

REGULATION

On

The 2007 Elections of the Stakeholders' Committee of the MCA-Armenia Program

1. General Provisions

On 2 May 2006, fifteen (15) members of the Stakeholders' Committee were elected in the framework of the MCA-Armenia Program, who have worked adequately to ensure transparency, publicity of projects as well as to create legal bases for launching activities.

In view of the MCA Program requirements, the Stakeholders' Committee (SC) is to hold elections every program year to fill SC member vacancies. These activities are conditioned by the following factors:

- a) SC members shall hold office for a term of one year with an option to be reelected;
- b) The authority vested in the 2006-2007 convocation of the SC shall terminate and the term in office shall expire on 29 September 2007.
- c) The number of SC members shall not exceed 15 members.
- d) Five (5) members of the SC who were elected for a two-year term, shall continue to fulfil their responsibilities (H. Javadyan, Foundation for Applied Research and Agribusiness; H. Abrahamyan, Pyunik Union for the Disabled; K. Nazaryan, the Armenia Interchurch Charitable Round Table Foundation of the World Council of Churches; N. Vardanyan, "Armenian Forests" Environmental NGO; L. Nersisyan, "Armenian Center for Protection of Human Rights named after A. D. Sakharov" NGO).

Legal Basis

1. ***Regulation on the Election of Civil Society Representatives to MCA-Armenia SC, 21.04.2006. (http://www.mca.am/new/armversion/pdf/lp_kg_02_05_06_arm.pdf)***
2. ***Transcript of the Electoral Commission of the Election of Civil Society Representatives to MCA-Armenia SC 02.05.2006. (http://www.mca.am/new/armversion/minutes_elect_kg_02.05.2006.pdp).***

2. Requirements for the Election of Stakeholders' Committee Members

- **To hold one general election for all stakeholders,** however the representation of WUA-s, farms and communities shall be ensured;
- To cooperate with the main NGO groups in order to organize the elections efficiently;
- To develop a procedure for holding elections that is acceptable to NGO-s and to discuss it with the SC and the general public;
- To engage large groups of the public (except for political parties) in the SC elections;
- To allow international organizations registered in Armenia to serve as observers during the elections;
- To allow organizations to be represented at the elections by an authorized representative;
- To establish criteria for the organizations applying for participation in the SC elections.

The application shall include:

- Information about the activities and mission of the organization (up to 1 page in length), a copy of the organization's registration certificate;
- Information about the authorized representative of the organization;
- The application shall be validated by the organization's official seal and signature of the head of the organization.

3. Right to Participate in the Elections

Non-governmental organizations, consumer cooperatives, non-governmental foundations and unions (except their branches) operating in Armenia and registered with the Armenian Ministry of Justice shall have the right to participate in the elections and shall submit their application for participation to the SC Secretary by 10 September 2007 at 18:00 hours in order to participate in the elections.

- The application may be delivered through a representative or submitted electronically.
- The roster of candidates shall be in alphabetical order and will be placed on MCA-Armenia's official website at www.mca.am on 11 September 2007.
- The application shall be validated by the official seal of the applicant organization and shall contain information on the authorized person from the given organization who will be voting in the elections on behalf of the organization.
- The authorized representatives shall present their passports in order to participate in the vote.

4. Nomination of Candidates

Candidates are nominated by organizations with the right to vote through self-nomination and/or nomination by other organizations.

Applications of self-nomination or nomination by other organizations shall contain relevant information validated by the organization's official seal and signature by the head of the organization.

In the event of a rejection to the application by candidates to participate in the elections, the relevant organizations shall be notified by the MCA-Armenia Office within 5 days of the receipt of the application and the grounds substantiating such decision shall be explained.

The list of candidates shall be in alphabetical order and information on the candidates shall be placed on MCA-Armenia's website at www.mca.am.

Members of the MCA-Armenia Program's Stakeholders' Committee elected on 2 May 2006 for a two-year term, whose names are set forth in Clause I (c) of the present Regulation, may not be nominated. They can be elected to serve on the Electoral Commission.

5. Elections

The elections shall be organized by the Electoral Commission which shall also ensure the transparency and publicity of the elections and the participation of the mass media as well as the development of document forms.

The Electoral Commission shall be formed 20 days prior to the elections by the general assembly of NGOs, the responsibility for organizing this process shall rest with the MCA Office.

The Electoral Commission shall be formed by the principle of self-nomination and shall comprise 9 members. Candidates nominated for membership in the Stakeholders' Committee shall not have the right to sit on the Electoral Commission. Electoral Commission members are elected through a vote by the participants of the general assembly, by a simple majority of ballots.

The members of the Electoral Commission shall sign on the reverse side of the ballot on the day prior to the elections. The ballots are then stored in fireproof vaults in stamped envelopes which are validated by a stamp and signature by the Chair of the Commission and at least two Commission members.

The ballots indicate the first name, second name and the name of the organization of the nominated candidates. The names of candidates shall be in alphabetical order. The ballots shall be marked by putting a (V) sign in the box next to the candidate's name.

The number of ballots shall be the number of participating NGO-s +5%.

If they wish, the candidates may put their signatures on the reverse side of the ballots (within one day, on the day prior to the election, 14.00-16.00).

Each electing organization shall have a maximum of 10 votes and shall vote in favor of up to 10 candidates: ballots marked otherwise shall not be considered to be valid. In the event of a draw in the ballots received, the election of the candidates shall be resolved on the same day through a chance drawing by the Electoral Commission in the presence of the elected candidates.

The election shall be held:

- Within one day by a secret vote. The election shall be held 9⁰⁰-18⁰⁰ (the venue shall be specified in the announcement to be placed at least 20 days prior to the elections);
- The election results shall be summed up on the election day and shall be finalized by 24⁰⁰ and made public on the following day by 12⁰⁰ hours;
- The top 10 candidates with the most number of ballots received shall be considered to be elected to the SC. A tie in the ballots received by candidates shall be resolved by a chance drawing by the Electoral Commission;
- Mass media and other interested entities may participate in the elections as observers by filing an application to this effect at least one week before the elections;
- Those candidates that have not withdrawn their candidature within **three** days of the elections may participate in them;
- If SC members are elected to the Governing Council, the SC vacancies shall be filled by the other organizations with the most number of votes received.

6. Status of NGO Representatives on the Stakeholders' Committee

Together with the 5 members mentioned in Clause I (c), the SC members elected in accordance with the established procedure shall form the SC, the authority of which shall be valid from 29 September 2007 to 28 September 2008.

Future elections in each program year shall be conducted in compliance with this Regulation.

The Stakeholders' Committee of the MCA-Armenia Program shall act in accordance with the Regulation adopted on 22 August 2006.

Only the candidacy of representatives elected to the SC shall be considered for membership in the Governing Council as a required procedure. If an SC member is elected to the Governing Council, the resulting vacancy shall be filled by the next organization with the most number of ballots received.

7. Transitional Provisions

- The working group shall be dissolved by the creation of an Electoral Commission;
- The Electoral Commission shall be dissolved one month after the elections;
- The Electoral Commission shall be in charge of coordinating the participation by NGO-s in the governance framework of the “Millennium Challenge Account-Armenia” Program.
- **The announcement, ballot template and the application form** shall be developed within the timeframe established by the Electoral Commission.
- MCA-Armenia staff and SC Secretary shall coordinate activities related to the elections;
- A vacancy of an NGO representatives on the Stakeholders’ Committee due to resignation or any other reason shall be filled by the immediately next NGO with the highest number of votes in the elections.

8. Recalling MCA-Armenia SC Members

A specific member of the Stakeholders’ Committee shall be recalled based on a petition submitted to the SC and approved by the written signatures of over half of the organizations that have participated in the election of that particular member and have received ballots.

On behalf of the SC, a working group comprised of H. Javadyan, N. Vardanyan and A. Voskanyan, has prepared the draft regulation on the upcoming election of the MCA-Armenia Program SC, which shall be submitted to the general assembly of non-governmental organizations after discussions at the SC and with the public. The working group expresses its gratitude to L. Barseghyan, L. Nersisyan and S. Sedrakyan for their valuable suggestions, most of which have been incorporated in the draft.