

## **CRISIS OF STATE SYSTEM OF ARMENIA PROGRAM OF ACTIONS FOR THE PRESIDENT OF THE REPUBLIC**

President of the Republic is the head of state. He undertakes to provide observance of constitution rights of the citizens and normal functioning of the government authorities. The President is authorized to appear as a guarantor of independence, territorial integrity and security of the Republic of Armenia.

Crisis of state system in Armenia may be overcome only with mutual efforts of civil society and political powers that actually are in opposition to governing party and its satellites.

### **1. In order to restore confidence of the society President of the Republic along with the civil society should:**

**Remove criminal oligarchy from executive and legislative power, create constitution guarantees for defense of democratic order in future, and approve public control for national wealth.**

- 1.1 In order to remove criminal oligarchy from legislative and executive power, it's necessary to liquidate the parties through which oligarchy controls over the National Assembly and Government. It's a well-known fact that these parties systematically committed mass bribery of the voters at the elections. Bribery of the voters is a criminal offence. Pursuant to law, the parties, committed flagrant violation of Constitution, should be liquidated. Constitutional Court makes resolution of their liquidation. Pursuant to current constitution norms, the powers of deputy fraction and deputies of National Assembly, elected by party lists, are ceased. After that additional elections are held for the vacant places in National Assembly.

Taking office, President of the Republic should turn to the parties that are under control to criminal oligarchy with the demand of self-dissolution. If anticonstitution parties refuse to fulfill the requirement, President of the Republic has the right to create a special investigative commission for determination of constitution responsibility of the parties for the bribery of the voters. The public support will allow collecting evidences during the short terms that these violations of voting right were the result of deliberate, purposeful, preliminarily planned and organized actions in which the majority of members of those parties was involved directly or indirectly.

President of the Republic is entitled to turn to the Constitutional Court with a demand of parties' liquidation responsible for mass bribery of the voters at elections. Constitutional Court will have to consider the submitted evidences by the investigative commission regarding the violation of fundamental norms of Constitution. Pursuant to law, the court passed judgement during the three months after addressing of the President to the court.

In order to form Government of People's Confidence, President of the Republic should hold a public-opinion poll to determine a candidate for the position of Prime-Minister. If the majority of the deputies of National Assembly don't express confidence to Prime-Minister, the President may offer to National Assembly to make a resolution regarding the pre-term dissolution and to organize new elections.

The civil society and President with mutual efforts will be able to provide conditions for holding free and fair elections that will allow full removal of criminal oligarchy from legislative and executive power.

1.2 In order to create constitution guarantees for defense of democratic order in future, it's necessary to revise constitution. Current Constitution allows one political power (party or parties coalition) to concentrate in its hands its legislative and executive power as well as to have full control under judicial authority. It takes place as a result of possession of exclusive right to propose, appoint or approve candidates for all dominant positions in the state, pursuant to Constitution by the political power holding the post of President and majority of deputy mandates in National Assembly.

The Constitution is passed or the changes are made in it through the referendum by initiative of President of the Republic or National Assembly. Referendum is appointed by President of the Republic, pursuant to offer or agreement of National Assembly. As the President is entitled to propose the project of new Constitution on referendum, he may delegate these powers to citizens.

President of the Republic by the first decree should create a Constituent Assembly, approve the procedure of election, powers and regulation of work. Constituent Assembly may consist of 82 deputies. President of the Republic may have a status of observer in Constituent Assembly and possess a deliberative vote. Forty-one deputies of Constituent Assembly may be elected in current electoral districts, the rest forty-one deputies may be appointed by the President, pursuant to offer of civil society. During the period, preceding to assumption of an office by the President, the civil society may create an open public forum for determination of mechanisms of nomination and legitimate election of candidates from the civil society.

President of the Republic may propose a Public Treaty that will include a declaration of civil rights, political principles of state governance, obligations of a citizen to take part in management of state affairs and to perform control over its activity. After approval of Constituent Assembly the Public Treaty will be open for signing by all citizens. The citizens that will join the Public Treaty will be entitled to speak at the Constituent Assembly with legislative initiatives and directly to take part in making resolutions by the main issues of new Constitution.

1.3 In order to approve public control over the national wealth it's necessary:

- to establish public control over the ownership of Chief Executive Officers of the Republic, members of their families and other affiliated persons;

- to return illegal wealth to the state that was acquired by Chief Executive Officers through corruption during the existence of the third Republic;
- to revise all the treaties and concessions for usage of natural resources, systems and objects of strategic infrastructure that were concluded by criminal oligarchy in the name of the third Republic;
- to investigate the circumstances of forming the external debt of Armenia and purposeful usage of credit resources, received from international creditors.

The President must confirm the powers and regulations of work of special commissions in which the representatives of civil society will be considered as the majority. Civil society must call an open forum and independently to determine democratic mechanisms of nomination, election and recall of their representatives in those commissions. The activity of commissions should be public and the results of investigation should be the grounds for obligatory making corresponding decisions by the government authorities.

The legal ground for establishment of public control over the ownership of officials is current Constitution that prohibits the President, deputies of National Assembly and Ministers of Government to get engaged in business activity. Consequently, the President undertakes to provide such mechanisms of control over execution of this requirement of Constitution that will create absolute guarantees for the citizens that nobody from the administration of the state used its position in the government authorities of the Republic in favor of personal purposes.

Pursuant to internationally recognized norms of fight against corruption with illegal enrichment, increase of the ownership of Executive Officer, exceeding its legal income that the official can't reasonably ground. Application of this rule to the officials holding public positions in the Republic during the time of its existence, allows disclosing the ownership, considered as a result of illegal wealth acquiring.

The President is entitled to offer an opportunity to keep the right of possession of their ownership to the owners of illegal ownership who willfully admit their guilt and cooperate with the investigation, on condition of full value payment to the state during the five years. This rule can't be spread over Chief Executive Officers who sanctioned corruption activity or appeared as its protectors during the whole period of holding positions in government authorities.

The violations of national legislation and norms of international law, protecting the sovereignty of people over the resources of their state, may be considered as grounds for revision of treaties and concessions for usage of natural resources, systems and objects of strategic infrastructure. Such violations may also become grounds for revision of treaties with international creditors.

**2. In order to stop dissociation inside the nation President of the Republic along with the political power should:**

**Establish fair distribution of national income,  
Provide decent living conditions for the citizens,  
Achieve national unity.**

2.1 In order to establish fair distribution of national income economic policy of the state should rely on the following principles:

- the entrails and other irreplaceable natural resources of the state equally belong to the present and future generations that's why the national wealth, received from the entrails and other irreplaceable natural resources usage shouldn't quit the borders of the state and the equivalent of the result of natural resources extraction should be accumulated in national reserves in the form of gold reserves or other strategic reserves;
- the poor shouldn't pay equal taxes as the rich ones do that why while the poverty exists in the state, it can't make a taxation from the expenses of population for consumption (VAT, tax from the turnover), except for the luxury, alcohol and tobacco goods;
- the purpose of economic activity of the society is meeting material needs that's why the state undertakes to guarantee fair payment and normal working conditions for each person as well as similar opportunities for career development to corresponding high levels exceptionally on the base of experience and qualification;
- the society acknowledges the right of private entrepreneurs to receive income from economic activity when the private entrepreneurs acknowledge their responsibility before the society for stable development as the access of private entrepreneurs to national credit resources should be in direct dependence on the volumes of profit that are directed to development of their enterprises or deposit with the funds of national development;
- destiny of production resources can't depend on will of the close circle of people that's why the major enterprises obligatorily should be in collective ownership and the citizens must have priority opportunity to deposit their savings in national joint-stock companies, the activity of which should be under control of the state and the society.

The right for development is indefeasible right of a human by virtue of which any human and people are entitled to take part in such economic, social, cultural and political development when all the human rights and fundamental freedoms may be fully realized as well as to assist him and enjoy assets.

(Declaration of development right. U.N.O. of December 04, 1986). President of the Republic must direct activity of government authorities in such a way that the principles of economic policy of the state fully serve for realization of the right of development of each citizen.

2.2 In order to provide decent living conditions for the citizens centralization of state efforts, owners of private capital and the whole society is necessary. “The seven-year program of national development for 2014-2020” should be developed and accepted for execution in Armenia in 2013 that obligatorily should contain the following purposes:

- to increase population of the state till the four million;
- to increase annual volume of gross national revenue till 60 billion USD;
- to provide full employment of able to work population;
- to provide 90% of the state population with urban residence and work;
- to make all medical services available for the whole population;
- to involve all the categories of needy population in programs of effective social defense;
- to guarantee availability of higher education;
- to provide necessary conditions for cultural development of the population;
- to achieve full food safety;
- to replace fully import of consumer goods and services by the products of national manufacture;
- to create scientific-technical base for innovative development of national economy;
- to enlarge the forest surface till 25% of the territory of the state;
- to create fully professional army;
- to create national guards as a permanent operating reserve of Armed Forces;
- to organize national armament and ammunition manufacture.

The seven-year program of national development must be an agreed plan of the state, private and public investments, volumes of manufacture, pricing mechanisms and other economic solutions that will allow joining of state efforts and private entrepreneurs for achieving full economic independence of Armenia and provision of decent living conditions for the population.

President of the Republic must provide necessary interaction of government authorities, state institutions, private entrepreneurs and the society for detailed development and agreement of all elements of the program during 2013.

2.3 In order to achieve national unity it's necessary to create national legal field, in which the rights and obligations will be determined regarding all components of the World Armenian Diaspora to each other. For that purpose Armenia should legalize its relations with the Republic of Mountainous Gharabagh and to acknowledge the political status of Diaspora.

In October 1991 the Supreme Board of Azerbaijan SSR notwithstanding the principle of supremacy of the law, passed a Constitutional Act of state independence of Azerbaijani Republic. Thus, the government of Azerbaijani Republic:

- intentionally deprived the citizens of the USSR, residing in Azerbaijan SSR of their citizenship;
- violated their political, civil, economic, social and cultural rights, including the right of population of the Autonomous Region of Mountainous

Gharabagh independently to solve issue of its state and legal status as well as the rights of Armenian native population residing there;

- refused the people of the Autonomous Region of Mountainous Gharabagh to realize its rights for self-determination, abolished the Autonomous Region of Mountainous Gharabagh, blocked Mountainous Gharabagh and applied power against the population, fighting for its freedom and independence.

Today the Republic of Mountainous Gharabagh is a political subject, the legal rights of which aren't acknowledged by any state. Armenia, like any state, has an obligation to render assistance to people striving for declaration of right for self-determination. That's why no state can contest the right of Armenia to appear as a guarantor of safety of the population of Mountainous Gharabagh. By virtue of that Armenia has the right and must legalize its relations with the Republic of Mountainous Gharabagh. The right of each human for acknowledgement of legal personality is approved by each state. Acknowledgement of legal personality as well as inseparable rights and freedoms of the citizens of the Republic of Mountainous Gharabagh by Armenia is performance of its obligations of international right. Besides Armenia, other states also render assistance to the Republic of Mountainous Gharabagh and do its open and legally. Illegality of relations between Armenian and population of Mountainous Gharabagh contradicts to Constitution of Armenia. Consequently, legalization of relations allows removal of non-constitution situation in the issue, having all-national significance and creation a legal field that will concretize the rights and obligations between Armenian and the Republic of Mountainous Gharabagh.

It's well-known that in 1918 the Ottoman Empire suffered a defeat in the First World War. The victorious powers acknowledged Armenia as an independent state. They advanced a claim to Turkey and Armenia to address to the President of the USA for arbitration regarding establishment of boundary between Turkey and Armenia in the following regions: Erzurum, Trapizon, Van and Bitlis, about demilitarization of ottoman territory, adjoining to the boundary and outlet of Armenia to the sea. In 1920 Turkey forced Armenia to acknowledge the existing boundary and to refuse its independence.

The majority of Diaspora are the descendants of Armenians of the Ottoman Empire who survived after depopulation in 1915. Armenians of the Ottoman Empire were native population of the state. Today the descendants of Armenians of the Ottoman Empire have universally recognized rights peculiar to native population. Republic of Armenia has political, moral and legal obligations to respect the right of Armenians descendants of the Ottoman Empire. By virtue of that Armenia should acknowledge that no resolution of the governing authorities of the Republic, touching upon the legal rights of descendants of Armenians of the Ottoman Empire, can't have legal power without approval by legitimately elected representatives. Armenian should acknowledge the right of Diaspora to elect its delegates and to give an opportunity to establish their representative office in Armenia.

The president of Republic should provide interrelation of political power to make necessary state resolutions that will allow creating national legal field creating equal opportunities for the defense of legal interests of all parts of world Armenians.

**3. In order to bring order to foreign and internal affairs of the state President of the Republic by its direct actions should:  
Defend national interests in international relations,  
Guarantee fair law and order for the society,  
Strengthen national safety.**

3.1 In order to defend national interests of Armenia in international relations the President of the Republic should seek firm agreement from the member states of OSCE that the treaties of establishment relations with Turkey and piece with Azerbaijan can't be achieved through compromise based on acknowledgement by Armenia sovereign rights of the states that were conferred by force in 1920 and 1991 by detriment of the norms of international right.

Achievement of fair regulation of conflict in the negotiations under the OSCE aegis is impossible today as initially Azerbaijani Republic illegally conferred sovereign rights to Mountainous Gharabagh that it can't possess by international right. This usurpation of state power created wrong belief at Azerbaijani population that caused war and serves as a serious impediment for restoration of piece between our nations. In order to accept the principles and norms of OSCE for regulation of the conflict of Mountainous Gharabagh, Azerbaijan should cancel all provisions of national legal acts that contradict to norms of international right and violate legal rights of Armenian population in Mountainous Gharabagh. It refers to those state resolutions of Azerbaijan that negate the right of the population of Mountainous Gharabagh, maintained by the legislation of the USSR independently to define its political status.

It's well-known that in the beginning of the last century Turkey conferred sovereign rights to historical Motherland of Armenian people. Today Armenia and Turkey, pursuant to UNO Regulations, undertake to cooperate with each other in different fields of international relations with the purpose of maintenance of international piece and safety, cooperation of international economic stability and progress, general wealth of the nations and international cooperation, free from discrimination. In this relation the three key questions exist by which Armenia and Turkey should come to agreement to bring the relations to correspondence with requirements of international law.

The first. Armenia may agree for international cooperation with Turkey, directed to achievement of international reconciliation, if Turkey acknowledges that depopulation and expatriation of Armenians from the Ottoman Empire was a crime against humanity as well as makes a public apology to descendants of victims of state policy for its actions, directed against negation of the fact of genocide.

The second. Armenia may conclude with Turkey an agreement of imperishability of existing boundary, if Turkey acknowledges that Armenia was deprived of independence and internationally acknowledged territory and provided Armenia with guaranteed and free access to the sea, pursuant to provisions of Convention of Maritime Law, passed by UNO in 1982.

The third. Armenia may establish peaceful and cooperation relations with Turkey, if Turkey admits that the descendants of Armenian refugees from the Ottoman Empire may return to their historical Motherland safely and dignity respect in order fully to enjoy their rights of native population, pursuant to provisions of UNO Declaration “About the rights of native population” of 2007, including the right for self-determination.

3.2 In order to guarantee fair law and order for the society President of the Republic must improve the work of law-enforcement bodies and judicial system. It’s necessary that only those citizens of the Republic work in law-enforcement bodies and judicial system who are exclusively guided by the principle of supremacy of law and are competent in the issues of application of the law.

President of the Republic has the right to perform control over activity of law-enforcement bodies and judicial system. Today several thousands employees work in the bodies and the activity of the most of them correspond to necessary criteria. The society may trust the state only when the positions of a policeman, investigator, prosecutor, judge are held by the persons, that no one has doubts regarding their honesty and professionalism.

All the mentioned officials must pass checkup for honesty, having used special technical devices. Individual activity of each of them should be checked and recorded in the special database. Proceeding from analysis, which positions are held by those officials and what is their further destiny, the reputation will be defined. At detection of knowledge of the officials systematic attestations should be organized, the results of which will be the only criteria for making resolutions for career development. The results of work of the officials should be under permanent control, having used automated system of data collection and maintenance.

President of the Republic must provide stable work of the mechanism of permanent control for activity of officials in law-enforcement bodies and judicial system.

3.3 In order to strengthen national safety President of the Republic must raise the level of defensive capacity of the state and raise effectiveness of the work of investigative services.

It’s necessary for that:

- to improve in short terms the moral climate in the ranks of Armed Forces;
- to raise the level of professionalism in the current army crew;
- to raise the quality of military reserve and civil defense;
- to create conditions for enlargement of opportunities for investigative activity.

President of the Republic must visit the military units every week and pass time with the staff, creating opportunities for the officers and soldiers directly to turn and communicate. In order to raise combativity of the army on the base of remarks

and offers of the staff the articles of war should be revised and the military articles should be improved, regulating its activity and internal life. All the key military positions from the military viewpoint: armour crew, calculation of artillery arms, mortars, anti-tank systems, anti-aircraft guns and other should be completed by military specialists, involved on the contractual base. Also, exceptionally on the contractual base should be completed all sergeant positions. The role of sergeants in Army should be fundamentally strengthened. In order to strengthen the sergeants staff the position of General Sergeant of Armed Forces should be introduced. In order to improve organization of military reserve and civil defense coordination of actions between the Armed Forces, the government authorities and local self-governing bodies should be considerably improved. National Investigative Service should be provided with all necessary technical means, giving an opportunity to raise the level of information of the government and army of the state regarding the intentions and actions of potential enemies.

**President of the Republic should serve for the society as a coordinator of national efforts for us to determine during the 2-years period:**

- the new political order in the state at which the safety, opportunity for adequate existence and development of each citizen is guaranteed;
- the new economic order in the state at which it's guaranteed that each citizen to take part in creation of national revenue and fairly possess its shares, pursuant to its contribution;
- the new international order in the region at which each Armenian is guaranteed defense from race discrimination and an opportunity is created for restoration of his violated rights.