



Timeline of revisions and commentary to the Law on Volunteer Work in Armenia

2017 draft: <https://www.e-draft.am/projects/389>

TIAC suggestions: <https://transparency.am/hy/publication/105>

<https://transparency.am/hy/publication/pdf/105/1164>

<https://transparency.am/hy/publication/pdf/105/1165>

1. Problems:

- a. Narrow definitions of voluntary activities and voluntary work, and voluntary action, limiting volunteerism with “public significance and (or) social orientation”.
- b. Overburdening concepts and definitions, such as “volunteer work”, “volunteer activity”, “volunteer project” and “voluntary action”, “volunteers” and “persons doing volunteer work”, “volunteer-based organisation” and “organisation engaging volunteers”.
- c. Unnecessary and exhaustive (closed) list of goals for volunteer work, unnecessary and limited list of areas of volunteering, types of volunteering.
- d. A very specific, limited area and scope of activities drawn for the volunteer.
- e. Mandatory contracts for persons defined as “volunteers”, with no contract requirement for “persons doing volunteer work” (such as one-time actions or volunteering as a natural person).
- f. Limitation of the number of volunteers for “organisations engaging volunteers” to a maximum of 5% in proportion to the number of employees.
- g. Mandatory provision of annual report to state authorities and publication about organisation’s activities and volunteers through mass media.
- h. Obligation to adopt internal and individual legal acts on volunteer regulations, as well as to save, record and archive the adopted internal and individual legal acts, unnecessary provisions on the appointment and responsibilities of a volunteer coordinator.

- i. Mandatory registration for volunteers in organisations' registry and presenting the database of volunteers to responsible state body, who conducts monitoring of volunteering.
- j. Prohibitions for minors to volunteer abroad.
- k. Prohibition to engage volunteers in entrepreneurial activities of the organisation.
- l. Prohibition to engage volunteers in political parties, religious organisations, trade unions.
- m. Burdensome requirements to the content of the volunteer contract, e.g., the name and (or) functions of voluntary work, the procedure and conditions of execution, the type and form of voluntary work, place of volunteer work, etc.
- n. A requirement to notify responsible state body about sending volunteers abroad or hosting foreign volunteers.

2. Improvements (in regard to problems identified in CSO Meter 2019):

- a. Providing definition of volunteer, voluntary activities, and voluntary work by law.
- b. Opportunity of waiving taxes for volunteer cost compensation (in the same manner as for employees).

Other improvements:

- a. Regulating issues of liability and the involvement of international volunteers.

2020 draft: <https://www.e-draft.am/projects/2516>

TIAC suggestions: <https://transparency.am/hy/publication/233>

1. Problems:

- a. Overburdening concepts and definitions, such as “volunteer work” and “volunteer activity”, “volunteers” and “other persons doing volunteer work”.
- b. The general mention of other non-profit organisations somewhat ignores the main non-governmental organisations that operate with the involvement of volunteers.
- c. Prohibition to engage volunteers in entrepreneurial activities of the organisation.
- d. Mandatory contract for persons defined as “volunteers”, with no contract requirement for “other persons doing volunteer work” (such as one-time actions or volunteering as a natural person).
- e. Obligation to adopt internal and individual legal acts on volunteer regulations.
- f. Obligation of organisation to engage volunteers in their educational programs.
- g. Prohibiting engaging employees as volunteers in the same organisation outside of their working time.

2. Improvements (in regard to problems raised in TIAC's suggestions on 2017 draft):

- a. Allowing the involvement of volunteers in any non-profit organisations.
- b. Providing definition of volunteer, voluntary activities, and voluntary work by law, without limiting them by "public significance and (or) social orientation".
- c. The list of volunteering goals has been amended to include also human rights protection, civic activism, anti-discrimination, humanitarian issues, and education, serving the public, and other items.
- d. The list of areas for volunteering, types of volunteering, differentiation between "volunteer-based organization" and "organisation engaging volunteers" was removed.
- e. The prohibition to be engaged as volunteer in political parties, religious organisations, trade unions was removed.
- f. Limitation of the number of volunteers for "organisations engaging volunteers" to a maximum of 5% of the number of employees was removed.
- g. Maintenance of registry of volunteers is optional; the provisions on presenting the database of volunteers to responsible state body, and implementation of monitoring of volunteering by state are removed.
- h. Mandatory provision of annual report to state authorities and publication about organisation's activities and volunteers and through mass media, obligation to save, record and archive the adopted internal and individual legal acts, provisions on appointment and obligations of volunteer coordinator were removed.
- i. The requirement to notify responsible state body about sending volunteers abroad or hosting foreign volunteers was removed.

Other improvements:

- a. Minors are allowed to volunteer abroad with parent consent.

2022 draft

TIAC suggestions: *not published, the suggestions were sent to the authors of the draft*

1. Problems:

- a. Overburdening concepts and definitions, such as "volunteer work" and "volunteer activity", "volunteers" and "other persons doing volunteer work".
- b. The general mention of other non-profit organisations somewhat ignores the main non-governmental organisations that operate with the involvement of volunteers.
- c. Unnecessary and exhaustive list of goals for volunteer work.
- d. Mandatory contract for persons defined as "volunteers", with no contract requirement for "other persons doing volunteer work" (such as one-time actions or volunteering as a natural person). Additional provision is added that in case the volunteer work is conducted without contract, the person is not considered as volunteer, and this work is considered illegal.

- e. Obligation to adopt internal legal acts on volunteer regulations.
 - f. Prohibition to engage volunteers in entrepreneurial activities of the organisation.
 - g. Obligation of organisation to engage volunteers in their educational programs.
 - h. Mandatory registration of volunteers (by hosting organisations) in tax bodies.
 - i. Prohibiting engaging employees as volunteers in the same organisation outside of their working time.
- 2. Improvements (in regard to problems raised in TIAC's suggestions on previous drafts):**
- a. Shortened list of items to be included in volunteer contract.
- Other improvements:**
- a. A provision on prohibition of discrimination towards volunteers is added.
 - b. A provision on volunteer's right to get certificate on volunteer experience or relevant recommendation form organisation is added.

2023 draft:

<http://www.parliament.am/drafts.php?sel=showdraft&DraftID=14204&Reading=0>

TIAC suggestions: <https://transparency.am/hy/publication/332>

- 1. Problems:**
- a. The general mention of other non-profit organisations somewhat ignores the main non-governmental organisations that operate with the involvement of volunteers.
 - b. Restricted list of goals of volunteer work.
 - c. Only a person that has signed a volunteer work agreement with the organisation can be considered a volunteer. In case the volunteer work is conducted without contract, this work is considered illegal.
 - c. Obligation of organisation to engage volunteers in their educational programs.
 - d. Prohibiting engaging employees as volunteers in the same organisation outside of their working time.
- 2. Improvements (in regard to problems raised in TIAC's suggestions on previous drafts):**
- a. Removing the concept of volunteer activities and leaving only the concept of volunteer work.
 - b. Two more goals (support to state events, developing culture of participatory governance and election participation) were added to the list of volunteering goals, even though the list is still restricted.
 - c. No prohibition to engage volunteers in entrepreneurial activities of the organisation.
 - d. No mandatory registration of volunteers with tax bodies.

Final law adopted on June 14, 2023:

<https://www.arlis.am/DocumentView.aspx?DocID=180260>

(more info: <https://csometer.info/updates/armenia-new-law-volunteer-work-adopted>)

1. Problems:

- a. Only a person that has signed a volunteer work agreement with the organisation can be considered a volunteer. In case the volunteer work is conducted without contract, this work is considered illegal.

2. Improvements (in regard to problems raised in TIAC's suggestions on previous drafts):

- a. Opening up the list of volunteering goals allowing any other goals not prohibited by law.
- b. Specifically mentioning public organisations and foundations in the list of organisations as subjects of volunteerism.
- c. Removing the obligation of organisation to engage volunteers in their educational programs and leaving it as right of the organisation.
- d. Definition of one-time action and a provision that signing a contract on voluntary work is not mandatory in case of participation in the action, as well as in cases when the voluntary work is not performed through an organisation.

Other improvements:

- a. Allowing engagement of employees as volunteers in the same organisation outside of their working time.