goals of collective negotiations, as well as conditions and regulations for resolution of collective disputes through negotiations. Particularly, negotiations are held to sign collective agreements or resolve collective disputes.

A party, wishing to launch collective negotiations, should inform the other side on its wish by stating in the notification the goal of collective negotiations as well as recommendations and requirements, after which parties agree on the date and procedures of collective negotiations. Collective agreements should be held within a reasonable period of time and without delays. Parties of the collective

agreement or their representatives have the right to make inquiries on issues related collective negotiations from each other. However, the party, providing information, has the right to request not to publish the received information. Collective agreements are considered completed from the moment of signing a collective agreement or compiling a protocol on disagreements or sending a notification to the other side on leaving negotiations, if parties haven't made any other decision. Collective agreements are considered failed, if the side, receiving a notification, refuses to participate in collective negotiations.

In fact, it appears, that the current legislation defines and promotes social partnership, namely declares it as a principle for organization and performance of collective work, however parties of labor relations don't deny the intention of considering their own interests as a priority, which, first of all, is reflected through a desire to define conditions that are more beneficial for them. This also means that we still lack the culture of collective labor rights protection, although the law defines such opportunity.

Experience of Armenian collective negotiations in the process of regulation of labor relations

Respondents spoke of the Armenian experience in collective negotiations at 3 main levels. According to the article 46 of the RA Labor Code, collective agreements can be signed at following three levels:

1) republican level,
2) branch or territorial level,
3) organizational level or at the level of agreement signed with its structural subdivision.

According to the article 48 of the Code, the parties of the Republican collective agreement are the Republican Trade Union of Trade Union Organizations, Republican Union of Employers of Armenia and Government of the Republic of Armenia. Trilateral cooperation at the Republican level started on April 27 2009, when a trilateral agreement was signed between the Government, CTUA and Republican Union of Employers of Armenia. In August 2015 it was updated and is currently being prolonged every year. The last update was made in December 2018. Although the cooperation already has 10-year experience, however, respondents think that trilateral cooperation is a new format for all partners and has been launched imperfectly.

According to respondents, within the framework of cooperation at the republican level, periodical meetings take place between the Government, represented by the Minister and Deputy Ministers of the Ministry of Labor and Social Affairs of RA, chairman of CTUA and president of the Republican

Union of Employers. Periodical discussions are being organized with a certain frequency, which hosts trilateral committees.

Referring to the organizational aspect of trilateral cooperation, it is worth mentioning that different respondents have voiced the issue of equality of parties. According to respondents, the circumstance, that all meetings are organized only by the initiative of one party (Ministry), creates unequal conditions within the relations between partners. The secretary of the trilateral committee organizes sessions, develops agenda, compiles protocols of sessions, and ensures availability of all documents for all three parties etc., in other words, carries out organizational and technical activities. In this regard respondents presented several approaches (with a view to incorporate the acceptable option into the Labor Code):

1. to create an independent and professional body – secretariat (which can be comprised of 1 member) – under the subordination of the trilateral committee that will only serve the committee, which will be funded by the state budget and will perform an organizational function for the trilateral cooperation. That implies not only collection of opinions from all sides, but also final agreement and provision of specialized/expert opinions, as well as development of session agendas, organization of sessions, compiling protocols, dissemination etc.
2. to change the organizer over a certain period of time based on rotational basis, thus enabling all partners to take the organizational role.

The next organizational issue regarding the republican trilateral cooperation, which, according to respondents, is an obstacle for effective cooperation, relates to the presidency of sessions. Although the legislation doesn't define procedures for running and chairing sessions, however, as meetings are, as a rule, presided by the Minister of Labor and Social Affairs of RA, that creates unequal conditions for the Ministry and other two sides. Besides that, Ministers have been frequently changing during the recent period of time resulting in changes not only within meeting schedules, but also approaches of different individuals, and sometimes the institutional memory is not preserved. In this regards respondents raised the following recommendations:

1. Presidency of each session by one of the sides on rotational basis,
2. The state is represented not at the level of Ministers, but Deputy Prime Ministers.

In such case all three sides should realize the equality of parties, be ready to initiate, recommend, lead and, if necessary, resist. *"If trade unions or the Union of Employers are active and persistent, they can press the Minister…", "Trade unions shouldn't avoid resisting Ministers, employers; they should express their view and make follow-ups till the end", "Today everyone is speaking of weaknesses of*

Trade Unions, but what is the position of the Union of Employers? All parties should be equal, should negotiate freely, consider each other's' interests and demonstrate respect…"

Respondents raised also the issue of the frequency of trilateral discussions. The frequency of meetings should be defined and followed up.

According to respondents, the conceptual side of discussions had certain changes recently moving from social-labor to social economy. This means that discussed issues cover the interests of both employees and employers. In regard to issues discussed during meetings, respondents outlined the importance of their further implementation.

Respondents recommend to:

1. Adopt specific decisions of normative character,
2. Follow up on implementation of those decisions,
3. Define responsibility for failure to implement them.

"Sometimes there are decisions that all three of us agree on but when it goes to the Government session, it takes totally a different course… Such phenomenon should be excluded", "Presently, the text of collective agreement in Armenia is very general, which doesn't contain specific obligations, timeline. I suggest taking a clear political course, which would define activities, timeline of each party and responsibility in case of failure to fulfil obligations…", respondents state.

With a view to develop social partnership in the country and to strengthen trilateral cooperation, public awareness should be raised. In this regards, the president of the Union of Employers recommends to use the airtime, allocated by the state through the Public Television for coverage of activities, debates and discussion of topic related issues.

According to the article 48 of LC, the parties of branch collective agreement are the union of employers of the relevant sector of economy (industry, service, profession) and branch republican union of trade union organizations. If the employer is the Republic of Armenia or a community, the parties of collective agreements are the branch republican union of trade union organizations and relevant Government agency or head of community. According to trade unions, cooperation with employers at that level fails, as infrastructures of both structures are different. There are no unions, equivalent to branch republican unions within the Union of Employers, which could negotiate and sign contracts. *"Trade unions have branches but the Employers' union doesn't have an equivalent one, so the head of the branch tries to negotiate with separate employers or brings some of them together and tries to work with them."*

The President of the Union of Employers attaches importance to signing collective agreements more at territorial level rather than branch level. In his words, *"today branch unions are not that much*

important as territorial ones, as branch unions are spread all over the country, but territorials are in located in one marz… We can't form trilateral social partnership in regions, as there are no territorial trade unions. We have signed several collective agreements with a representative of branch trade union who sits in that marz, but is a regional representative."

As a result of the research it became clear that there is some experience in RA in negotiations at territorial level, which, according to some respondents, remained on the paper and didn't result any positive change. It's worth stating that, according to legislative regulations, territorial collective agreements have two parties – territorial union of employers and territorial union of trade union organizations.

It's interesting that the need for creation of territorial level trade unions was outlined not only by employers, but also representatives of trade unions, particularly primary organizations, political parties, represented at NA and employees that are not members of trade union. According to them, territorial structures should be strengthened and awareness raising activities should be initiated at territorial level. In their words, that would lead to cooperation of authorities at territorial level.

The idea of formation trade unions at territorial level has some common things with the independent trade union model offered by the member of PAP faction of the National Assembly. That implied that heads of trade unions will be not in one company but in one geographical location. According to MP, the concept of establishment and operation of trade unions should be revised. Trade union executives shouldn't have any dependency on employers. Another updated option for that model was suggested by one of trade union representatives, who thinks that employees of the same sector should be united more within territorial rather than branch unions. That will allow, on one hand, trade union executive or representative to be physically closer those employees at the same time being independent from each employer, and, on the other hand, through uniting sectorial employees, to raise common issues of sectorial employees that can occur in that geographical location – marz.

According to the President of the Union of Employers, the lack of territorial level trade union proves the failure in implementation of one of the provisions of the law on trade unions. *"…trilateral cooperation at the territorial level comes from the requirement of the law, which becomes impossible because of the mentioned reason…"* It's worth outlining that legislative regulations don't prescribe such an imperative requirement, and establishment of territorial trade union is optional. Probably, in practice cooperation at territorial level could be organized more effectively, but this can't be viewed as a failure by trade unions to meet the requirement of the law.

According to representatives of the republican union and several branch unions of trade union organizations, no trilateral cooperation at territorial level is required neither by the law nor in

practice. "Territorial trilateral cooperation is meaningless, as we are a small country and there is no need for territorial trade unions; no decisions are made at territorial level…", *"there was an experience in having territorial trade union which resulted in destruction of existing trade unions. Neither they nor existing trade unions could operate. We don't need it…"*

However, the above mentioned proves that both CTUA and the Republican Union of Employees need to revise fundaments of their infrastructures. That can be done in the context of trilateral cooperation, thus leading to common agreement and ensuring equivalence of two structures with a view to create further cooperation.

In terms of collective agreements and cooperation at organizational level, it should be noted that as of 2018 the number of collective agreements signed at the organizational level by branch republican unions made up more than 818. In regard to the extent of implementation of collective agreements, respondents stated that they are almost fully being implemented. During the research no one pointed out cases when responsibilities of parties were violated. That can be conditioned with both lack of information, for instance, in case of serious violations and lack of such guarantees in collective agreements that are not beneficial for both sides, *"Usually there is nothing in collective agreements to violate, as it doesn't provide high privileges and ensuring implementation of obligations by employer is not hard".* According to assessments by branch unions, monitoring of implementation of collective agreements is being done. CTUA representatives are not aware of that, and, in their view, don't have such responsibility.

According to respondents, trade unions should be more active in formation of primary organizations and compiling employer-trade union collective agreements. Employers should be motivated to have trade unions. According to respondents, employers should look at trade unions not as opponents, but partners, which is financially beneficial for them. In cases when employers reject having a trade union justifying that they have deputies dealing with staff issues etc., (it is worth stating that there is no need for agreement from employer for the establishment of trade union, which would be illogical) they should realize that those deputies are, first of all, paid by employer and trade union executives are paid from trade union fees. Besides that, relations between trade union representatives and employees are more open and direct, than relations between executives and employees, which implies being closer to issues of employees.

Respondents also expressed opinion that the state should motivate employers that already have trade unions in their companies, whether in form of tax privileges, provision of credits at preferential rates etc. An opinion was expressed that the law should be changed in terms of collective agreement for cases when employer should be obligated to meet the requirement and wish of employees to have

collective negotiations. That doesn't imply pressure or forcing employer to create trade union within company, as in the opposite case that would contradict to the UN Convention N87 which defines the voluntary principle of trade union establishment.

In contrary, respondents expressed opinion that the law should somehow define possibility for bringing employer to responsibility (also stating the form and size of responsibility) in cases when employer hinders employee's will or the process of joining trade union or initiating trade union activities. In this context, it is worth adding that the article 161 of the Criminal Code of RA already prescribes responsibility for such situation.

It's interesting to look at opinions of respondents regarding the content of collective agreements. Some respondents stated that many issues related to employees need to be clarified not through the Labor Code but collective agreement. Those issues include also the minimum size of the salary. According to respondents the minimum salary should be defined through collective negotiations and included in collective agreement for each branch or territory.

That doesn't contradict to the viewpoint of the President of the Union of Employers on the minimum salary, according to which the size of salary can change depending on the case, situation and sector. When deciding on the minimum salary, not only needs of employees (compliance with the consumer basket), but also requirements and perspectives of employer should be considered.

For instance, when employer invites newly graduated young specialists for job, he/she invests in their training/education, so employer gives more than it gets from its employees at that moment. In such cases collective negotiations would allow coming to an agreement which would be beneficial for both employer (comparably less financial investment, provision of knowledge, mitigation of the risk of losing employee) and employees.

Thus, the main recommendations on collective cooperation include the discussion of important issues related to both employees and economy during collective negotiations and inclusion of deals made around those issues in collective agreements. In this context, a particular emphasis was made on documentation of obligations and timelines, mutual oversight over their implementation and responsibility in case of failure to fulfil them.

Strike as an ineffective mechanism for collective dispute resolution

Collective labor disputes are disagreements between trade union and employer or parties eligible to sign collective agreement that relates to presented and unfilled requests of sides. In spite of availability of its regulation within the RA Labor Code for about ten years now, there is still no culture for agreeing on and resolution of collective labor disputes as Armenian trade unions don't enjoy the trust of employees. They informally depend on employer which has a certain impact on the process of formation of trade union's executive body. Therefore, how feasible is it for those bodies to follow up on collective agreements, if necessary, or announce a strike as a radical mean of struggle?

It should be outlined that trade unions should not carry out a function of allocating material "benefits", but use those resources for judicial protection of labor rights and formation of strike fund. While being the constitutional right of employee, the strike wasn't ever used because of artificial complication of legal mechanisms. First of all, strikes can be announced by trade unions or branch republican unions in case of lack of trade union within that company. However they have never started a strike in any sector to protect interests of employees.

In the state of low trust in trade unions and perception of trade unions being representatives of employers, the mechanism of announcing a strike should be revised to make the implementation of this right more accessible for employees and shouldn't be conditioned with availability of trade union within organization.

It's worth stating that in international practice trade unions frequently go on strike as the most radical and protesting action to present social-economic demands.

Experience, issues and perspectives of organization strike in Armenia

According to the Labor Code of RA the exclusive right of organization of strike is provided solely to trade unions. If there is no union in company, strike can be organized by a trade union operating in the given territory or branch, but not employees at their initiative. According to respondents, legal strikes in Armenia happen very rarely. There is no experience in collective claims to courts, as well as operation of reconciliation committees necessary for collective complaint procedures. According to the Labor Code, if there is a collective agreement before dispute occurs and dispute is caused by

failure to implement provisions of the agreement, in that case a collective case can be filed to court. Previously this tool wasn't available, but today the opportunity for that does exist. In spite of regulations defined by the law, there is no experience in such processes.

According to the law, strike within a company can be announced only in case when 2/3 of employees (not only members of trade union) participate in closed and secret voting. According to respondents, that threshold is very high and is the main reason why strikes are not organized in practice. In respondents' words, this issue was highlighted for several times by ILO experts. It is recommended to make changes to the law in regard to the threshold by decreasing it to at least 50% of employees.

The idea of strike is sometimes misrepresented in the public perception as a result of social and political processes. Very frequently it is viewed as a radical form of expression of social, political demands and complaints. Meanwhile, international and national legislation defines that the goal of the strike is the protection of economic, social or labor interests of employees.

In the course of the research there were several protest actions that were named strike by protest participants; for instance, protest of employees of several Ministries against the optimization of the Government system, protest against closure of Alaverdi copper and molybdenum mining plant etc. In fact those are not strikes, but suspension of work as a form of protest against this or that process.

Meanwhile, no organic strike in accordance with procedures defined by the law was organized in Armenia.

Gaps in labor rights protection mechanisms and recommendations for their solution, according to respondents

The most part of gaps in labor rights protection mechanisms, voiced by respondents, related not that much to the legislation, but lack of sanctions in case of failure to implement them. To have a state of welfare, the Labor Code of RA has introduced basis for the system of social partnership. Preconditions required for the effective social partnership are the following:

1. strength and equality of all parties,
2. initiativity and activism by all parties,
3. legislative documentation of respective obligations of all parties,
4. definition of timelines and resources for implementation of obligations,
5. proper oversight over the implementation of obligations (introduction of mutual oversight mechanisms),
6. definition of responsibility in case of failure to implement obligations.

According to the majority of respondents, if each of parties properly fulfils its obligations defined by the law, great achievements can be recorded in the labor rights protection sector. Respondents highlighted the trade union as the weakest tier. Respondents explain the decrease of the trade union role with the loss of previous competencies (1. the power of examining individual labor disputes, 2. the competency of providing trade union's written consent in case of termination of labor relations at employer's initiative).

According to respondents, options for activating trade unions are following:

1. opportunity for creating alternative trade unions; this doesn't limit the work of current trade unions, but creates competitive environment and freedom for employees to choose their trade union,
2. update of elected bodies within current trade unions, particularly CTUA through engagement of youth and new specialists,
3. increase of public pressure and public demand,
4. in addition to protection of specific interests of employees, more active participation of trade unions in economic processes of the country, such as expressing opinion on inflation, tax policy, increase of prices etc.,
5. transparency and accountability of trade union activities; moreover this refers to all parties of social partnership. Parties should act transparently in relations with each other, be accountable to each other leading to public awareness on their activities.
6. active work with mass media, public awareness raising,
7. training sessions for employers and employees.

As an obstacle for social partnership, one of respondents outlined the low level of public awareness. To increase awareness it is recommended to use opportunities of mass media, organize discussions, debates etc.

One of factors promoting the establishment of social partnership, according to respondents, is noninterference in internal affairs of parties by the state. Meanwhile, there was a recommendation to increase Government's interference in certain economic development sectors, as well as in increasing the motivation of employers in having trade unions etc.

Legislative recommendations

- Revise the RA Law on Trade Unions and related legal acts through enlarging legal mechanisms and tools of trade unions, entitling trade unions to provide written consent on disciplinary sanctions against or discharge of trade union member employee in case of individual labor disputes.
- Strengthen primary trade unions making them independent from employer through defining a requirement for the candidate for the head of trade union no to be in labor relations with employer.
- Revise the structure and regulations for establishment of trade unions, without a requirement of being an employee of the same employer and move from the three-level system to the two-level one, through creating one trade union chamber as a united republican structure and primary organizations.
- Entitle trade unions to represent at court collective and individual interests in case of labor disputes without a power of attorney.
- Create permanent committees within work places investigating labor disputes.
- Define guarantees to protect trade union member employees in case of labor disputes, to get trade unions consent in case of discharge in accordance with the regulation defined by the article 19 of LC.
- Simplify mechanisms for organizing strikes (decreasing the required number of votes for decision making and time line).
- Prescribe legal consequences in case of rejecting or disrupting negotiations, and, the opposite, define promotional mechanisms for initiating negotiations, for instance, assess as a subject with low risk level in the risk based assessment system.
- Clarify and document the format of cooperation of social partners (frequency of meetings, responsible person for organization of sessions, procedures of sessions etc.).
- Promote signing collective agreements through revising indicators for risk assessment,
- Grant privileges to employers for training of employees, as well as organization of internship through defining the amount paid to intern as a declining income.

Practical recommendations

- Revise structures of social partners ensuring equivalence to each other.
- Clarify regulations of the officer responsible for organization of meetings and activities of trilateral social partners (secretariat etc.).
- Define rotational system for presiding meetings of social partners.
- Clarify the format of partner cooperation defining obligations, oversight and responsibility in case of failing to fulfil obligations.
- Make discussions of meetings of trilateral social partners public through informing stakeholders in advance.
- Make trilateral activities, including protocols of sessions, public and accessible.
- Define mechanisms for mutual accountability, oversight, as well as legal responsibility for failure to fulfil obligations.
- Move from reactive to proactive trade union activities to improve the work of trade unions.
- Initiate awareness raising and education, campaign and training projects both among the society and trade union members through using different mechanisms of information dissemination to activate trade union movement as well as form proper attitude towards trade unions (as human rights defenders). Increased demand for labor rights protection among employees would promote trade union responsibility and improve the efficiency of labor rights protection.
- Increase the transparency and accountability level of trade union organizations for both members and public at large to present the real role of trade unions, as well as improve the efficiency of trade union activities and membership through destroying the stereotypes of Soviet era trade unions.
- Make labor rights and labor legislation issues a subject in educational facilities as well as training and vocational education centers, as well as prescribe educational programs for employers and civil servants.
- Define the state body responsible for registration of collective agreements.

Annex 1

1	Confederation	2	1. Boris Kharatyan, Deputy Chairman of CTUA 2. Mikael Piliposyan, Head of the legal department
2	Branch trade unions	3	1. Anahit Asatryan, Chairperson of branch republican union of trade union organizations of employees of state organizations, local self-government and public service sectors, 2. Gayane Armaghanova, Chairperson of branch republican union of trade union organizations of healthcare sector employees, 3. Hasmik Jhangiryan, Chairperson of branch republican union of employees of Agro-industrial sector
3	Lawyer-experts	2	1. Narek Nersisyan, 2. Tiruhi Nazaretyan
4	Newly established trade unions	1	Levon Sardaryan
5	Representatives of primary trade union organizations	6	School teachers, farmers, bank employees
6	Representatives of organizations that don't have trade unions	3	Employees of the Agricultural Development Foundation
8	Initiative groups	3	Employees from educational, healthcare and culture sectors
9	Representatives of the union of employers	1	Gagik Makaryan, President of the Republican Union of Employers of Armenia
10	Employers	3	Director of the Agricultural Development Foundation, school principals
11	NA	1	Gevorg Petrosyan, PAP faction
12	Human rights defenders/NGOs	1	Helsinki Citizen Assembly Vanadzor Office
Totally		**26**	