



**EPDE – Statement on Presidential Elections  
Republic of Armenia  
18 February 2013**

Yerevan, 20 February 2013

**Summary**

The elections were characterised by a lack of political competition, low-key campaigning and a relatively low presence of partisan election observers in precincts on election-day. This has to be explained with the decision of the three main opposition parties not to nominate their candidates for the Presidential elections and consequently not to deploy their proxies to the election precincts.

Election day was characterised by a committed election administration, which aimed at ensuring a calm voting process. However, during election day civic election observers reported on ballot stuffing, multiple voting and intimidation of voters through proxies of one of the candidates, which raises concern on the fairness of the electoral process. Some of those election precincts where civic election observers monitored the voting process showed a significant lower voter turnout (up to 25%) than neighbouring election precincts – often in the same building -where no observers were present. The precincts with inflated voter turnout showed higher voting results for the incumbent Serge Sargsyan than for his competitor Raffi Hovhannisyanyan. These observations give ground to suppose that both the voter turnout and voting results have been subject to manipulation on election day.

The new election code provides in general an adequate framework for the conduct of transparent and democratic election and includes wide competences for the conduct of civic election observation. Civic election observation in Armenia deserves special attention by Armenian and international institutions. Legal provisions for civic election observation should be further improved and methodological support be reinforced in order to further develop civic control over electoral processes in the country and to increase public trust in national and international democratic institutions.

**Political Background**

These elections were the first Presidential elections to be held after 2008 when Presidential elections were followed by mass protests against election fraud. Public protests in the capital Yerevan ended tragically with the killing of 10 persons and the imprisonment of dozens of

protesters who were kept as political prisoners for years. Criminal prosecution of those responsible for the violence led to the conviction and immediate release of four police officers, but no independent thorough investigation has explained the surroundings around the deaths, and the perpetrators remain unidentified.

Ahead of the elections the three main political opposition parties have made a decision not to take part in the presidential elections at all and not to nominate own candidates, which reduced the competitiveness of the whole election process. Hence, eight candidates were registered by the Central Election Commission, one of whom withdrew later.

On 31 January candidate Paruyr Hayrikyan was shot and wounded by an unidentified person. The self-nominated candidate Andreas Ghukasyan organised a public hunger strike since the beginning of the electoral campaign in Yerevan city centre and claimed that the election process was unduly restricted and manipulated.

Campaigning by the other candidates took place on a modest level. The most visible campaign among the opposition candidates was conducted by Raffi Hovhannisyanyan. He was the only opposition candidate whose proxies were present at some election precincts, mostly in the greater cities. Public meetings were mainly organised by the incumbent and by the candidate Raffi Hovhannisyanyan. Posters and billboards were hardly visible in the cities and townships. These facts significantly reduced the visibility of the entire election process.

### **Legal framework**

2013 presidential elections were conducted under the new electoral code, adopted in May 2011. The electoral code stipulates an adequate framework for the conduct of transparent and democratic elections.

However, a series of issues are not yet regulated in a satisfying way: Although the electoral code provides the publication of voters' lists on the Central Election Commission's website, the accuracy of these lists is not yet guaranteed through the actual legal provisions. The voters' list still includes app. 500,000 citizens of Armenia (by a total amount of ca. 2,5 mill voters) who are not resident in the country and whose votes may be subject to misuse on election-day. To remedy this a separate list for absentee voters should be compiled and published in the polling stations to avoid further allegations. A provision of overseas voting for Armenians living abroad should be considered. The list of conscripts of around 70.000 persons which is today not open to public should be made available for public control.

The high electoral deposit of 8000 fold of the minimum salary may reduce the citizen's opportunity to register their candidature for the presidential elections. The requirement that only persons having a higher legal education or being engaged as governmental officials may be appointed members of higher (district and central) election commissions unduly restricts the opportunity for partisan and civic observers to stand for candidacy in these election commissions and to exert civic control over the election process.

### **Conditions for civic election observation**

The institute of civic and partisan election observation is in general well defined in the electoral code and observers are granted wide competences. During these elections more than 6000 observers representing 26 civic organisations have been granted accreditation by the Central Election Commission. Civic observers have the right to move unhindered in the

precinct, to take photo and video-records, to attend the vote count and to receive copies of the election commissions' protocols.

However, the right of civic election observers to file complaints should be considered and clearly defined in the electoral code. The provision that the Central Election Commission may deprive a civic organisation the right to carry out election observation if one of their observers supports any candidate or political party should be removed from the electoral code as it provides space for misuse. Also the current provision that civic observers are obliged to pass a qualification examination should be removed from the electoral code. The responsibility for training of the civic observers should be passed entirely to the civil society organisations providing election observation in the country.

Although more than 6000 civic election observers were registered during these elections, a considerable number of the total of 1.988 election precincts were left without civic election observation on election day. Whereas many civic observers conducted their duties with due commitment a significant number of observers seemed to be just formally engaged in the election observation duties. In few cases the observers could not even indicate which organisation they were affiliated to and showed low level of awareness about their rights and duties as election observers.

### **Observation on election-day and vote count**

Election day was in general calm. Members of precinct election commissions were as a rule committed and aware of their duties and responsibilities.

However, several cases of group voting, ballot stuffing and unauthorised voting on behalf of absent voters who were still included in the voter's lists have been reported. In some precincts up to four proxies of the incumbent were present simultaneously which is not in line with the electoral code provisions. In some cases these proxies unduly interfered into the election process and intimidated civic election observers and voters.<sup>1</sup>

Some of those election precincts where civic election observers monitored the voting process showed a significant lower voter turnout (up to 25%) than neighbouring election precincts – often in the same building -where no observers were present. The precincts with inflated voter turnout showed respectively higher voting results for the incumbent Serge Sargsyan than for his competitor Raffi Hovhannisyán. These observations give ground to suppose that both the voter turnout and voting results have been subject to manipulation.

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<sup>1</sup> <http://hcav.am/en/events/38768/>  
<http://hcav.am/en/events/violations-continued-up-until-the-end-of-voting/>  
<http://hcav.am/en/events/hca-vanadzor-records-numerous-violations-on-voting-day/>

Figures as provided through the CEC	Precinct 17/44 (with civic observation)		Precinct 17/45 (without civic observation)	
Number of permanent resident voters	1250		1281	
Number of voters including additional lists	1253		1282	
Invalid ballots	10		13	
Voter turnout	639	50.99%	970	75.66%
Serge Sargsyan's votes	339	53.89%	680	71.06%
Raffi Hovhannisyan's votes	263	41.81%	251	26.22%

**Election results as observed by independent civic election observers from Transparency International Armenia in the village Vostan, Ararat Marz, precincts 17/44 and 17/45.**

Statistical analysis of the election results as published on the Central Election Commission's website through Transparency International reveal that inflated voter turnout as a rule correspondents with inflated voting results for the incumbent Serge Sargsyan.<sup>2</sup>

**Complaints**

Only a few formal complaints have been filed by the actors of the election process. This constitutes a considerable discrepancy to the wide-spread rumours about excessive misuse of administrative resources, pressure on voters and vote buying. In order to install trust in the transparency of the electoral process, law enforcing bodies, police and Prosecutor's Office should be encouraged to accept and seriously consider complaints filed by voters, proxies and other subjects of the electoral process in a timely manner.<sup>3</sup> It should be considered to grant the right to file complaints to civic election observers. National and international civic organisations should be encouraged to provide legal training on the formulation of complaints for the participants of the electoral process.

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*This report is based on the findings of the EPDE delegation to Armenia from 14 - 20 February 2013 and on the observations of EPDE's Armenian member organisation Helsinki Citizens' Assembly Vanadzor HCAV. More information you may find on the HCAV website <http://hcav.am/en/>.*

*The European Platform for Democratic Elections (EPDE) has directed a delegation consisting of four experts of the EPDE member organisations Norwegian Helsinki Committee, Swedish International Liberal Centre SILC, Sweden, Association GOLOS, Russia and European Exchange, Germany to the Presidential elections on 18 February in Armenia. The delegation was granted accreditation through the Ministry of Foreign Affairs of Armenia on 16 February and conducted observation of election-day in Yerevan and Lori region. The aim of the EPDE delegation's visit was to get an insight in the election process and to draft recommendations for the further development of civic election observation in Armenia.*

<sup>2</sup> <http://elections.transparency.am/2013/index.php?>

<sup>3</sup> <http://hcav.am/en/events/statement-of-hca-vanadzor-over-police-activities/>