



FINAL REPORT

**OF THE OBSERVATION MISSION OF THE
20 JUNE 2021 SNAP ELECTIONS TO THE NATIONAL ASSEMBLY
OF THE REPUBLIC OF ARMENIA**



Yerevan 2021





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Final Report of the Observation Mission of the 20 June 2021 Snap Elections to the National Assembly of the Republic of Armenia

This Report presents the results of the long-term and short-term observation carried out by “Akanates” (Eyewitness) observation initiative during the snap elections to the National Assembly of the Republic of Armenia in 2021.

The observation mission of the 20 June 2021 snap parliamentary elections was carried out with the financial support of the European Union, the National Endowment for Democracy, the European Endowment for Democracy, the Black Sea Trust for Regional Cooperation (a Project of the German Marshall Fund), ORGANISATION INTERNATIONALE de la francophonie and the Open Society Foundations Armenia. The Parallel Vote Tabulation (PVT) was performed with the technical support of the National Democratic Institute.

The contents of this document are the responsibility of the member organisations of “Akanates” observation mission and do not necessarily reflect the views of the grantors.

The observation mission extends their gratitude to the observers, coordinators, lawyers and other persons involved in the election observation process, whose active and dedicated work made it possible to ensure an effective and high-quality observation mission.

YEREVAN 2021

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ACRONYMS

RA	National Assembly
MMO	mass media outlet
TIAC	Transparency International Anti-Corruption Center
AJC	“Asparez” Journalists’ Club
LDPF	Law Development and Protection Foundation
CEC	Central Electoral Commission
ENA	Electric Networks of Armenia
NGO	Non-governmental organisation
RA	Republic of Armenia
PVT	Parallel Vote Tabulation
SNCO	State Non-Commercial Organisation
WUA	Water Users Association
LLC	Limited Liability Company
CAS	Control-and-audit service
REC	Regional Electoral Commission
CJSC	Closed Joint Stock Company
CCP	“Civil Contract” Party

ABOUT THE OBSERVATION MISSION

“Akanates” Observation Mission was founded by the Transparency International Anti-Corruption Center (TIAC), “Asparez” Journalists' Club (AJC), “Restart” Youth Initiative (currently “Restart Foundation for Science and Education”) and the “Law Development and Protection” Foundation in August 2018.

The purpose of the Mission is to promote free and fair elections in accordance with the legislation of the Republic of Armenia and the international standards, as well as the legitimacy of electoral processes and the public oversight thereof.

“Akanates” operates independently, adhering to the principle of impartiality and refraining from actions that can be interpreted as assistance, propaganda or counterpropaganda in favour of or against any political party (alliance of parties) running in the election.

The representatives of the member organisations of the Mission participated in a number of international observation missions in Georgia, Sweden, the Czech Republic, Ukraine, Moldova and other countries.

<https://www.facebook.com/akanatesditord>

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MEMBER ORGANISATIONS OF THE INITIATIVE



Transparency International Anti-Corruption Center (TIAC) was established in Yerevan in 2000. The mission of TIAC is to promote good governance in Armenia through reducing corruption and strengthening democracy. The organization is a member of international observation networks, specifically, of the European Network of Election Monitoring Organizations (ENEMO), the European Platform for Democratic Elections (EPDE) and the Global Network of Domestic Election Monitors (GNDEM).

www.transparency.am

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“Asparez” Journalists’ Club (AJC) was founded in Gyumri in 1999. The mission of the AJC is to protect freedom of expression, media and information. The organisation has been conducting observation activities since 2009.

www.asparez.am

96 Pushkin Street, Gyumri
+374 31250622



“Restart Foundation for Science and Education” was created in Yerevan in 2019. The initiative was created by a group of students to carry out reforms in the field of higher education, in order to ensure more comfortable, more educationally progressive higher educational institutions.

<https://www.facebook.com/restartfoundation>

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Law Development and Protection Foundation (LDPF) was founded in Yerevan in 2018. The activities of the Foundation are aimed at human rights protection and reforms of the legal system in the Republic of Armenia.

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ABSTRACT

During the 20 June 20 2021 snap elections to the National Assembly (NA) of the Republic of Armenia, “Akanates” observation mission conducted a long-term and a short-term observation, in order to gather comprehensive and systematic information on the quality of the elections.

The mission assessed the compliance of the legally established period preceding the pre-election campaign, the pre-election campaign, its financing, the election day and the post-election processes with the RA electoral legislation and the international standards, as well as the potential risks of the processes in terms of holding free, transparent and competitive elections.

Methodology

During the period between 1 May and 21 July 2021 60 long-term observers of the observation mission “Akanates” observed the pre-election processes in the service areas of all 38 Regional Electoral Commissions of the country. Information was collected through desk study, online open source data analysis, face-to-face observations, official surveys, meetings and interviews, as well as media coverage. In order to ensure the accuracy and reliability of unofficial information, the data obtained by observers were verified by several independent sources. In order to ensure the accuracy and reliability of the unofficial information, the data obtained were verified by the observers through several independent sources.

The observers made over 180 visits to the Regional Electoral Commissions and observed 41 meetings held by them. Over 380 visits were made to the offices of political parties (party alliances) and campaign offices, over 50 meetings with journalists, about 75 meetings with representatives of non-governmental organisations (hereinafter also referred to as “NGOs”). The observers met with citizens in 528 communities and participated in more than 250 pre-election events/meetings.

On 20 June 2021 “Akanates” mission engaged 580 short-term observers to observe the voting-related processes in 300 polling stations across Armenia, identified through statistical representative sampling. The observation included Parallel Vote Tabulation (PVT) which, being based on random representative sampling, allows to statistically measure the quality of voting day processes, including the opening of the polling stations, the voting, the closing of polling stations and summarising the results, as well as distributing the votes. Albeit the observation mission does not cover all of the polling stations in the country, the use of the PVT method allows to talk about the electoral process and the results on the national level.

In addition to deploying observers to the polling stations, “Akanates” engaged 22 groups of mobile observers who visited more than 150 polling stations outside the sample, to monitor the situation inside them and in their adjacent areas and in the vicinity of the campaign offices of the political parties (party alliances).

In parallel with the sitting for summarisation of the voting results at the polling stations, starting from 20:00 hour, the observers monitored the work of 33 Regional Electoral Commissions, watching the process of receiving the bags of election-related documents and items, tabulating the voting results of the polling stations and scanning the voter lists. In the post-election period, the observers examined the process of recounting the results at the Regional Electoral Commissions and handling of electoral complaints.

Based on the significant violations registered in the electoral process, complaints were made and submitted to the electoral, judicial and law enforcement bodies.

Observation Results

The snap parliamentary elections of 20 June 20 2021 took place under unprecedented competitive conditions and in an as tense atmosphere. The electoral administration and the processes for the most part complied with the procedures established by the RA Electoral Code and ensured the free expression of the will of the citizens. However, a number of issues and risk factors were identified, sometimes due to the gaps in the electoral legislation.

Pre-election Stage

The pre-election stage of the snap parliamentary elections of 20 June 2021 on the whole took place under competitive conditions, however, this election was marked by extreme expressions of hate speech.

Electoral Commissions

On the whole, the work of the electoral commissions went smoothly and without problems for the most part.

On the whole, the Central Electoral Commission (CEC) functioned effectively and performed its statutory obligations properly. The new CEC website ensured the transparency of the electoral processes more successfully than the previous one. Presenting some of the data on the website in a non-open-data format is still a problem, which makes it difficult to obtain, process and analyse such data. Some shortcomings were observed in terms of broadcasting the sittings and posting their videos on the website.

The sittings of the Commission continue proceeding without substantive discussions and with unanimous voting, with minor exceptions. A number of Commission decisions were not sufficiently analysed and reasoned, as a result of which these were disputed by some political forces in court. Acceptance and consideration of complaints filed by observer organisations continue to be problematic.

The number of political forces registered for the snap parliamentary elections was unprecedentedly large, and somewhat exaggerated. Out of the 25 parties running in the elections,

only 4 had their election programs published on the CEC website; 12 do not have their own websites, and their ideology and programs were not properly accessible to voters.

There are a number of issues with the accreditation procedures of observer organisations, which practically do not guarantee the impartiality of public oversight of the electoral processes, therefore may question the credibility of their assessments.

The work of the Regional Electoral Commissions proceeded normally, without incidents and violations. There is a special section on the new CEC website to present the activities of the Regional Electoral Commissions, but it does not yet contain the necessary information. The lack of premises, technical, communication-related and other conditions necessary for the effective work of some Regional Electoral Commissions remains a matter of concern.

It was observed that a number of Commission members in parallel hold other positions in the public administration sector, which carries risks of misuse of administrative resources. Engaging CEC staff in the Regional Electoral Commissions with the responsibility of entering information into the computers is problematic, actually resulting in the flawed implementation of the principle of independence of these Commissions.

The quality of training for PEC members was generally assessed positively by the observers. However, the gaps in the capacity and skills of Precinct Electoral Commissions manifested during the voting suggest that Commission members need additional training.

Pre-election Campaign

The pre-election campaign actually started from the official launch date, i.e. about 2.5 months before 7 June 2021. Due to the lack of regulations of equal competition during this period, it was rather heated and accompanied with phenomena of misuse of administrative resources from the beginning.

During the pre-election period, there were numerous cases of posting campaign materials in undefined places, often creating discriminatory conditions and actually working in favour of some political forces.

During the pre-election campaign of the snap elections to the RA NA, numerous manifestations of misuse of administrative resources, forcing people to participate or refuse to participate in rallies and events, obstructing the exercise of the voters' free will through administrative levers were observed, by different political forces. Unlawful participation of officials, representatives of schools and cultural centres was repeatedly observed during the pre-election events.

During the pre-election period, activation of charitable activities was observed, obviously aimed at influencing the decision of the voters.

During the campaign, the hate speech reached extremely dangerous volumes, and it was further fueled by counterpropaganda against the political forces by third parties. In the context of spread

of hostility and hatred, cases of intentionally damaging the competitors' campaign materials or property were more frequent than usual.

Pre-election Campaign Financing

Regulations and practices related to financing of the election campaign did not properly ensure the transparency of the finances, accountability and fair competition among political parties (party alliances) running in the elections. The financial statements did not reflect major expenses like those of the campaign offices, the remuneration of those involved in the campaign with various functions, the costs of transportation, organising events, and a number of other expenses. Additionally, third-party financial support is not regulated, which distorts the true picture of campaign financing.

The analysis of the pre-election expenses of different political forces participating in the elections reveals the huge differences between them. Furthermore, the use of administrative resources outside the period of the pre-election campaign and the possibility of third-party campaigning, not subjected to restrictions and accountability, annul the guarantees for providing equal competition established by the law for the election campaign.

The set of tools and the practices of the state oversight body are not sufficient to ensure proper state oversight of the election campaign and the financing of parties.

Voting Day

As observed by "Akanates", on the voting day the citizens participated in an interested and active manner.

The process of preparation for the voting and the opening of the polling stations was mainly organised in accordance with the established procedures, without serious violations.

The voting was mainly peaceful, with the wide and interested participation of the citizens. The processes were mostly well organised, in compliance of the law. Tensions were observed in some polling stations, mainly due to the presence of outsiders, exceeded number of proxies of some parties in the polling stations, voter suppression, and control over voting.

The work of the Precinct Electoral Commissions was generally in line with the processes established by the law. No significant problems were reported in the Regional Electoral Commissions, and the way the post-election processes were organised was for the most part assessed positively by the observers.

The process of handing over the bags of election-related documents and items from the polling stations to the Regional Electoral Commissions was largely smooth, but several Commissions had problems, mainly related to the lack of signatures on the bag with the election-related documents and the bag being closed improperly.

No cases of violation of the process of scanning the voter lists were reported.

No cases of obstruction, violence, pressure or intimidation of observers were reported, for the most part, with the exception of one Regional Electoral Commission.

According to the parallel counting of votes, the statistical analysis of the data received from the observers mainly confirmed the results published by the CEC, thus, also their credibility.

Post-election Processes

No violations were reported in the process of re-counting the results at the observed five Regional Electoral Commissions.

During the post-election period “Akanates” submitted:

- 20 applications to 20 Regional Electoral Commissions on a total of 56 violations;
- Five complaints to the CEC on the decisions of the Regional Electoral Commissions and one separate application on the violations by the members of the Precinct Commissions due to unawareness of the procedures;
- One application to the RA Administrative Court, demanding to bring the Secretary of the Commission to administrative liability on the grounds of not recording the observer’s assessment in the PEC register; and
- One application to the Office of the Prosecutor General of the Republic of Armenia regarding 21 incidents which contained elements of an alleged crime.

Once again, neither the Regional Electoral Commissions, nor the Central Electoral Commission recognised the observer organisations as entities entitled to submit an application, and no action was taken in relation to the reported violations.

Consideration of part of the applications and complaints filed with the Administrative Court and the law enforcement bodies is still in progress.

Recommendations¹

As a result of the analysis of the problems disclosed through observation of the snap parliamentary elections of 20 June 2021, “Akanates” observation mission recommends to review the electoral legislation, as well as the practices of and approaches to organising and administering the elections. In particular, it is necessary to:

¹ The recommendations provided in this Report do not include the amendments to the Constitutional Law “Electoral Code of the Republic of Armenia” which were adopted on 7 May 7 2021 but have not yet entered into force.

Electoral Commissions

- Review the procedure for forming Regional Commissions and the resources allocated, taking into account the decreasing workload, as well as the working conditions, to ensure the independence and professionalism of the latter; and
- Review the procedure for forming Precinct Commissions, in order to ensure quality, impartial and responsible work.

Political Parties (Party Alliances)

- Formulate requirements to ensure the preconditions for the establishment of parties (party alliances), the background of ideological development and the transparent activities; and
- Promote the maximum representation of the formed Parliament.

Voter Lists

- Finally verify and clarify the addresses of voters, ensure the comparison of voter data in all polling stations, in order to exclude multiple voting throughout the area of the Republic of Armenia.

Accreditation of Observers and the Media

- Make the control over the accreditation requirements of observer organisations more stringent, in order to ensure the political impartiality of the public control.

Pre-election Campaign

- Define the term 'pre-election campaign' to include the whole set of measures taken by political forces; and
- Make the regulations on dissemination of campaigning materials more stringent, strengthen the guarantees for equal competition and expand the possibility of control over cost transparency.

Administrative Resource

- Make the restrictions related to conducting pre-election campaigning for officials more stringent.

Pre-election Campaign Financing

- Review the substantive requirements for the accountability of political parties, the periodicity and the format.

Regulation of Involvement of Third Parties

- Provide for spending restrictions for third parties involved in the election campaign and accountability.

Control-and-audit Function

- Expand the control-and-audit function of the state and clarify the substantive requirements for the relevant conclusions.

Voting Day Processes

- Take active steps to ensure access to all polling stations for voters with mobility (motor-coordination) difficulties; and
- Review the regulations restricting the rights of observers and media representatives.

Summarising the Voting Results

- Provide for a mechanism through which the electoral commissions will receive the necessary information from law enforcement agencies about the materials of criminal proceedings.

Appeal

- Recognise the legal capacity of observer organisations in proceedings of violations of the subjective rights of observers and the violations of objective voting right in the electoral processes;
- Establish a right for the observers, observer organisations and citizens to dispute the voting results at the polling stations;
- Promote the administration of appeals by enshrining the possibility of receiving applications with electronic signatures, and eliminating the requirement to pay state duties for applications related to all electoral processes; and
- Review the legal regulations related to the time frames and the procedure of decision-making by electoral commissions, to provide the bases for them to serve their purpose.

Transparency of Electoral Processes

- Improve the CEC website by making the work of the Regional Electoral Commissions and the pre-election programs of the political parties (party alliances) participating in the elections more transparent, and publicising the relevant information in open data format to the extent possible; and
- Make the conditions and possibilities related to video recording, broadcasting and accessing the videos of the voting process more effective.

Law Enforcement Bodies

- Ensure that law enforcement bodies establish the facts and the volumes of committing electoral crimes as soon as possible, and transfer the related materials to the competent authorities for the investigation of electoral violations.

INTRODUCTION

On 20 June 2021 snap elections of the National Assembly (hereinafter also referred to as “NA”) took place in the Republic of Armenia (hereinafter also referred to as “RA”). The elections were held under the conditions of the political crisis and complex economic and social crisis in the aftermath of the 2020 Artsakh war.

Not long before the election day was set, on 1 April 2021, the Parliament amended the RA Electoral Code by 82 votes in favour of transition to full proportional representation. It was planned to be implemented based on the lists submitted by parties (party alliances). It should be noted that the draft amendments were mainly approved by the Venice Commission².

22 parties and an alliance of 4 party alliances had applied to run in the 20 June 2021 snap elections:

1. “Fair Armenia” Party
2. “Armenian National Congress” Party
3. “Civil Contract” Party (hereinafter also referred to as “CCP”)
4. “Awakening” National Christian Party
5. “Freedom” Party
6. “I Have Honour” Alliance
7. “United Homeland” Party
8. “Pan-Armenian National Statehood” Party
9. “Bright Armenia” Party
10. “Armenia is Our Home” Party
11. “Republic” Party
12. “Homeland of Armenians” Party
13. “Free Homeland” Alliance
14. “Prosperous Armenia” Party (hereinafter also referred to as PAP)
15. Democratic Party of Armenia
16. “5165 National Conservative Movement” Party
17. “Citizen’s Decision” Social-Democratic Party
18. “Shirinyan-Babajanyan Democrats’ Alliance”
19. “National Agenda” Party
20. “Rise” Party
21. “Liberal” Party
22. “Armenian Eagles: United Armenia” Party
23. European Party of Armenia
24. “Armenia” Alliance

²[https://www.venice.coe.int/webforms/documents/?pdf=CDL-PI\(2021\)006-e](https://www.venice.coe.int/webforms/documents/?pdf=CDL-PI(2021)006-e)

- 25. “National-Democratic Axis” Pan-Armenian Party
- 26. “Sovereign Armenia” Party

A few days after the registration with the Central Electoral Commission (hereinafter also referred to as the “CEC”) “Armenian Eagles: United Armenia” Party withdrew from the election campaign, leaving the competition between 25 parties and alliances.

Eight international and 19 local observation missions were accredited by the CEC to monitor the election process; 8,749 observers were accredited in local observation missions; 49 foreign and 68 local media outlets (hereinafter also referred to as “mass media outlets”) were accredited by the CEC to cover the elections.

2,008 polling stations were formed in the territory of the country, 12 of which in penitentiaries. In 1,520 polling stations (75% of the total), cameras were installed to provide online monitoring of the voting day processes. The cameras were installed in the polling stations serving the highest number of voters, covering the area with 2,420,660 voters (93%) out of 2,591,316 registered voters. The polling stations that did not have a camera were mainly located outside Yerevan. Only 4 out of the 479 polling stations in Yerevan (0.8%) did not have a camera, while, outside Yerevan, 484 out of 1,529 polling stations (31.7%).

Out of 2,595,512 citizens eligible to vote in the snap elections to the National Assembly, 1,281,997 or 49% of voters took part in the voting³.

As a result of the voting held on 20 June 2021, two parties passed the threshold set by the RA Electoral Code (5% for parties and 7% for party alliances): “Civil Contract”, with 53.91% of votes, and “Armenia” Alliance, with 21.09%. Taking into account the requirement of the RA Electoral Code, according to which at least three political forces must be represented in the Parliament, “I Have Honour” Alliance which had collected 5.22% of votes and had not passed the required threshold, received seats in the National Assembly of the 8th convocation.

Table 1. Political Forces Elected into the RA National Assembly

Political Force	Number of Votes	Percent	Number of Seats
“Civil Contract” Party	688 761	53.91%	71
“Armenia” Alliance	269 481	21.09%	29
“I Have Honour” Alliance	66 650	5.22%	7

³ https://res.elections.am/images/Decisions/27.06.21/21.183_A.pdf

About 19.78% (one-fifth) of the votes in favour of the other 22 political forces “were reduced to dust”, as the parties (party alliances) elected by them did not pass the threshold set by the RA Electoral Code.

Four of the participants in the snap parliamentary elections (“Armenia” Alliance, “Awakening” National Christian Party, “Homeland of Armenians” Party and “I Have Honour” Alliance) filed an application with the CEC after the voting day, demanding that the results of the snap elections be declared invalid, and a re-counting be assigned. The application of “Homeland of Armenians” Party was submitted in violation of the deadline and was not considered. Based on the results of consideration of the other applications, the CEC stated by its Decision No. 183-A of 27 June 2021 that during the preparation of and voting at the snap elections to the National Assembly of the Republic of Armenia held on 20 June 20 2021 no violations of the Code were committed that could have affected the outcome of the election⁴.

On the same day, the CEC adopted Decision No. 184-A on summarising the results of the snap elections⁵, which was challenged by “Armenia” Alliance, “Awakening” National Christian Party, “Homeland of Armenians” Party and “I Have Honour” Alliance in the RA Constitutional Court. The latter, in turn, upheld the CEC’s Decision⁶.

During the 20 June 20 2021 snap elections to the National Assembly (NA) of the Republic of Armenia, “Akanates” observation mission conducted a long-term and a short-term observation, in order to gather comprehensive and systematic information on the quality of the elections.

MONITORING METHODOLOGY

“Akanates” observation mission assessed the compliance of the legally established period preceding the pre-election campaign, the pre-election campaign, its financing, the election day and the post-election processes with the RA electoral legislation and the international standards, as well as the potential risks of the processes in terms of holding free, transparent and competitive elections.

Long-term Observation

Long-term observation plays a key role in overseeing the electoral process, given that voter opinions are actually formed during the pre-election period rather than on the election day at the polling stations, and are subject to various formal influences (based on the regulations of the election campaign) and informal influences (hidden and often illegal).

Within the framework of the long-term observation mission, “Akanates” involved 60 observers, who monitored the pre-election and post-election processes in the service areas of all 38 regional electoral commissions of the country during the period between 1 May to 1 July 2021. During the pre-election period the observers examined the election administration, compliance of the

⁴ https://res.elections.am/images/Decisions/27.06.21/21.183_A.pdf

⁵ https://res.elections.am/images/Decisions/27.06.21/21.184_A.pdf

⁶ <https://www.concourt.am/armenian/decisions/common/2021/pdf/sdv-1606.pdf>

electoral commissions with the schedule set by the CEC, the activities of the campaign offices of parties (party alliances), the election campaign, the financing of the election campaign, the cases of abuse of administrative resources, the pre-election events, the general atmosphere and the hate speech. In the post-election process, scanning of the lists signed by the voters, recounting of results and consideration of complaints by 33 regional electoral commissions and by the Central Electoral Commission, as well as investigation of electoral complaints by courts and law enforcement agencies were the subject matters of scrutiny.

The observers worked on site with electoral commissions, campaign offices of parties (alliances), representatives of civil society organisations, the media, as well as international observers. They made over 180 visits to the Regional Electoral Commissions and monitored 41 meetings held by them. Over 380 visits were made to the offices of political parties (party alliances) and campaign offices, over 50 meetings with journalists, about 75 meetings with representatives of non-governmental organisations (hereinafter also referred to as “NGOs”). The observers visited 528 communities and participated in more than 250 pre-election events / meetings. In addition, there were meetings with the citizens, to assess the general situation and obtain information on the pre-election processes.

Data were collected through desktop surveys, online open source data analysis, face-to-face observations, official surveys, meetings, interviews, as well as media coverage. In order to ensure the accuracy and reliability of the unofficial information, the data obtained were verified by the observers through several independent sources.

Short-term Observation

Within the framework of “Akanates” (Witness) mission 580 short-term observers were engaged who monitored the voting-related processes in 300 polling stations across Armenia, identified through statistical representative sampling.

Voting day monitoring included parallel counting of votes (PCV). The observation included Parallel Vote Tabulation (PVT) which, being based on random representative sampling, allows to statistically measure the quality of voting day processes, including the opening of the polling stations, the voting, the closing of polling stations and summarising the results, as well as distributing the votes. Albeit the observation mission does not cover all of the polling stations in the country, the use of the PVT method allows to talk about the electoral process and the results on the national level.

In this regard, it can reaffirm or question the voting results, contributing to the strengthening of public confidence in the published election results or, conversely, revealing possible issues⁷.

In addition to deploying observers to the polling stations, “Akanates” also engaged 22 groups of mobile observers who visited more than 150 polling stations outside the sample, to monitor the situation inside them and in their adjacent areas and in the vicinity of the campaign offices of the

⁷ The PVT method was successfully used in more than 50 countries, including this region: Ukraine, Georgia, Serbia and Kosovo.

political parties (party alliances). Through short-term visits, the randomly selected precincts not included in the sample defined by the PVT methodology, as well as the precincts included in the sample were monitored, where there were tense situations or other problems in such precincts.

In parallel with the sitting for summarisation of the voting results at the polling stations, starting from 20:00 hour, the observers of “Akanates” monitored the work of 33 Regional Electoral Commissions, watching the processes of receiving the bags of election-related documents and items, tabulating the voting results of the polling stations and scanning the voter lists. In the post-election period, the observers monitored the process of recounting the results and considering electoral complaints by the Regional Electoral Commissions.

Based on the significant violations identified in the electoral process, complaints were filed with the Central and Regional Electoral Commissions, reports were submitted to law enforcement bodies, and complaints were filed with the courts, some of which are still under investigation.

The quantitative and qualitative data collected by the observers during the long-term observation were analysed and summarised in the reports⁸, announcements⁹ and press conferences¹⁰ of “Akanates” observation mission; the data were published on the Facebook page of Akanates”, on the websites and/or the Facebook page¹¹ of the member organisations of the initiative.

MONITORING RESULTS

Work of the Electoral Commissions

Central Electoral Commission

From 10 May, the day the snap elections to the RA National Assembly were appointed, to 27 June 2021, the CEC convened 21 sittings, in eight of which issues related to organising the snap elections to the National Assembly were discussed, while 13 considered the applications by individuals and political parties and the motions of the Prosecutor’s Office during the period of organising the elections. After summarizing the results of the parliamentary elections, until 26 July 2021 inclusive, the CEC held six more sittings.

Initially, it was not possible to monitor the videos of the CEC sittings online due to software issues with the CEC website, which were later rectified. As of 24 May 2021 the site was completely updated, and it was possible to watch the videos of the sittings.

The new CEC website ensured the transparency of the electoral processes more successfully than the previous one. It is more user-friendly and more efficient. However, much of the

⁸ <https://transparency.am/hy/publications/view/381> , <https://transparency.am/hy/news/view/3287>

⁹ <https://transparency.am/hy/news/view/3304>

¹⁰ https://www.youtube.com/watch?v=SYFJgCcc5cs&ab_channel=MCArmenia

https://www.youtube.com/watch?v=Y15ppldxWhw&ab_channel=a1plu

https://www.youtube.com/watch?v=shjR6UF0dKU&ab_channel=MCArmenia

¹¹ <https://www.facebook.com/akanatesditord/>

information on the site is still presented in PDF format rather than “open data format”, which makes data retrieval, processing and analysis difficult.

Monitoring of Sitings

According to the online monitoring of the sittings, the following problems were noted:

- The sittings of June 11, 12 and 22, as well as July 10, 15 and 20 were not broadcast, and their videos were not posted on the CEC website, presumably in order to maintain the pre-investigation secret, because motions of the Prosecutor’s Office were considered during the said sittings.
- Some of the decisions made as a result of consideration of the motions of the Prosecutor’s Office are dated 21 June 2021, while those motions, according to the published sitting agenda, were considered on 22 June.
- The video of one of the two sittings held on 19 June is not available (the agenda included the discussion of the applications of a number of parties and MP candidate Tigran Arzakantsyan), and it is not possible to watch the video of the other sitting.
- The 26 June 2021 session was not broadcast (agenda: Consideration of applications of CCP, and “Transparency International Anti-Corruption Center” and “Asparez” Journalists’ Club NGOs – members of “Akanates” observation mission).
- The video of the 26 June sitting is incomplete. In particular, due to the sound failure and a significant missing part of the video, it was not possible to observe the consideration of the complaints filed by the members of “Akanates”, as well as other issues on the agenda.

When monitoring the CEC sittings, no case was reported where an issue was discussed by the members of the Commission, or any member of the Commission voted against the proposed Draft Decision. There were also no cases where the Commission members provided varying recommendations on draft decisions. At the CEC sittings the members of the Commission always voted unanimously: *for* or *against*.

An exception is the discussion on the official clarification of Article 95/4 of the RA Constitutional Law “Electoral Code of the Republic of Armenia” during the 18 June 2021 sitting, during which a Commission member suggested that the CEC clarify the procedure for issuing the ballots in such a manner that the issuing of ballots both in ascending and in descending order of the sequential numbers be considered as sequential issuance.

It is noteworthy that several decisions made by the CEC were declared invalid by the RA Administrative Court due to improper reasoning. Moreover, later such a practice was repeated after the court decision was already made. Thus, as a result of appeal of Decision No. 108-A of 31 May 2021, after the Administrative Court had already expressed their position on the lack of substantiation and reasoning of the decision¹², the CEC still made a decision that did not meet that requirement (for example, Decision No. 160-A of 19 June 2021 on imposing a warning to

¹² The judgement on the administrative case No. AC / 6068/05/21.

Nikol Pashinyan, which was declared invalid because the reasoning part of the decision contained no analysis of what is considered propaganda according to the CEC).

In the context of the practice of the Central Electoral Commission, Decision No. 156-A of 19 June 2021¹³, based on the application of the “Awakening” National Christian Party, stands out. Specifically, this party demanded the CEC to turn to court in connection with Pashinyan’s calls for hatred and threats of violence, to declare the registration of the CCP’s electoral list repealed. The application was rejected by CEC Decision No. 149-A of 13 June 2021 on the grounds of not assessing the expressions cited in the application as a violation of the pre-election campaign, which was appealed by “Awakening” party to the RA Administrative Court. The court rejected the appeal by Decision AC/ 6861/05/21¹⁴, noting at the same time that the respective expressions could objectively and reasonably be perceived as a threat of using violence.

After the court decision on case AC / 6861/05/21, “Awakening” National Christian Party applied to the CEC again, with a demand to use the toolkit defined by Article 19/7 of the RA Electoral Code. The CEC again rejected the application by Decision No. 156-A of 19 June 2021, which the party again appealed to the Administrative Court. The claim on the judgement passed on the administrative case AC/6997/05/21, submitted on 25 June 2021, was satisfied, and non-application by the CEC of the toolkit provided by Article 19/7 of the RA Constitutional Law “Electoral Code of the Republic of Armenia” (inaction) in relation to the violations by the CPP candidate Nikol Pashinyan, confirmed by the judgement of the RA Administrative Court No. AC/6861/05/21 of 17 June 2021, was recognised as unlawful¹⁵.

The attitude of the CEC towards the complaints submitted by the organisations of “Akanates” observation mission with electronic signatures deserves attention. Although submitting complaints via the official e-mail with an electronic signature had been agreed upon in advance, and it had been considered preferable by the CEC staff (due to technical problems with the e-request.am website on 25 June), the next day the CEC sent a communication via e-mail, offering to submit the complaints in person or through the e-request.am website, because they had no possibility to verify the authenticity of the electronic signatures in the applications. Thus, the applicants were in fact deprived of the opportunity to make the complaints submitted within the time period prescribed by law an object of consideration before the summing up of the election results.

Registration of Parties (Party Alliances)

The number of political forces participating in the snap parliamentary elections was unprecedentedly large and perhaps overly so. This can be explained both by the expectation of competitive elections and the amendments to the RA Law “On Political Parties” which were made on 29 December 2020 and created favourable conditions for the formation of political parties. Another reason was the lack of a properly developed party system. It should be noted that out of

¹³ https://res.elections.am/images/Decisions/19.06.21/21.156_A.pdf

¹⁴ http://www.datalex.am/?app=AppCaseSearch&case_id=38562071809961622

¹⁵ <http://www.datalex.am/?app=AppCaseSearch&page=default&tab=administrative>

36 parties (some of which were involved in party alliances), 10 were registered in 2021, just before the elections, and therefore had no preceding expenses.

Pursuant to the Electoral Code of the Republic of Armenia, political parties (alliances of parties) participating in elections may submit their pre-election programs in an electronic format established by the CEC, for posting on the CEC website¹⁶. Only the pre-election programs of four parties participating in the NA elections were published on the website: those of “Republic”, “Homeland of Armenians”, “Rise” and “National-Democratic Axis” parties. Given that 12 of the parties and alliances do not have an official website, it can be said that their ideology and programs were not properly accessible to voters.

Registration of observation missions

There were a number of issues with the registration process of observer organisations, which practically do not guarantee the impartiality of public oversight of the electoral processes and may question the credibility of their monitoring and reports.

- Pursuant to Article 30/1/2 of the Electoral Code of the Republic of Armenia, Armenian non-governmental organisations whose charter objectives included, for at least one year preceding the day of calling elections, matters related to democracy and protection of human rights, and which do not support the candidates or the political parties running in elections, shall have the right to carry out observation missions.

When registering, the CEC checks the charter goals of the organisations but does not check their support of political parties and candidates and it may not disclose the matches between the lists of political candidates and observers, as well as the facts of campaigning for or supporting the parties or candidates by an organisation. In other words, the legislative restriction on not supporting political forces is not safeguarded by effective law enforcement mechanisms.

- Pursuant to Article 31/4/ of the RA Electoral Code, the CEC shall reject an application for accreditation of observers if the charter goals of the non-governmental organisation do not meet the requirements of Article 30/1/2 of the Code described above. This means that one pre-condition for accreditation is that an observer organisation shall not support candidates or parties running in the elections, yet it is not included in the exhaustive list of grounds for rejecting an organisation’s application. In fact, the CEC may not have the authority to reject an organisation’s application, even if it is actively campaigning.

This issue has been partially addressed by legislative amendments that will take effect in 2022 according to which the participation by any representative of the governing body of the organisation (the Assembly excepted) as a candidate is established as a basis for rejecting the application. However, the issue is topical, including in terms of the need for

¹⁶ RA Electoral Code, Article 8/4.

additional tools and powers to determine whether an organisation supported a political force or candidate.

- The Electoral Code of the RA does not provide for the procedure and grounds for depriving an observer organisation of the right to an observation mission, in the event of possible campaigning or supporting any political force participating in the elections, after the accreditation of its observers.

Such legal gaps create an opportunity for similar realities. The president of the “Federation of Youth Clubs” NGO was included in the list of candidates of “Bright Armenia” Party, while the organisation was unobstructedly registered with the CEC to carry out an observation mission¹⁷.

On the other hand, the RA Electoral Code restricts certain non-commercial organizations from observing the elections. Thus, according to the Code, only non-governmental organizations – not foundations – are included as observer organizations. Meanwhile, in Armenia many human rights and non-commercial organizations dealing with democracy issues have a state registration with the organisational status of a “foundation”: for them it is virtually impossible to monitor the elections in the role of an observer organisation.

In addition to the gaps in the regulations related to local observation, the RA Electoral Code does not define the procedure and grounds for consideration and decision making by the CEC of the applications from international organisations and foreign non-governmental organisations (in the absence of an invitation) to carry out an observation mission. Although during the snap elections to the National Assembly on 20 June 2021 (unlike in 2017¹⁸) no cases were reported where the application of an international or foreign organisation was rejected without a reason or not processed: the risk exists and must be eliminated.

Regional Electoral Commissions

The work of the Regional Electoral Commissions (ten in Yerevan, and 28 in the regions) proceeded normally, without incidents and violations. The Regional Electoral Commissions adhered to the principle of political neutrality in their work.

Throughout the mission, the observers made more than 180 visits to the Regional Electoral Commissions, and a total of 41 sittings were monitored. The cooperation of the Commissions with the observers was mostly assessed as open and constructive, without obstacles.

It is problematic that the observers often had to visit the relevant offices in order to obtain information on the sittings of the Regional Electoral Commissions or to obtain the minutes of the sittings, because the Commissions do not have official electronic means of communication, and most of the decisions of the sittings are not published anywhere. There is a special section on the

¹⁷ <https://www.elections.am/Elections/Parliamentary>

¹⁸ Transparency International Anti-corruption Center, “Observation Report on the 2 April 2017 Elections to the RA National Assembly”, Yerevan, 2017, <https://transparency.am/files/publications/1511343844-0-379811.pdf?v=4>, p 22.

new CEC website to present the activities of the Regional Electoral Commissions, but it does not yet contain the necessary information.

According to the monitoring, the lack of premises, technical, communication-related and other conditions necessary for the effective work of some Regional Electoral Commissions remains a matter of concern. In particular, the following problems were noted:

- Regional Electoral Commissions No. 1 and No. 17 have poor premises;
- Regional Electoral Commission No. 6 does not have furniture and equipment necessary for normal work;
- Due to lack of adequate space, Regional Electoral Commission No. 21 had to store the ballots in the the school hall in another building, from where the ballots were distributed among 57 Precinct Electoral Commissions¹⁹
- Commission No. 32 worked in the kindergarten building, so had to work under noisy conditions;
- The conditions of Commission No. 24 were unsatisfactory; it was located in the building of Lori *Marzpetaran* (regional administration office);
- There was no bathroom in the premises of Commission No. 34; the members of the Commission worked in a hall with a damp and dilapidated floor; and
- In other cases, the halls where the Commissions worked had not been renovated for a long time, with problems related to the bathroom, the furniture, the telephone connection and other necessary conditions.

The lack of adequate conditions for decent work, naturally, affects negatively the motivation of the Commission members and the quality of their work.

During the pre-election period two cases were reported where the an election-related document, specifically the register, was taken out of the room of Armavir Regional Electoral Commission No. 15.

Composition of Commissions

The composition of the Regional Electoral Commissions basically remained the same.

It is noteworthy that a number of Commission members in parallel hold other positions in the public administration sector. Thus:

- Vrezh Nodar Galoyan, Chairperson of Kotayk Regional Electoral Commission No. 28, Deputy Head of the RA Inspectorate for Nature Protection and Mineral Resources;
- Hovhannes Daniel Asatryan, Chairperson of Aragatsotn Regional Electoral Commission No. 18, Aragatsotn *Marzpetaran*, Head, Department for Local Self-Government and National Executive Bodies;

¹⁹ According to the representative of the Regional Electoral Commission, this solution has been agreed upon with the CEC, and the police are on duty, to ensure the safety of the ballots.

- Vazgen Shirak Hayrapetyan, member of Aragatsotn Regional Electoral Commission No. 18, Director of Talin Regional Center of the RA State Employment Agency;
- Vahagn Volodya Arakelyan, Deputy Chairperson of Tavush Regional Electoral Commission No. 38, Head, Tavush Regional Division of the Inspectorate for Nature Protection and Mineral Resources;
- Sonya Volodya Mehrabyan, member of Tavush Regional Electoral Commission No. 38, Head of Ijevan Regional Division of the Social Security Service;
- Armik Seryozha Azatyan, Deputy Chairperson of Tavush Regional Electoral Commission No. 37, Head, Noyemberyan Regional Subdivision of the State Committee of Real Estate Cadastre under the Government of the Republic of Armenia; and
- Vahagn Avetik Nikoghosyan, Secretary of Yerevan Regional Electoral Commission No. 1, Head, Eastern Regional Centre of the RA Inspectorate for Health and Labour.

Although according to Article 31/4 of the RA Law “On Public Service”, a public servant may perform the work of a member of an electoral commission, nevertheless, such combinations of positions (considering the positions) carry risks of misuse of administrative resources, in terms of possibilities that such public servants may be influenced by their employers/superiors, and influencing the citizens who are beneficiaries within their scope of service. Moreover, the appointment of Vrezh Nodar Galoyan, Deputy Head of the RA Inspectorate for Nature Protection and Mineral Resources, as Chairperson of Kotayk Regional Electoral Commission No. 28 directly contradicted the requirements of the RA Law “On Public Service”²⁰.

According to Article 39 of the RA Electoral Code, a member of a Regional Electoral Commission may not be a member of any political party or engage in political activities²¹. As of 8 June 2017 the name of Armen Tamrazyan, Chairperson of Yerevan Regional Electoral Commission No. 7, was mentioned on the website of the “Prosperous Armenia” Party as a member of the PAP Political Council²², although, in a conversation with the mission, Tamrazyan mentioned that he resigned from PAP membership back in 2017 or 2018.

In one case a member of the Regional Electoral Commission had previously engaged in illegal conduct, although it had not been dealt with legally, and the said member continued to hold the position. In particular, on 23 September 2018, during the snap elections to Yerevan Council of Elders, Norik Yeranyan, Chairperson Regional Electoral Commission No. 8, obstructed the

²⁰ According to Article 6 of the RA Law “On Public Service”, state administrative positions shall include the positions of the heads and deputy heads of agencies reporting to the Government, the Prime Minister and the ministries. Pursuant to Article 31, public servants and persons holding public positions may not hold a position not related to their status within other state or local self-government bodies, or any position within commercial organisations, or engage in entrepreneurial activities, or perform any other paid work, except for scientific, educational and creative work. At the same time, in cases stipulated by the RA Constitutional Law “Electoral Code of the Republic of Armenia”, only public servants have the right to perform work arising from the status of a member of an electoral commission (excepting a member of the Central Electoral Commission) or an equipment maintenance specialist. We also note that there is some contradiction between the “Electoral Code” and the RA Law “On Public Service”.

²¹ RA Electoral Code, Article 39/5.

²² <http://bkh.am/hy/gaghagakan-khorurd>

journalist's work in the polling station 8/05, hitting the "1in.am" news website journalist Diana Davtyan on the hand²³.

The monitoring showed that the female members of the Regional Electoral Commissions were mainly actively and freely involved in the decision-making processes.

Maintaining the Principle of Independence

According to monitoring conducted by "Akanates", an actual distortion of the principles of the work of Regional Electoral Commissions was disclosed. Specifically, the Electoral Code of the Republic of Armenia stipulates a three-tier system of electoral commissions²⁴, each of which must be independent in the exercise of its powers, and any interference in their activities shall be prohibited²⁵. At the same time, the Code stipulates the obligation of the Regional Electoral Commission to enter the voting results in a polling station into the computer, which, however, according to the decision of the CEC, is performed by the CEC staff who are registered as civil servants and whose job descriptions specify the residence of the respective REC as their workplace²⁶. Such organisation of the electoral process is not lawful; it creates risks in terms of ensuring the independence of a Regional Electoral Commission and for a possible influence on the implementation of its functions.

In general, it should be noted that the appropriateness of allocations for Regional Electoral Commissions is problematic, taking into account that, due to the consolidation of communities, the reduced workload of the commissions, the cost of office and human resources due to their permanent status and maintaining a stable salary for commission members. Moreover, no special efforts are being made to enhance the professionalism of the commission members and for their professional growth. No such efforts are expected either, given the not-so-wide range of competencies of the commissions and the professional support provided directly by the CEC.

Consideration of Applications/Complaints

During the pre-election period, three written complaints submitted to the Regional Electoral Commissions were examined by the observers. All the complaints were related to the campaign posters posted in violation of the provisions of the law.

1. In the first case, Commission No. 13 rejected the application of the Head of "Ararat" Water Users Association (WUA) (an MP candidate of "My Step" Alliance in the 2018 parliamentary elections) on removing the pre-election poster of "Armenia" alliance from the wall of the WUA's administrative office building. The ground for the refusal was that "Armenia" alliance had a campaign office in the building WUA office is renting on which, according to the law, a poster of up to 6 square metres can be placed.

²³: https://www.youtube.com/watch?v=6MoPirCO-bM&ab_channel=%D4%B1%D5%A6%D5%A1%D5%BF%D5%B8%D6%82%D5%A9%D5%B5%D5%B8%D6%82%D5%B6, 3:12
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²⁴ RA Electoral Code, Article 36.

²⁵ RA Electoral Code, Article 73/2.

²⁶ Decision No. 96-N, point 2 of RA Central Electoral Commission dated 11.03.2017.

2. Regional Commission No. 27 upheld the complaint of the head of Kotayk Province branch of CCP to remove the campaign poster exceeding 5 sq. m. of “I Have Honour” Alliance posted in Kasakh community in a place not stipulated by law. The Regional Electoral Commission gave the Alliance one day to eliminate the violation and demanded that Kasakh community leader has the poster removed immediately. Both “I Have Honor” Alliance and the community leader ignored the demand of the Commission, and the poster was not removed. It should be noted that Anna Mkrtychyan, daughter of Kasakh community leader Ara Mkrtychyan, was the 3rd candidate on the list of “I Have Honor” Alliance²⁷.
3. Regional Electoral Commission No. 27, based on a resident’s application, made a decision to remove the 8 posters of the CP party posted in Charentsavan in places not stipulated by the law. The Party was given one day to eliminate the violations. At the same time, the Regional Electoral Commission applied to Charentsavan community leader, demanding to immediately remove the posters posted in violation of the law, which, however, were not removed.

The observers also reported a number of cases of verbal complaints addressed to the Regional Electoral Commissions by different participants in the election process. These were mainly related to cases of violation of the rules of dissemination of campaign materials and misuse of administrative resources.

Based on the actions undertaken by the Regional Electoral Commissions in response to the written and verbal complaints, their response to the irregularities in the organisation of the elections can generally be assessed positively.

The applications filed with the Regional Electoral Commissions during the post-election period were mostly related to the recount (see the “Post-Electoral Processes” section).

Precinct Electoral Commissions

A total of 2008 polling stations were formed to organise the voting. The first sittings of the Precinct Electoral Commissions took place on 5 June 2021, 42 of which were observed by the observers of “Akanates”.

As in the case of the Regional Electoral Commissions, the joint work of the observers and commissions at the precinct level was assessed as cooperative.

Training Courses

With the joint efforts of the CEC and the International Fund for Electoral Systems (IFES), training courses for the members of Precinct Electoral Commission were held between June 6-18 2021. “Akanates” monitored 105 courses attended by 2,531 commission members. The quality of the courses was on the whole assessed positively by the observers. However, the gaps in the

²⁷ It should be noted that the community leader Ara Mkrtychyan stood out in a number of corruption-related scandalous stories over the recent years <https://hetq.am/hy/article/110817>.

capacity and skills of the Precinct Electoral Commissions identified during the voting later suggest that the commission members need additional training.

Pre-election Campaign

The pre-election stage of the 20 June 2021 snap parliamentary elections mainly proceeded in accordance with the procedures established by the electoral legislation. This election, however, was marked by extreme expressions of hate speech. A number of issues and risk factors were identified, due to gaps in the electoral legislation.

Campaign Period

According to the regulations of the RA Electoral Code, the pre-election campaign period of the snap elections to the National Assembly started on 7 June 2021 and ended one day before the voting day, on 18 June, at 24:00. In fact, 18 March 2021 can be considered the beginning of the active pre-election campaign, when the RA Prime Minister N. Pashinyan announced about holding the snap parliamentary elections on 20 June 2021²⁸, and the active campaign started.

Late April and early May 2021 were especially active campaign stages, when, after the resignation of the RA Prime Minister, the RA National Assembly did not elect a new RA Prime Minister, and on 10 May the RA President Armen Sargsyan signed a decree on appointing snap elections on 20 June 2021²⁹. During this period, “Akanates” mission noted posters intensively being distributed, billboards being placed, campaign offices being opened, and public events being organised by various political parties and party alliances (for example, RA Prime Minister N. Pashinyan’s frequent visits to the provinces and the 9 May rally of “Armenia” Alliance in Yerevan Freedom Square).

Some political forces, especially the ruling CCP, in fact took advantage of the circumstance that the “Electoral Code of the Republic of Armenia” establishes rules for the use of public resources, conducting election campaign and ensuring financial transparency, for the purpose of ensuring equal opportunities³⁰, and restrictions on the use of administrative resources³¹, but in no way restricts the conduct of the campaign until its official launch.

Campaign Offices

In total, the observers visited 380 campaign offices in Yerevan and in the provinces. There were several episodes when the observers were denied access to the campaign office or were not provided with information about the campaign of parties / party campaigns for various reasons. The following situations were noted:

²⁸ www.facebook.com/nikol.pashinyan/posts/2923103798009996

²⁹ www.president.am/hy/decrees/item/5249/

³⁰ RA Electoral Code, Article 19.

³¹ RA Electoral Code, Article 19/23.

- The staff of PAP campaign office in Chambarak did not allow the observer to enter the premises of the office;
- In Kapan campaign offices of “Armenia” Alliance and “I Have Honour” Alliance a tense attitude was shown to the observers, and their questions were not answered;
- In Spitak several young people in “Armenia” Alliance tried to block the entrance to the office and prevent the observer from entering. Thereafter, the representative of the office Samvel Khoyetsyan (formerly Head of the Spitak Regional Division of the Social Security Service of the RA Ministry of Labour and Social Affairs) showed aggressive behaviour towards the observer; and
- The office of “Armenia” Alliance in Kentron administrative district of Yerevan at first received a person in a friendly manner, but the attitude changed dramatically when they learned that he/she was an observer. At best, they answered the questions saying that they had no time, and they had the right to refuse to communicate with an observer. At worst, they labeled the observers as “Soros proponents”, “destroyers of the country” and “it is all your doings”.

Although the law does not guarantee the right of observers to enter the premises of polling station or obtain information (with the exception of state-funded parties), however, unfriendly and aggressive treatment of observers cannot but arouse suspicion about the potential illegality of the means used by the relevant political forces during the campaign and the undesirability of public control over them.

Campaign Materials

The observers of “Akanates” reported an active distribution of campaign materials even before the official pre-election campaign period. Billboards of different sizes were posted, in particular, by the CCP, “Republic”, “Bright Armenia”, “Fair Armenia”, “5165 National Conservative Movement” parties and “Armenia”, “Shirinyan-Babajanyan” pre-election alliances.

Pursuant to the RA Electoral Code, during the pre-election campaign posters, printed and other materials with an area exceeding 5 square metres that were recognised by the CEC as associated with the pre-election campaign are subject to removal. According to the RA Electoral Code, campaign materials with an area of up to 5 sq. m., associated with the pre-election campaign, shall be removed where their costs were not included in the campaign funds of the political parties /party alliances in the established manner. A campaign poster, campaign printed and other materials posted in violation of the provisions of the Electoral Code shall be removed by the community leader³² but no deadline is specified for removing such materials.

At its ad hoc sitting on 29 May 2021, the CEC reminded the political forces that the rules of the pre-election campaign would be in force from 7 June, and the campaign billboards with an area exceeding 5 square metres that were recognised as associated with the pre-election campaign should have been removed by them on 6 June, voluntarily. Otherwise, from 7 June, all the posters

³² RA Electoral Code, Article 21/9.

that would not be on the lists distributed by the CEC, would be subject to removal by the competent bodies³³.

At the sitting of 31 May 2021 the CEC recognised the following posters exceeding 5 square meters as associated with the pre-election campaign:

- the poster with Edmon Marukyan's photo and the wording "Bright Armenia" Party;
- the poster with Norayr Norikyan's photo and the wording "Fair Armenia";
- the poster with the wording "Ararat is 5,165 meters high" of the "5165 National Conservative Movement" Party;
- the poster with the joint photo of Levon Shirinyan և Arman Babajanyan and the wording "Shirinyan-Babajanyan Democrats' Alliance";
- the poster with the wording 'Tigran Arzakantsyan' Charitable Foundation: Man is the Power" and the photo of Tigran Arzakantsyan; and
- the poster with the image of Robert Kocharyan's book "Life and Freedom" and the poster with the wording "Guiding Armenia".

The CEC recognised Tigran Arzakantsyan's poster as associated with the Democratic Party of Armenia³⁴, and Robert Kocharyan's poster with "Armenia" Alliance³⁵.

It is noteworthy that the CEC did not consider the billboards with the image of Ara Abrahamyan, President of the "Union of Armenians of Russia" and with the wordings, "Union of Armenians of Russia: 20 years with Armenia and Artsakh" and "Our unity is the best guarantee for our security", which are almost as problematic.

Though A. Abrahamyan's name is not in any list, he indirectly participated in the campaign of "Alliance" Party, as evidenced by his public appearances³⁶, as well as a post on the Facebook page of "Alliance" Party, according to which "...the team of Ara Abrahamyan, President of "Union of Armenians of Russia", Goodwill Ambassador of UNESCO, "Armenia is Our Home" Party, "Alliance" Party, as well as a number of individuals with exceptionally good reputations will participate in the snap elections with one list – "Armenia is Our Home"³⁷.

It should be noted that the CEC decisions of 31 May 2021 on recognising them as associated with the pre-election campaign were problematic from the perspective of the RA Law "On Fundamentals of Administration և Administrative Proceedings" because they did not meet the requirements of rationale and concreteness for an administrative act. These decisions did not properly clarify or disclose the notion of "associated with the campaign", as well as the criteria used by the CEC in shaping its perception for recognising the materials in question as associated with the campaign.

³³ RA Electoral Code, Article 21/9.

³⁴ https://res.elections.am/images/Decisions/21.107_A.pdf

³⁵ https://res.elections.am/images/Decisions/21.108_A.pdf

³⁶ <https://www.aravot.am/2021/05/25/1193444/>

³⁷ www.facebook.com/alliance.kusakutyunn/photos/a.1439427173018263/2568798993414403/?type=3

R. Kocharyan appealed the CEC decision in the RA Administrative Court. The claim was upheld: the decision was declared invalid. The court stated: "Because the meanings of the concepts of 'campaign', 'campaign material, poster', 'associated with the campaign' are not disclosed in the Electoral Code, and, consequently, the legal bases for the challenged decision are not sufficiently concrete and precise, the circumstance that the challenged decision is not justified, also implies a violation of the principle of concreteness and predictability." The court pointed out that "Under the conditions of the vagueness and indistinctness of the legal norm, the principle of legal concreteness and predictability imposes a stricter requirement on the substantiation and rationale of certain legal acts; in case of vagueness and indistinctness of the legal norm the law-enforcement subject has a broader scope of obligation to justify a legal act, and the threshold of justification is higher", and noted that the challenged decision of the CEC does not "ensure the qualities of substantiation and justification of the challenged decision". In the end, the court concluded that there was a basis to invalidate the challenged decision of the CEC, and did not consider it necessary to assess the association of the poster in question with campaign³⁸.

Responding to the above-mentioned decision of the RA Administrative Court³⁹, on 8 June 2021, the CEC initiated another proceeding on the same issue on its own initiative and made a decision, this time with a detailed legal substantiation⁴⁰. R. Kocharyan again appealed this decision in the Administrative Court. This claim too was satisfied on the grounds that it was inadmissible to pass an intervening administrative act on the same issue⁴¹.

In the case of T. Arzakantsyan, the RA CEC by decision No. A-133 of 10 June 2021 declared invalid the latter's registration as an MP candidate from the electoral list of the Democratic Party of Armenia⁴². Tigran Arzakantsyan appealed this decision of the Central Electoral Commission in the Administrative Court. At the 14 June sitting the Court rejected T. Arzakantsyan's complaint against the CEC⁴³. Despite the decision of the Administrative Court, T. Arzakantsyan announced that he continues to actively participate in the pre-election campaign, to support the Democratic Party of Armenia⁴⁴.

Both the poster with the image of the book "Life and Freedom" by R. Kocahryan and the poster with Tigran Arzakantsyan's photo, exceeding an area of 5 square metres, which were associated with the pre-election campaign, remained in their places on outdoor billboards throughout Armenia, which could not but affect the electoral process.

During the pre-election campaign period numerous cases were recorded in connection with the placement of campaign materials in places not stipulated/prohibited by the law. In particular, the posters were posted on street lamp posts, in bus stops (outside the billboards owned by advertising companies), on apartment buildings (not only on the owner's balcony and windows),

³⁸ http://datalex.am/?app=AppCaseSearch&case_id=38562071809960847

³⁹ <https://medialab.am/161496/>

⁴⁰ https://res.elections.am/images/Decisions/08.06.2021/21.128_A.pdf

⁴¹ http://datalex.am/?app=AppCaseSearch&case_id=38562071809961266

⁴² https://res.elections.am/images/Decisions/10.06.2021/21.133_A.pdf

⁴³ https://res.elections.am/images/Decisions/10.06.2021/21.133_A.pdf

⁴⁴ <https://hetq.am/hy/article/132182>

in shopping malls, on public transport and taxis, etc.⁴⁵. Such violations were reported to have been committed by “Civil Contract”, “Democratic Party of Armenia”, “Republic”, “Bright Armenia”, “Prosperous Armenia”, “United Homeland”, “Homeland of Armenians” parties, as well as by “Armenia”, “I Have Honour”, “Free Homeland” and “Babajanyan-Shirinyan” alliances. The poster of the CCP at the entrance of the building of the “National Gallery of Armenia” SNCO⁴⁶, as well as the three-dimensional light projection of the slogan of the same party upon the building of the RA Government attracted special attention⁴⁷.

The Electoral Code of the Republic of Armenia stipulates that the printed campaigning materials shall include information on the client, the publishing organization and the number of copies⁴⁸. The required data were missing from a number of observed printed campaign materials of “Civil Contract”, “National-Democratic Axis”, “Democratic Armenia”, “Prosperous Armenia”, “Citizen’s Decision”, Social Democratic, “National Agenda”, “Bright Armenia”, “Armenian National Congress”, “Republic” “Armenia is Our Home”, “5165 National Conservative Movement” parties and “Hayastan” and “Free Homeland” alliances.

According to the RA Electoral Code, organisations disposing outdoor billboards, in case of placing campaign posters and other printed campaign materials, shall ensure non-discriminatory and impartial conditions for the political parties participating in the election⁴⁹. Despite this, there have been cases where posters of certain political forces clearly dominated in certain streets/avenues; this may raise the legitimate question on ensuring equal conditions for posting campaign materials.

In addition to violations of the rules for dissemination of campaign materials, observers also noted tens of cases of torn and damaged campaign materials (“Civil Contract”, “Bright Armenia”, “Armenian National Congress”, “Prosperous Armenia”, “Republic”, “Democratic Party of Armenia”, “National-Democratic Axis”, Liberal Party” and “Armenia”, “Shirinyan-Babajanyan Democrats” and “I Have Honour” Alliances). There were also cases where the posters associated with the propaganda were damaged (those with the image of Robert Kocharyan’s book, “Life and Freedom”, and A. Abrahamyan’s poster, “Building Armenia”). This confirms their connection to the election campaign and the probability of influencing the citizens.

Events

During the pre-election events, the participation of officials (including governors, community leaders, deputy mayors, etc.), representatives of schools and cultural centres was noted numerous times, mainly during working hours. Such cases were observed during 39 events, 26 of which were organised by the CCP, 16 by “Armenia” Alliance, and 2 by “I Have Honour” Alliance.

⁴⁵ RA Electoral Code, Article 21/2.

⁴⁶ https://drive.google.com/file/d/10gH4WNrrFLVONu6xH1dql_rtZA-2cbXw/view?usp=sharing

⁴⁷ <https://drive.google.com/file/d/1EkNvVpUKQs1mepCVt7hyJlbCLiYwqw8K/view?usp=sharing>.

<https://drive.google.com/file/d/180Zyta6BR3zQQviEAYe4zIwNmdbMzKUH/view?usp=sharing>

⁴⁸ RA Electoral Code, Article 21/10.

⁴⁹ RA Electoral Code, Article 21/5.

According to monitoring, the events of the snap elections to the NA were marked by less programmatic discussions and more intense personalised criticism, accusations, as well as hate and violence speech.

Administrative Resource

During the pre-election campaign of the snap elections to the RA NA, numerous manifestations of misuse of administrative resources, forcing people to participate or refuse to participate in rallies, obstructing the exercise of the voters' free will through administrative levers were observed, by different political forces.

The use of administrative resources actually started since the announcement of the RA Prime Minister Nikol Pashinyan on 18 March 2021 about holding snap parliamentary elections⁵⁰ on 20 June 2021. The RA Prime Minister started intensive regional visits and meetings with the local population in the case while the latest regional visit before that took place on 21 December 2020⁵¹. According to the official website of the RA Prime Minister, N. Pashinyan visited Aragatsotn Province⁵² on 20 March 2021, Armavir Province⁵³ on 28 March, Vayots Dzor Province⁵⁴ on 17 April, and Gegharkunik Province on 9⁵⁵ and 27⁵⁶ May. The working visits and meetings of the RA Prime Minister contained elements of propaganda.

Of particular concern is the administrative resource used during the Prime Minister's campaign, in addition to the security service, as established by the law, such as accompanying officials, their office vehicles, the disproportionate and undue use of police forces, and so on. Albeit the law does not regulate such situations, such a practice obviously creates unequal conditions for rival political forces.

In addition to the above, numerous manifestations of misuse of administrative resources, forcing people to participate or refuse to participate in rallies, obstructing the exercise of the voters' free will were observed, by different political forces. Thus,

- On 29 May, the CCP pre-election posters were used during the meetings of the RA Acting Prime Minister with the CCP supporters in different administrative districts of Yerevan⁵⁷, which was also covered by the Public Television.
- In early June the property (chairs, table, etc.) of the community culture house of the village of Karahunj of the consolidated community of Goris was moved by Lusine Avetyan⁵⁸, administrative head of the village of Karahunj to the campaign office of "Armenia" Alliance

⁵⁰ www.facebook.com/nikol.pashinyan/posts/2923103798009996

⁵¹ www.primeminister.am/hy/domestic-visits/item/2020/12/21/Nikol-Pashinyan-visit-to-Syunik-Marz/

⁵² www.primeminister.am/hy/domestic-visits/item/2021/03/20/Nikol-Pashinyan-visit-to-Aragatsotn-marz/

⁵³ www.primeminister.am/hy/domestic-visits/item/2021/03/28/Nikol-Pashinyan-visit-Armavir-Marz/

⁵⁴ www.primeminister.am/hy/domestic-visits/item/2021/04/17/Nikol-Pashinyan-visited-Vayotz-Dzor/

⁵⁵ www.primeminister.am/hy/domestic-visits/item/2021/05/09/Nikol-Pashinyan-visit-to-Gegharkunik-Marz/

⁵⁶ www.primeminister.am/hy/domestic-visits/item/2021/05/27/Nikol-Pashinyan-visit-to-Gegharkunik-Marz/

⁵⁷ <https://bit.ly/3z11Pmb>; <https://bit.ly/3vOXroj>; <https://bit.ly/3g5kVvJ>; <https://bit.ly/3piHaFO>

⁵⁸ Later Lusine Avetyan was charged with other electoral crimes, specifically, based on Article 149/2/2 and 149/2/4 ("Obstructing the Exercise of the Right to Vote") of the RA Criminal Code, Article 149.1/2/2 ("Coercing to Participate in the Election Campaign"), and Article 154.2/2 and 154.2/3 ("Giving Bribes to Voters; Obstructing the Exercise of the Free Will of the Voters"), <https://armeniasputnik.am/armenia/20210708/28220829/qarahunji-gyuxapetin-kalanavorelene.html>.

opened in Karahunj. Moreover, Boris Ghazaryan, Lusine Avetyan's son, was the coordinator of the same office.

- On June 4, during the visit of Nikol Pashinyan to Artashat, the employees of "Artashat" WUA headed by Karlen Mkrtchyan, head of Artashat office of CCP, as well as the employees of the kindergartens (the latter mentioned that they had been instructed to participate in the event half an hour before the visit), school headmasters and staff. According to the observers, they were specially admitted to the meeting taking place in a closed hall.
- On 7 June the employees of the Utilities Department of Abovyan Municipality were forced to take part in campaign event of PAP taking place in the park in front of the Municipality.
- The teachers of Noratus and Karmirgyugh schools were directed by the regional administration to participate in the rally organised by CCP in Gavar.
- On 7 June the Mayor of the town of Kajaran Manvel Paramazyan was engaged in campaigning during working hours, speaking during the campaign of "Armenia" Alliance⁵⁹.
- Employees of a kindergarten, an art school, the Municipality and Kajaran Zangezur Copper Molybdenum Combine were forced to take part in the 7 June rally of "Armenia" Alliance.
- On 7 June, in Agarak and Meghri, the employees of the kindergarten, "Areviq" art school and the Municipality of Meghri community were compelled to attend the campaign event of "Armenia" Alliance.
- The Director of "Gusan Ashot" Cultural Centre in Goris⁶⁰ forced the librarian and other staff members of the Centre to take part in the campaign organised by "Armenia" Alliance in Goris on 7 June, and on 15 June obstructed the participation of the librarian in the CCP's rally by a threat of dismissal.
- On 8 June Gor Asryan, Deputy Governor of Lori Province, visited Katnaghbyur and Urasar villages of Stepanavan consolidated community during working hours, in order to campaign for the CP Party. He had a meeting of a campaign nature with the teachers and other residents in the school hall, asking the pupils who had not yet finished their lessons at that time out of the school building. There is no fact about the Deputy Governor being on vacation.
- On 9 June, by the decision of Goris deputy mayor Irina Yolyan, 115 residents were provided with financial assistance in the amount of AMD 6,130,000 from the community budget⁶¹. The list of beneficiaries, besides residents of Goris, includes also residents of Tegh and Tatev communities. It is noteworthy that the volume of financial aid in the community have sharply increased compared to the previous quarters.
- On June 10, in Tegh community of Syunik region, employees of the community hall were present at the pre-election event of "I Have Honour" Alliance which takes place during working hours.
- On 11 June Hayk Chobanyan, Minister of High-Tech Industry, took part in Nikol Pashinyan's campaign visit to Berd⁶², but there is no fact that he was on vacation.

⁵⁹ https://www.youtube.com/watch?v=n7jyBVV_VT8?t=85, 1:25 - 4:15

⁶⁰ The Director was later arrested for the mentioned deed.

⁶¹ <http://www.goriscity.am/Pages/DocFlow/Default.aspx?a=v&q=3fb0d4f5-6781-497c-a025-9d5ecb972327><http://www.goriscity.am/Pages/DocFlow/Default.aspx?a=v&q=7b72cd6f-f061-424d-8fb0-4f2d3cf76c46>

⁶² <https://www.facebook.com/1378368079150250/videos/1993629677460427>

- On 11 June “Tavush” WUA refueled their employees’ cars at the expense of the company, so they be present at N. Pashinyan’s campaign meeting. The condition was that the employees had to take at least one person with them to the venue of the meeting.
- On 12 June the Director of the Stepanavan station of Electric Networks of Armenia (ENA) “Debet” branch forced the employees to participate in the rally of “Armenia” Alliance, as well as to collect votes in favour of the same. Moreover, the employees who did not vote were threatened with dismissal.
- On 12 June the Director of the ENA Tashir station too forced the employees to attend the meeting of Armenia” Alliance and threatened to dismiss the employees who would take part in the meeting of CCP.
- On 12 June the heads of “Gazprom Armenia” CJSC’s Stepanavan and Tashir regional stations forced their employees to participate in rally of “Armenia” Alliance. The employees of Tashir station were also forbidden to participate in the rallies held by CCP on 10 June.
- On June 12, the employees of “AAB Project” LLC which is repairing the Alaverdi-Akhtala section of the road, were sent to the town of Vanadzor with the threat of dismissal, to participate in the pre-election meeting of “Armenia” Alliance.
- The Director of “Alyonushka” kindergarten of Arzni community made its employees to participate in Pashinyan’s visit to Arzni on 13 June. The Director threatened to fire one of the employees who had not been able to participate in the meeting due to the long distance.
- On 14 June the Deputy Head and the Assistant of Armavir community and the Director of the city park participated in the CCP’s campaign during working hours and distributed campaign booklets.
- On 16 June an email was sent from Lori Regional Administration to the schools of the Province communicating that the Regional Administration could provide transportation if the school staffs wished to participate in the June 17 rally of the “Civil Contract” Party in Yerevan. The letter especially encouraged to distribute the communication among school staffs.
- On June 17 a large number of employees of Martuni Branch of Gasification and Gas Supply, Martuni “Transgas” and “Martuni” electricity network took part in the pre-election meeting of “Armenia” Alliance at Martuni House of Culture.
- In Tumanyan-Alaverdi-Akhtala sections, the road construction company “AAB Project” LLC forced its employees to take part in the 18 June rally of “Armenia” Alliance in the city of Yerevan.
- There were CCP campaign posters on the windows and inside the vehicles of Vanadzor “Arpi” taxi service. Some drivers mentioned that it was the order of the head of the service and had nothing to do with their political positions.

Publications on the official Facebook pages of public institutions were also assessed as misuse of administrative resources. Specifically:

- The schedule of Pashinyan's regional visits was published on the official Facebook page of Norashen community, Ararat Province⁶³.

⁶³ <https://www.facebook.com/100043947723847/posts/34923959988495>

- A post was made in support of N. Pashinyan on the official Facebook page of Armavir kindergarten No. 2, which, however, was removed after a while.
- A post was made in support of N. Pashinyan on the official Facebook page of Vedi Medical Centre, which too was soon removed.
- The Facebook page of Sisian Municipality was actively used in favour of “Armenia” Alliance⁶⁴.

Bribes and “Charity”

During the pre-election period, activation of charitable activities was observed, obviously aimed at influencing the decision of the voters.

During the pre-election campaign “Akanates” reported several cases of charity or promises of charity related to the NA elections, in particular:

- On 12 April 2021 it was announced that, through the efforts of “Tigran Arzakantsyan” Charitable Foundation, a sewing production unit would be launched in Gavar, as a result of which over 100 new jobs would be created for the residents of the community⁶⁵.
- On 13 May 2021 A. Abrahamyan announced about a unique opportunity for young people, presenting the project “My Mentor”, within the framework of which he was going to support young people who had an idea/ideas with a social component in business, culture, education or other spheres⁶⁶.
- On 15 May 2021, in Amasia community of Shirak Province of Armenia, the founding ceremony of a church financed by Vahe Hakobyan, second number on the list of “Armenia” Alliance, leader of “Reviving Armenia” Party, former Governor of Syunik, took place⁶⁷.
- On 20 May 2021 “Tigran Arzakantsyan” Charitable Foundation provided assistance to the border guards of Verin Shorzha border community in the Vardenis region of Gegharkunik Province: tents, sleeping bags, waterproof coats, blankets, bottled drinking water and two generators⁶⁸.
- On 21 May 2021 the opening ceremony of the gymnasium of Goris Basic School No. 6, renovated by “My Step” Foundation, took place. It was attended by Anna Hakobyan, Chairperson of the Board of Trustees of “My Step” Foundation, Lena Nazaryan, Board member, and Karo Avanesyan, Deputy Governor of Syunik⁶⁹, though the opening of the gym had already taken place on 26 April⁷⁰.
- On 25 May 2021 A. Abrahamyan donated to military units state-of-the-art equipment necessary for furnishing the border positions and carrying out other defense processes⁷¹.
- On the doors of the flats in residential buildings and in the lifts of P. Duryan quarter, Avan administrative district of Yerevan, PAP posted leaflets with the following content: “Dear

⁶⁴ <https://www.facebook.com/Sisian.info/>

⁶⁵ <https://www.facebook.com/TigranArzakantsyanFoundation/posts/106073244933229>

⁶⁶ <https://www.facebook.com/ara.abramyan.official/photos/a.314270512267895/1413694798992122>; <https://www.mymentor.am/>

⁶⁷ www.facebook.com/watch/?v=807556496542600, www.aravot.am/2021/05/15/1191328/;

⁶⁸ www.tigranarzakantsyan.foundation/hy/elementor-2956/

⁶⁹ <https://mystep.foundation/hy/news/2853>

⁷⁰ <https://www.facebook.com/syunikregionaladministration/posts/1380218082358706>

⁷¹ <https://www.facebook.com/ara.abramyan.official/posts/1422019471492988>

residents of Avan, on June 1, from 18:00 to 20:00, Gagik Petrosyan, the candidate for the Avan administrative district of “Prosperous Armenia” Party, invites all the children to spend a merry and unforgettable time with characters of fairy tales in the playground near building 33 in Duryan quarter of Avan. We will be waiting for you with pleasure.”

- On 1 June 2021 the school of Lermontovo received computers from the “Union of Armenians of Russia”, and the school of Fioletovo received sporting goods⁷².
- On 2 June 2021, the “Union of Armenians of Russia”, on behalf of the President of the organisation Ara Abrahamyan, donated computers, lamps and household economic necessities to the specialised orphanage in Kharberd⁷³.
- On June 2, 2021 the NGO “For my Son”, with the participation of Karin Tonoyan, took a number of items intended for soldiers to the borders of Syunik, including military tents, sleeping bags, clothing, food and hygiene items⁷⁴.
- On 6 June 2021, through the funding of T. Arzakantsyan, President of “Tigran Arzakantsyan” Charitable Foundation, and his wife Natalia Rotenberg, a children’s entertainment and leisure center and a children’s playground were opened in Gavar⁷⁵.
- Aramayis Aprozian, an MP candidate on the electoral list of PAP’s Gavar regional office, bribed the voters with food to vote for his party. The bribe was food packages worth 7,000 drams each⁷⁶.
- At Armavir campaign office of the “Democratic Party of Armenia” an individual filed an application to Tigran Arzakantsyan and promised to elect this party in exchange for financial assistance.

In addition to the above-mentioned verified cases, during the visits to different communities, the observers were informed by the residents of cases of bribery and obstruction of the exercise of the free will of the voters, which, however, could not be fully verified. Such cases included:

- “Armenia” Alliance registered new employees in Spitak Water Company and paid them money without them doing any work. The residents also mentioned that the Director of the Spitak Water Company is a supporter of “Armenia” Alliance;
- In Spitak the staff of the campaign office of “Armenia” Alliance made home visits and took passport data for money;
- The employees of the Spitak Poultry Farm belonging to Arkady Hambardzumyan, a member of the Republican Party of Armenia and former MP, were forced to vote for “I Have Honour” Alliance. Stanislav Hambardzumyan, A. Hambardzumyan’s son, is among the candidates of “I Have Honour” Alliance;
- As the residents of Stepanavan assured, “Armenia” Alliance rented a house, using it for bringing in and taking away goods by truck once every two days; and
- In Tavush Province “I Have Honour” Alliance offered AMD 100,000 AMD to citizens on condition that they provide 10 votes for the election.

⁷² <https://www.facebook.com/ara.abramyan.official/posts/1426603111034624>

⁷³ <https://www.facebook.com/ara.abramyan.official/posts/1428122054216063>

⁷⁴ www.facebook.com/permalink.php?story_fbid=210657454220373&id=100139621938824

⁷⁵ <https://fb.watch/5Z-NsD-d5a>

⁷⁶ www.azatutyun.am/a/31303910.html

Hate Speech

During the campaign, the hate speech reached extremely dangerous volumes, raising concerns about the potential risks for civil strife. 60% of the residents of over 150 communities visited by the observers of “Akanates” reported that the rival parties carried out their propaganda on the ground mainly by spreading hostility and hatred.

It should be noted that the atmosphere of hatred in Armenia started to heat up mainly after the 2018 revolution, both by the ousted political forces and the representatives in power, but it intensified especially after the 2020 Artsakh war. Hate speech was often accompanied with false news, misinformation or unfounded criticism, mainly to aggravate the emotional setting, to influence the citizens and to shape a certain attitude towards a political force.

On the eve of the election the political rivals, especially the CCP and “Armenia” Alliance, using the conflict between the “former ones” and the “present ones”, did not shy away from using inappropriate language and making discriminatory, insulting and threatening speeches: this heated up the atmosphere and deepened the dichotomy. Expressions like “we will break the teeth of the pack of wolves”⁷⁷, “we will trample you all, who eat kebabs worth 500 drams”⁷⁸, “if he can present a medical certificate that he has no mental health issues, we will discuss the issue of the debate”⁷⁹, etc. were used.

Substantiating masculinity became a special topic of the pre-election campaign: “I’m ready for a duel with any type of weapon, but I do not think that a person who talks about masculinity has anything to do with masculinity”⁸⁰ or “it is easy to pretend you’re a real man”⁸¹. Impolite language, swear words, degrading and humiliating vocabulary have been in extensive use (“one without a homeland” “traitor of the nation”⁸², “a clown and a jester”⁸³, “madman”⁸⁴, “chief of trash”⁸⁵, “robber”, “immoral”⁸⁶, “alcoholic”⁸⁷, “a savage escaped from the jungle”⁸⁸, “animals from a cage transporting bandar-log monkeys”⁸⁹, etc.).

The threats intensified, especially from the CCP, “Armenia” Alliance and “I Have Honour” Alliance, with an expectation of mutually settling a score. Threats were used such as “there will be a vendetta!”⁹⁰, “there will be a civil revenge, a vendetta and a massacre of personnel”⁹¹, “all criminal

⁷⁷ https://www.youtube.com/watch?v=mzDmx0IXjBE&ab_channel=1inTV, 5:45 րոպեից

⁷⁸ https://www.youtube.com/watch?v=Jelif3X8fVs&ab_channel=%D4%BC%D5%88%D5%92%D5%90%D4%B5%D5%90%D5%86%D5%B8%D6%80%D5%B8%D6%82%D5%A9%D5%B5%D5%B8%D6%82%D5%B6%D5%B6%D5%A5%D6%80%D5%80%D5%A1%D5%B5%D5%A1%D5%BD%D5%BF%D5%A1%D5%B6%D5%AB%D6%81, 9:45-10:24

⁷⁹ <https://www.facebook.com/Robertkocharyan/videos/953028338878643>

⁸⁰ <https://www.facebook.com/watch/?v=2945881352407120>

⁸¹ https://www.youtube.com/watch?v=fGFHxwBEIw&ab_channel=168.am, 1:11 րոպեից

⁸² <https://fb.watch/6baxw1qvmG>

⁸³ https://fb.watch/6bc-xk_vcg/

⁸⁴ <https://fb.watch/6bbWcP4Zbb>

⁸⁵ <https://www.facebook.com/pativunen/posts/123338879922066>

⁸⁶ <https://www.youtube.com/watch?v=IXmknUoFONc?t=80>, 1:20 րոպեից

⁸⁷ <https://fb.watch/6bamC1nzdy>, <https://fb.watch/6barkJmsCw>

⁸⁸ <https://fb.watch/6bddAK3hIF>

⁸⁹ <https://fb.watch/6bcb5HgAX->

⁹⁰ https://www.youtube.com/watch?v=mOdQyFjQW_A

⁹¹ <https://www.youtube.com/watch?v=qPsTd2ouTBY>

garbage will lie on the asphalt of Agarak”⁹², “this hammer will land on your empty heads through law and dictatorship”⁹³, “I am going to publish facts about him and his family”⁹⁴, “let him present a fact; if he does not, I will slaughter him”⁹⁵, “we must have a cudgel in our hands, so that whoever comes with a hammer, we hit them on the head”⁹⁶.

During the rallies, the acting Prime Minister of the RA demonstratively used a hammer which, in a tense atmosphere, multiplied the concerns associated with the threat of use of force. The latter was later allegedly “balanced” by a sickle given to “Armenia” Alliance, which, however, against the general background of threats of hatred and threats was viewed by many as a demonstration of a cold arm.

According to the application of “Awakening” National Christian Party on the case VD 6861//05/21⁹⁷, the RA Administrative Court addressed the assessment of the following statements made by CCP candidate N. Pashinyan during his speech: “I am going to catch them all and screw them”, “if I shoot them on their foreheads, you will say that it is violence”, “do not even attempt to dabble”, “in short, the leaders of those communities will be driven out, there will be a vendetta”, “after the elections we will come for you with this steel mandate”, “I will personally lay them on the asphalt in this square in Avshar”, “we will break, we will cut off every hand that tries to oppose Syunik to the rest of Armenia”, “I authorise all of you to deal with the swindlers with a steel mandate on the spot”. The Court stated: “... the expressions by the party or candidate participating in the election campaign in any context, personalised or addressed to a an indefinite number of persons, containing the above-mentioned thoughts in a definite or indefinite wording, can objectively and reasonably be perceived as a threat of violence, therefore, the arguments of the plaintiff in this administrative case that the expressions made by the third person Civil Contract Party candidate Nikol Pashinyan in the above-mentioned videos could objectively and reasonably be perceived as threats of violence, are well-founded...”.

It should be noted that the atmosphere of hatred was further fueled by anti-campaign by third, often anonymous persons.

In the context of spread of hostility and hatred, cases of intentionally damaging the competitors’ campaign materials or property were more frequent than usual. Thus, an episode was published by the media, in which it was presented that Nikol Pashinyan’s supporters attacked the campaign office of “Armenia” Alliance led by Robert Kocharyan in Charentsavan and threw eggs at the windows of the office⁹⁸.

In addition to threats against political rivals, one of the political forces (“Armenia” Alliance) has repeatedly disseminated hate speech against civil society organizations, labeling them as

⁹² <https://civic.am/politics/8434---.html>

⁹³ <https://civic.am/politics/8465---.html>

⁹⁴ <https://hetq.am/hy/article/131897>

⁹⁵ <https://www.youtube.com/watch?v=IXmknUoFONc?t=80>, 1:20 րոպեից

⁹⁶ <https://medialab.am/163693/>

⁹⁷ <http://www.datalex.am/?app=AppCaseSearch&page=default&tab=administrative>

⁹⁸ <https://bit.ly/3xnITgr>

“proponents of Soros”⁹⁹ and directly threatening to restrict democratic and civil liberties by banning or restricting the activities of NGOs funded by international institutions¹⁰⁰.

Obstruction of the Rights of an Observer

During the observation mission, two cases of obstruction of observers’ rights were reported during the CCP’s pre-election campaign events in Artashat and Abovyan communities. In particular:

- On 4 June the observers were not allowed into Artashat Theater building, where N. Pashinyan’s meeting with citizens took place. The security officers explained that there was a party gathering inside, but there are facts that the citizens were allowed to go in and out, and the event was attended by minors as well¹⁰¹; and
- A similar case was reported on 6 June 6 at the music school of Abovyan community during the meeting of the CCP representatives with the residents¹⁰².

Pre-election Campaign Financing

Regulations and practices related to the financing of the election campaign do not properly ensure the transparency of the finances of the parties (party alliances) participating in the elections, accountability and a fair competition.

The amount of property and revenues of a number of parties (or individual politicians) in power in the past and in the present significantly exceed those of others: this creates unequal starting conditions in the election campaign. In this situation the state and public control must at least question the sources and legitimacy of the enormous resources they invest in the election campaign.

In addition to the possession and use of disproportionately large resources by some political forces, the use of administrative resources outside the pre-election campaign and the possibility of third-party campaigning which is not subject to restrictions and accountability, raises issues that partially undermine the legally established guarantees for safeguarding equal competition in the pre-election campaign. And despite the fact that in the case of a proportional electoral system the programs and the discussions around such programs of the parties (party alliances) should gain more weight, the pre-election campaign of the 2021 snap parliamentary elections continued to manifest itself as a race of the economic capacities of the political forces.

Public Funding of Parties

Currently five political parties have public funding: they received over 3% of the votes in the 2018 National Assembly elections.

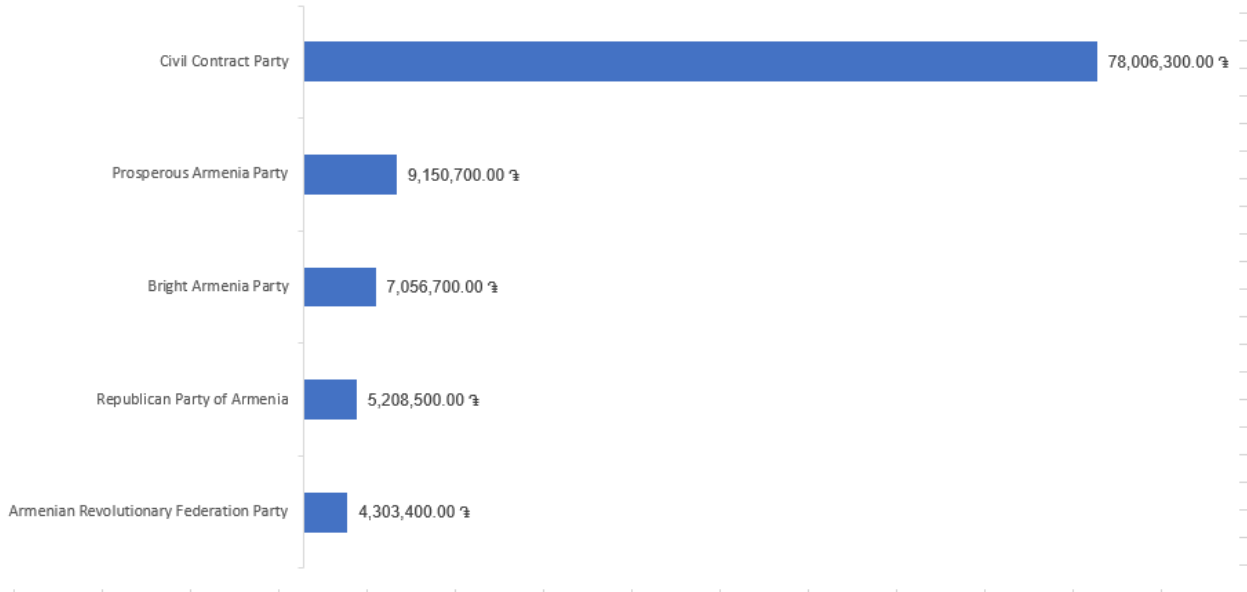
⁹⁹ <https://fb.watch/6bbpZ8ASFs/>

¹⁰⁰ <https://iravaban.net/336129.html>

¹⁰¹ <https://drive.google.com/drive/folders/1Ob0u7nL8YVwS4B8WAnRRWqBtGDBO2TM4?usp=sharing>

¹⁰² <https://drive.google.com/drive/folders/14sWqgmpDrbmdglnNQbmp32Sp8KSyVfds?usp=sharing>

Figure 2. Annual Public Funding of Political Parties by the State (2020)

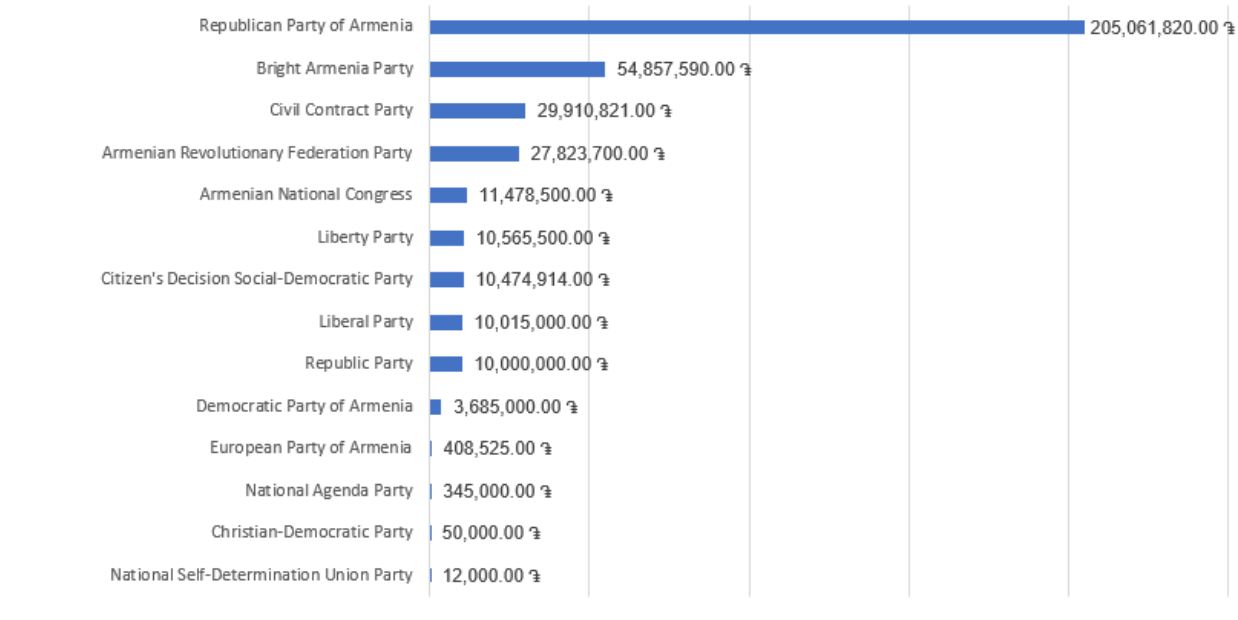


Declarations on Party Property and Incomes

The property and income declarations for the last year of the 10 newly formed political parties of the 36 parties running in the 2021 snap-election, specified zero data; 12 did not register any private donation, and 14 charged membership fees and/or received donations from private sources.

The figure below shows the significant disproportion of resources of parties in Armenia. The Republican Party of Armenia has a drastic advantage in terms of finance, followed by “Bright Armenia” and “Civil Contract” with a large difference.

Figure 3. Party Membership Fees / Donations (from Private Sources) between 1 May 2020 and 1 May 2021



The figure above does not show the membership fees/donations of “Prosperous Armenia” Party, though information about these is available in the party’s 2020 Annual Report.

In general, the difference in the time frames of the reports and declarations submitted by the parties (party alliances) makes it difficult to understand and analyze the whole picture. The latest annual reports cover the period between January and December 2020, while the time frame for the property and income declaration required in the election process is the period between May 2020 and April 2021.

Several problems were noted when reviewing the declarations of the parties. Specifically:

- “Homeland” Party, according to the declaration, rents an office, but at the same time mentioned zero incomes and money¹⁰³. Moreover, since 2012, the sum totals of the party’s annual reports published on azdarar.am are zero. This may mean that the party is receiving support from unknown sources;
- The “Rise” Party, registered in April 2021, mentions the existence of 15,000 drams, but the income is zero¹⁰⁴. The source of this amount is not known.
- The amount of membership fees is specified in the declaration of the “Republic” Party at 1,000,000 AMD, but next to it it is written in letters. “ten million”¹⁰⁵. It is not clear which one is the real number.

¹⁰³ https://res.elections.am/images/doc/PATIVUNEM_20_06_2021.rar

¹⁰⁴ https://res.elections.am/images/doc/VK_20_06_2021.pdf

¹⁰⁵ https://res.elections.am/images/doc/HK_20_06_2021.pdf

The completeness and reliability of the data in the property and income declarations submitted by the parties (party alliances) are problematic. Thus, only three parties have declared ownership of real estate: RPA (61 units), ARF (71 units) and ANC (1 unit). Of the others, only “Reviving Armenia”, “Homeland”, “Liberal”, “Christian-Democratic”, “Republic” and “Bright Armenia” parties mentioned areas occupied by rent or free use. Obviously active parties such as the CCP, “Prosperous Armenia”, “Citizen's Decision”, or the “National Democratic Axis” have not declared any real estate owned by any right.

Formation of Pre-election Fund

Information on pre-election funds in the Central Bank special accounts opened by the parties (party alliances) participating in the NA elections is publicly available only partially, which limits the possibility of public control over them.

According to the “Electoral Code of the Republic of Armenia”, a party can make a contribution to the pre-election fund in the amount of a maximum of AMD 100,000,000 AMD; each candidate on the electoral list, a maximum of AMD 5,000,000; and each individual who is a citizen of the Republic of Armenia, a maximum of AMD 500,000. Every three working days after the registration of the electoral lists of the parties participating in the elections, the CAS receives information from the Central Bank on the financial inflows and outflows of the pre-election funds. These are then summarised in a statement which is published on the CEC website¹⁰⁶.

It should be noted that the established mechanism does not allow to control the pre-election finances, in particular because only the payment chronology and the amounts paid are published¹⁰⁷, while the sources of contributions are not public and not accessible for the public.

Thus, after the June 20 2021 snap elections to the National Assembly, the CAS stated that there were exceedances of the maximum amount of allowable contributions, due to which AMD 3,193,600 was transferred to the national budget¹⁰⁸, but the public does not have access to the information as to which parties the amounts were transferred.

The sources of pre-election contributions are available to the Control and Audit Service (CAS), but its powers are limited, and it does not check the reliability of the sources of amounts transferred to the pre-election fund by, for example, comparing the contributions to the income of the people making them.

The sources of pre-election contributions during the NA elections also become known to the auditors appointed by the NA factions in the CAS¹⁰⁹. In the 20 June 2021 snap elections only “My Step” and “Prosperous Armenia” factions appointed auditors in the CAS, while “Bright Armenia” did not exercise this right established by the law. However, given the low trust in the political parties and the inaccessibility of publicly available information, oversight by these institutions

¹⁰⁶ RA Electoral Code, Article 26/7.

¹⁰⁷ RA Electoral Code, Article 28/2.

¹⁰⁸ RA Electoral Code, Article 92.

¹⁰⁹ RA Electoral Code, Article 29/3.

clearly cannot be considered adequate, and open information must be provided as much as possible.

Expenditures from the Pre-election Fund

Analysis of the pre-election expenses of different political forces reveals the huge difference between them, which distorts equal competition and gives some an obvious advantage. At the same time, there are a number of obstacles and gaps in the proper control over the expenditures of parties (party alliances).

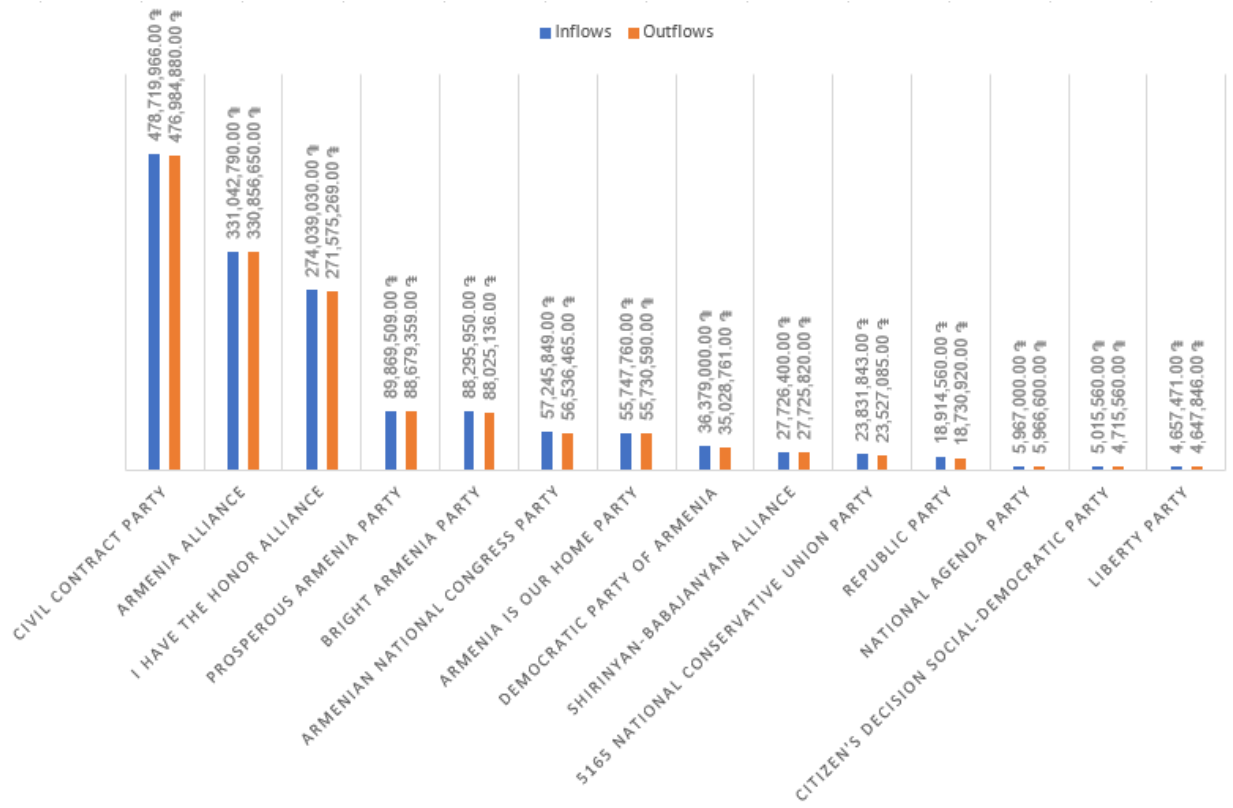
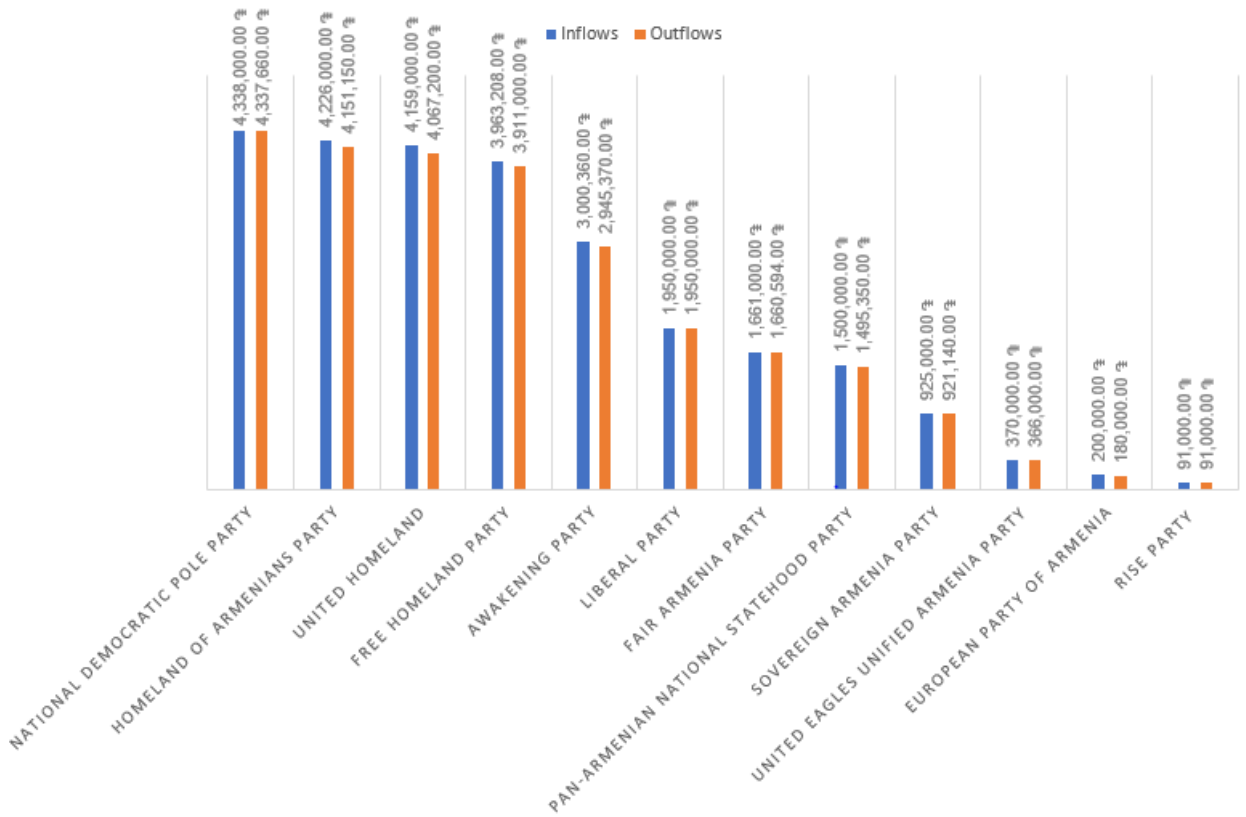
Pursuant to the Electoral Code, the expenses for campaign through the mass media, renting of halls and premises for organising election gatherings and meetings with voters (except for election campaign offices), preparing (placing) and acquiring campaign posters, printed campaign and other materials, and all types of campaign materials to be provided to voters (including printed materials), shall be made using the means of the campaign fund¹¹⁰. Such expenditures shall not exceed AMD 500,000,000, as provided by the law.

The review of the declarations shows that “Civil Contract” Party (AMD 476,985,880) came closest to the allowable limit of pre-election expenses (AMD 500,000,000), followed by “Armenia” (AMD 330,856,650 and “I have honour” (AMD 271,757,269) alliances. Comparing the expenses and the election results, the advantage of these political forces over the other parties (party alliances) participating in the elections becomes apparent.

Below are the financial inflows and outflows of the pre-election funds of the political parties (party alliances).

¹¹⁰ RA Electoral Code, Article 27/1.

Figure 4. Financial Inflows and Outflows of Pre-election Funds of Parties / Party Alliance



The Electoral Code stipulates that if the goods and services to be declared were provided or acquired or prior to the formation of the pre-election fund, they are included in the expenses of the pre-election fund at their market value¹¹¹. Taking into account that the pre-election campaign of the snap elections to the National Assembly had actually started about 2.5 months earlier than 7 June, the date of the official start, it is presumed that the expenses should have been fully reflected in the declarations. At the same time, it should be noted that some regulations and processes related to campaign materials impede public control over the expenditures of political parties (party alliances). Thus, in a number of cases, the lack of information about the client, the publishing organisation and the number of copies on the billboards and posters makes it impossible to verify the information declared by the political forces participating in the election campaign.

It is difficult to control the distribution of posters with an area of less than 5 square metres. Although the principle of non-discriminatory and impartial distribution is established, the lack of regulations makes it impossible to control both compliance with the requirement and the costs incurred, because, for example, the managing company may provide the billboards to its preferred candidate by rejecting the others or offering them a higher price or a less suitable location, as well as may enter into a deal with the candidates by misrepresenting the actual amount and the costs.

As regards billboards with an area of less than 5 square meters, “Akanates” inquired of the RA Ministry of Regional Administration and Infrastructure about the billboards placed on interstate, national and inter-community roads, the heads of 24 urban communities about the billboards on intra-community roads) and advertising companies on the number, area, addresses and prices of billboards. No answer was received from the mentioned Ministry, and only 16 out of 24 municipal authorities answered the inquiries. Part of the advertising companies referred to the list of companies holding posters exceeding an area of 5 square metres and the addresses of the posters, published on the CEC website¹¹², while others refused to provide information¹¹³. In other words, it was not possible, even according to the RA Law “On Freedom of Information”, to receive an answer from the information holders, in order to carry out a relevant analysis on the equality of the election campaign.

Undeclared Costs

The envisaged scope of accountability for funding from the pre-election fund for the snap parliamentary elections was rather limited¹¹⁴ and did not reflect a number of significant and large expenses, such as expenses of campaign offices, remuneration of persons engaged in the campaign with various functions, transportation, event organisation and a number of other

¹¹¹ RA Electoral Code, Article 27/2.

¹¹² <https://res.elections.am/images/doc/vahanak20.06.21.xlsx>

¹¹³ It is noteworthy that in the case of private companies, Article 9 of the RA Law “On Freedom of Information” (provision of the required information within 5 days) does not apply.

¹¹⁴ The scope of pre-election campaign expenses was expanded by the Law “On Amending the RA Electoral Code” adopted by the RA National Assembly on 7 May 2021. The relevant articles will enter into force on 1 January 2022, to include the campaign offices, reimbursement of the costs of proxies exceeding AMD 10,000, rental of some vehicles and event organisation.

expenses. Some expenses may be included in the annual reports of the parties, but in fact they will be available to the public only after the deadline of 25 March 2022.

Additionally, the expenses incurred by political parties affiliated with or supporting political forces are not regulated, so they are ignored when making judgments about the equality of the competition. This gap allows many large expenditures to be simply disguised, distorting the real picture of campaign financing and the conditions created for competitors.

“Akanates” Mission sent an inquiry to all parties and party alliances participating in the elections, requesting some information left out of the declaration, including the number of campaign offices, grounds for use (e.g., party ownership, lease, gratuitous use), addresses, number of employees and volunteers. and their reimbursement amounts. Out of 25 registered political parties (party alliances), only one answered (European Party of Armenia). In other word-s, not only are these expenses excluded from the declaration, but it was not possible to get information about them, at least from state-funded parties, even on the basis of the requirements of the RA Law “On Freedom of Information”.

The observers of “Akanates” tried to gather some information from the representatives of the campaign offices, visiting 380 such offices in Yerevan and in all of the provinces, of which 28% of “Armenia” Alliance, 20% of CCP, 15% of PAP, 8% of “I Have Honour” Alliance, 4% of BAP and 25% of the other political forces.

According to the information obtained, about 56% of campaign offices were renting their premises, about 22% were premises/offices provided free of charge by a party supporter or member, and 4% were owned by the party. According to the estimates of the observers, the total renting cost of the offices visited was at least AMD 28,000,000 which was in fact left out of the declaration, due to the legislative gap¹¹⁵.

According to the data received from the representatives of the campaign offices, more than 600 employees and over 5,600 volunteers were involved in the campaign: the expenses made for them constituted about AMD 304,000,000. This calculation was made based on:

- for employees of the campaign offices, two thirds of the average monthly nominal salary in Armenia in 2020 published by the RA Statistical Committee, which comprises 189,716 AMD¹¹⁶ (starting from the opening of the pre-election fund, the salary of 600 employees for 20 days ~ AMD 75,900,000).
- for volunteers of the campaign offices, a symbolic remuneration in the amount of half the RA minimum salary – AMD 34,000¹¹⁷ (AMD 190,400,000 AMD for 5,600 volunteers).

¹¹⁵ During the visits to the pre-election campaign offices in order to calculate the lease costs, the observers assessed the approximate area, condition and furnishing of the campaign offices in comparison with the average market values of similar areas in their community.

¹¹⁶ <https://armstat.am/am/?nid=12&id=08001>

¹¹⁷ RA Law “On Minimum Salary”, Article 1.

Of course, the calculated number is not complete, and it may differ from the real costs, however, obviously huge funds are spent on engaging human resources, which are actually left out of the declarations, as well as the corresponding taxation.

In terms of undeclared campaign expenses, the issue of financing by third parties (for example, the “Union of Armenians of Russia”, media affiliated with political parties or media held and funded by individual figures) is no less important, which was quite obvious in the context of the snap parliamentary elections. This list includes the posters with the image of R. Kocharyan’s book “Life and Freedom”¹¹⁸ and the poster of “Tigran Arzakantsyan” Charitable Foundation with the image of Tigran Arzakantsyan (regardless of the fact that T. Arzakantsyan’s registration was declared invalid), the posters associated with the campaign (about 200 posters with an area of 18 square meters in Yerevan and in the provinces). Based on the market value of a billboard with such area (at least AMD 100,000)¹¹⁹, it appears that campaign expenditures of at least AMD 20,000,000 was left out of accountability, thus artificially reducing the costs declared by the relevant political forces. The same applies to the poster of the “Union of Armenians of Russia” with the image of Ara Abrahamyan who in fact supported the “Alliance” Party.

Albeit it is practically impossible to regulate and restrict the engagement of legal entities based outside Armenia in the campaign, the restrictions for third parties operating in Armenia are very necessary and urgent. In this context, the immediate implementation of the demand for disclosure of the beneficial owners of the Armenian media is especially important¹²⁰.

State Control

The set of tools and the practices of the CAS are not sufficient to ensure proper state oversight of the election campaign and the financing of parties.

According to the conclusion of the CAS on the use of the funds of all the parties (party alliances) during the 20 June 2021 special elections to the National Assembly, “no violations were found in the declarations; they comply with the regulations established by the “Electoral Code of the Republic of Armenia”¹²¹.

Naturally, the conclusion includes only the expenses established by law and mandatory for declaration, but does not include all the expenses made during the elections. Additionally, it focuses on documented substantiation of the declared expenditures, so it is more like a financial audit. As mentioned above, the CAS does not check the reliability of the sources of the amounts

¹¹⁸ This assertion is made regardless of the fact that the relevant decision was declared invalid on the grounds that it was not justified.

¹¹⁹ The average market value of the poster with an area of 18 square meters was calculated at AMD 140,040, based on the list and prices of posters submitted to the CEC by “EGA” LLC. The company submitted a proposal for 120 billboards in Yerevan and in the provinces.

¹²⁰ It is provided for by the amendments to the RA Law “On State Registration of Legal Entities, Separated Divisions of Legal Entities, Enterprises And Private Entrepreneurs” in 2019-2021, <https://www.arlis.am/DocumentView.aspx?DocID=154021>.

¹²¹ <https://res.elections.am/images/audit/conclusion20.06.21m2.pdf>

transferred to the pre-election funds, and does not compare the contributions to the income of those who transfer it.

The problems related to the declarations by the parties (party alliances) can be divided into two parts:

1. Technical and format-related issues: The declarations were completed and submitted on paper, were scanned and posted on the CAS page in pdf format. This means that these data are not available in *open data* format, which makes it difficult to process and analyse them. Moreover, the documents on contributions to and use of the pre-election funds of the political parties (party alliances) are submitted in hard copies, which further complicates public control.

2. Content: The declarations submitted by the pre-election funds, i.e. by the parties (party alliances)) during the elections were mostly filled out in accordance with the established procedure, however, the classification of the goods and services acquired is not clear. For example, many parties have payments for “advertising service” or “printing service”, and it is difficult to determine exactly which of the relevant services defined by the Electoral Code applies to it.

Voting Day

As observed by “Akanates”, on the voting day the citizens participated in an interested and active manner. The processes were mainly carried out in an organised and smooth manner, without gross violations. At the same time, there some tension was noticed in a significant number of polling stations, mainly in connection with the presence of outsiders, cases of voter suppression, exceeding number of proxies of certain parties in the polling stations, and attempts to control the voting. Although it was noticed that the representatives of different parties and alliances (I have Honour”, Prosperous Armenia”, “Civil Contract”, “Awakening”, “Armenian National Congress” and “Shirinyan-Babajanyan Democrats’ Alliance”) partook in committing electoral fraud, the representatives of “Armenia” Alliance were responsible for the overwhelming majority of cases.

Preparation

The process of preparation for the voting and the opening of the polling stations was mainly organised in accordance with the established procedures, without serious violations.

At 7:00 “Akanates” received reports from observers from 96.3% of the monitored polling stations. One case of temporary obstruction was reported in connection with the entry of the observers of “Akanates” into to polling stations. Presence of outsiders was observed in 2% of the polling stations.

The furnishing of 99.6% of the monitored polling stations ensured the secrecy of the ballot. There were problems with furnishing in four polling stations, which were mostly settled. 27.5% of the polling stations were inaccessible to voters with disabilities.

In 99% of the polling stations the data were entered properly, and the statement certifying the number of registered voters was printed. Most of the polling stations were opened on time. 8% were opened before 8:00; 9% between 8:01 and 8:10, and 1% after 8:11.

Voting

The voting was generally peaceful, with the wide and interested participation of the citizens. The processes were mainly well organised, in compliance of the law. However, tensions were observed in some polling stations, mainly due to the presence of outsiders, exceeded number of proxies of some parties in the polling stations, voter suppression, and control over voting¹²².

No serious problems were reported with the voter registration equipment in the polling stations. In 25% of the polling stations 1-3 cases were reported where the names of the voters were not registered in the equipment; in 1.33% of the polling stations 4-10 similar cases were reported; and in 0.33%, more than 11 cases. In 15.6% of the polling stations there were 1-3 cases where there was another person's signature in front of the voters' name. In 0.67% of the polling stations there were 1-3 cases when a voter was not allowed to vote due to there being a signature. Two cases of attempted voting instead of another person or multiple voting were reported.

There were a significant number of cases where the secrecy of the ballot was violated; moreover, in 3.33% of the polling stations there was a deliberate violation. In 15% of the polling stations 1-3 cases of open voting were observed; in 3.67%, 4-10 cases; and in 0.67%, over 11 cases. In 23.67% of polling stations, 1-3 cases of voting by families were observed; in 7.33%, 4-10 cases; and in 2.67%, 11 or more.

In 1.33% of the polling stations cases of obstruction to the right of persons having the right to be inside the polling stations were observed. Guided voting was observed in 8% of polling stations. In 4.67% organised transportation of voters to the pollin stations was noted. In 4.67% more than one violation of of the procedure for assisting a voter was reported.

The Precinct Electoral Commissions mainly recorded the violations in precinct registers noted by the observers, but one or more cases were not recorded in 6.66% of precincts. 2.67% of the polling stations were closed ahead of time; 94% were closed on time; and 3.33%, between 20:01 and 20:10.

¹²² According to the automated online monitoring carried out by the Russian "Golos" non-governmental organisation, 88 cameras did not work as of 8 am, about which "Akanates" alerted the CEC. Some of the cameras were restored, however, at the end of the day, 68 cameras were out of order. About one third of cameras (480p vs. 1080p) shot in poor quality.

Summarising the Results

The work of the Precinct Electoral Commissions was generally in line with the processes established by the law. Violations were observed only in 1.69% of the polling stations, and violations of the counting process were reported in 2.03% of the polling stations.

In the 1.01% of polling stations outsiders were present during the counting process. There were power outages in a number of polling stations, however, these, according to the observers, did not hinder the process of summarising the results and counting the ballots. In 93.92% of polling stations the participants of the summary phase were provided with a statement of the minutes.

Receiving the Bags of Election-related Documents and Items; Summarising the Voting Results

No significant problems were reported in the Regional Electoral Commissions, and the way the post-election processes were organised was on the whole assessed positively by the observers.

No cases of obstruction to the observers' work, violence, pressure or intimidation were generally reported. The only exception was in Regional Electoral Commission No. 20, where they tried to prevent the observer from entering, saying that he/she had no right to be present. This issue was finally settled through the mediation of a lawyer.

The process of handing over the bags of election-related documents and items from the polling stations to the Regional Electoral Commissions was largely smooth, but several Commissions had problems. In particular:

- In the service area of seven Regional Electoral Commissions (No. 1, 4, 9, 11, 18, 24 and 35) the bags of some polling stations was presented in an open state; and
- The bags of the polling station in the service area of nine Regional Electoral Commissions (No. 9, 10, 14, 16, 17, 24, 27, 33 and 35) were not signed by the chairs of 42 Precinct Electoral Commissions, though in all cases the problem was corrected on the spot.

In all the observed Regional Electoral Commissions, the validity and arithmetic errors of the voting results received from the polling stations were checked. No changes were made to the source data.

The tabulation process based on the data received from the polling stations was properly carried out in the majority of the observed commissions. Cases of failure of the software for entering the data of the minutes of voting results were reported in seven Regional Electoral Commissions (No. 2, 10, 11, 21, 22, 23 and 27). The technical problem was mostly related to the import of the data of the additional lists.

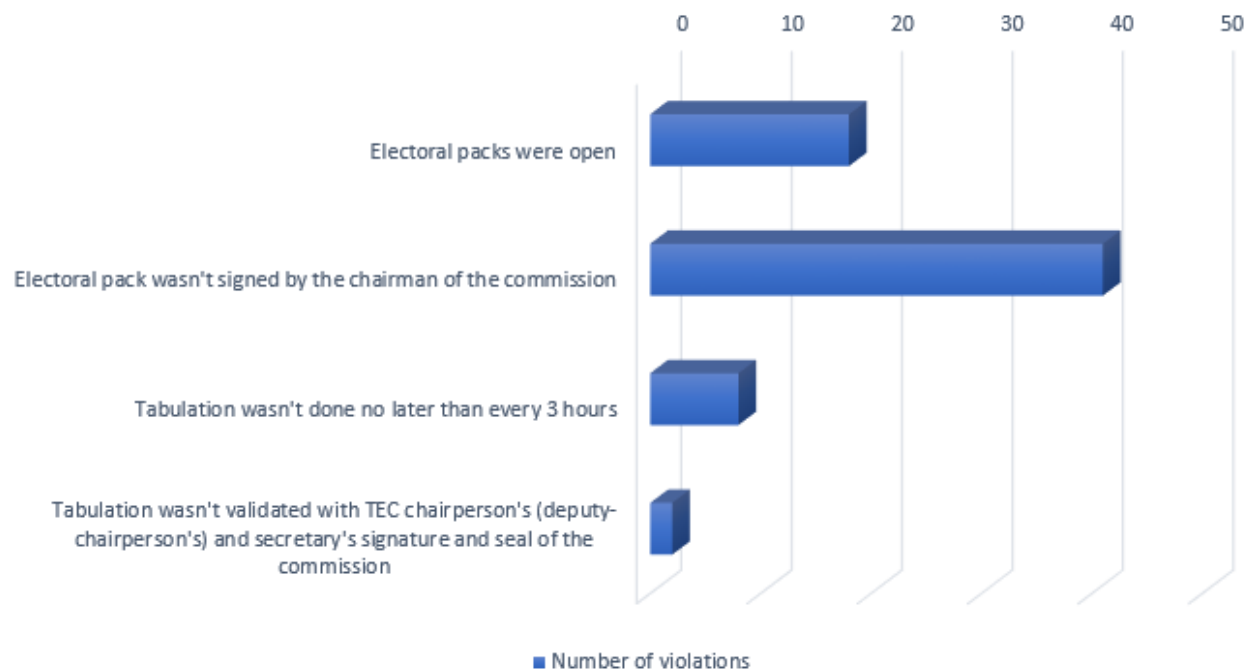
In seven Regional Electoral Commissions (No. 2, 4, 8, 9, 10, 21 and 35) the 3-hour periodicity of tabulation of voting results defined by law was violated, mainly because of the labour-intensive

process of receiving the election-related documents and items. In the case of Regional Electoral Commission No. 8, tabulation was done only once, at the end of the process.

The tabulations of voting results in Regional Electoral Commissions No. 9 and 24 were not validated by the signatures of the Chairperson (Deputy Chairperson) and Secretary of the Regional Electoral Commission or the seal of the Commission.

The main problems noted are presented below.

Figure 5. Violations Reported at the Regional Electoral Commissions



Scanning of the Lists Signed by the Voters

No cases of violation of the process of scanning the voter lists were reported.

The day after the voting, on 21 June, starting from 12:00, the process of scanning the lists signed by the voters who took part in the voting started in the observed Regional Electoral Commissions. Due to the power outage in the area, the process was postponed to the next day only in Regional Electoral Commission No. 29. Pursuant to the electoral legislation, the lists of voters who took part in the elections were published on the CEC website on June 22.

Projection of Results and Voter Turnout According to the PVT

According to the parallel vote tabulation, the data received from the observers mainly confirmed the results published by the CEC, thus, also their credibility.

As per the PVT, the voter turnout is 49.3% +/-0.9% margin of error (according to official data, 49.5%). Invalid ballots make 0.38%, with a margin of error of +/- 0.05% (according to official data, 0.36%).

Below are the PVT calculations for each political party (party alliance) running in the snap parliamentary elections, with a 95% confidence interval.

Table 6. Data from the Parallel Vote Tabulation

Name of party	Percent of votes	Magnitude of error	Range	Official data
“Fair Armenia” Party	0.33%	0.08%	0.3%-0.4%	0.31%
“Armenian National Congress” Party	1.49%	0.15%	1.3%-1.6%	1.54%
“Civil Contract” Party	54.04%	1.87%	52.2%-55.9%	53.95%
“Awakening” National Christian Party	0.33%	0.05%	0.3%-0.4%	0.36%
“Freedom” Party	0.13%	0.02%	0.1%-0.2%	0.14%
“I Have Honour” Alliance	5.34%	0.66%	4.7%-6%	5.22%
“United Homeland” Party	0.06%	0%	0%-0.1%	0.08%
“Pan-Armenian National Statehood” Party	0.07%	0%	0.1%-0.1%	0.06%
“Bright Armenia” Party	1.14%	0.13%	1%-1.3%	1.22%
“Armenia is Our Home” Party	1.04%	0.16%	0.9%-1.2%	0.95%
“Republic” Party	3.00%	0.31%	2.7%-3.3%	3.04%
“Homeland of Armenians” Party	1.04%	0.11%	0.9%-1.1%	1.03%

“Free Homeland” Alliance	0.32%	0.05%	0.3%-0.4%	0.32%
“Prosperous Armenia” Party	3.89%	0.58%	3.3%-4.5%	3.95%
Democratic Party of Armenia	0.36%	0.05%	0.3%-0.4%	0.39%
“5165 National Conservative Movement” Party	1.25%	0.12%	1.1%-1.4%	1.22%
“Citizen’s Decision” Social-Democratic Party	0.33%	0.05%	0.3%-0.4%	0.30%
“Shirinyan-Babajanyan Democrats’ Alliance”	1.39%	0.12%	1.3%-1.5%	1.50%
“National Agenda” Party	0.07%	0%	0%-0.1%	0.06%
“Rise” Party	0.11%	0%	0.1%-0.1%	0.10%
“Liberal” Party	1.20%	0.15%	1%-1.3%	1.17%
European Party of Armenia	0.22%	0%	0.2%-0.3%	0.19%
“Armenia” Alliance	21.10%	1.29%	19.8%-22.4%	21.11%
“National-Democratic Axis” Pan-Armenian Party	1.41%	0.14%	1.3%-1.5%	1.49%
“Sovereign Armenia” Party	0.32%	0.05%	0.3%-0.4%	0.31%

Post-election Processes

Recount

The CEC received applications for recount of voting results for 27 polling stations and processed them all. Additionally, the Regional Electoral Commissions decided to conduct recounts in a number of polling stations on their own initiative. Finally, the voting results of a total of 83 polling stations were recounted. As a result, in 33 polling stations no change in the votes cast for the candidates was noted, and in 17 polling stations no change of any data was reported at all¹²³.

No violations of the recount procedures were reported in the observed Regional Electoral Commissions (No. 9, 23, 25, 34 and 35).

Appeal

During the post-election period “Akanates” submitted:

- 20 applications to 20 Regional Electoral Commissions on a total of 56 violations;
- Five complaints to the CEC on the decisions of the Regional Electoral Commissions and one separate application on the violations by the members of the Precinct Commissions due to unawareness of the procedures;
- One application to the RA Administrative Court, demanding to bring the Secretary of the Commission to administrative liability on the grounds of not recording the observer’s assessment in the PEC register; and
- One application to the Office of the Prosecutor General of the Republic of Armenia regarding 21 incidents which contained elements of an alleged crime and were related to guided/controlled voting, violations of voting secrecy and violations of observers’ rights.

A description of the main violations is provided in the Annex.

Once again, neither the Regional Electoral Commissions, nor the Central Electoral Commission recognised the observer organisations as entities entitled to submit an application, and no action was taken in relation to the reported violations. Moreover, the CEC did not consider the five complaints filed by “Akanates” before summarising the election results, but considered them after the summarising the election results, that is, on 26 July 2021, although the complaints were submitted to the CEC electronically on 25 June and were to be considered before the election results were summarised (for details, see the section “Work of the Electoral Commissions”).

Out of the 21 cases mentioned in the report to the RA Prosecutor General’s Office, the Police made decisions to reject initiation of criminal cases on the cases of guided/controlled voting reported in polling stations 4/46 and 6/46 (two cases) and polling stations 9/37, 10/37 and 10/44 on the voting day, as well as on the case of forcing people to take part in the campaign rally during Pashinyan’s visit to Artashat by the use of administrative resources. The mentioned decisions

¹²³ The CEC summarised the results of the recount, <https://www.elections.am/News/Item/595>.

were appealed by “Akanates” to the Prosecutor’s Office. The latter rejected all the complaints, except for the case of polling station 9/37. The decision of the Prosecutor’s Office has not been received yet. Decisions to refuse to initiate a criminal case (except for polling station 4/46) were appealed to courts of general jurisdiction (five appeals).

Consideration of the complaints is still in progress. “Akanates” was not notified about the decisions made on the other cases mentioned in the report submitted to the Prosecutor’s Office.

RECOMMENDATIONS¹²⁴

In order to improve the electoral process, strengthen the principles of democracy, increase public confidence in the results and establish justice, it is necessary to review the electoral legislation of the Republic of Armenia, as well as the practice of and approaches to organising and conducting elections, making the following changes.

Electoral Commissions

Regional Electoral Commissions

1. Review the procedure of formation of regional commissions, taking into account the reduced quantity of elections due to consolidation of communities, hence the reduced workload of the commission; appropriateness of office and human resources costs due to the permanent status; the risks of potential conflicts of interest due to combining public service management positions; professionalism and other factors, aiming to promote better quality, impartial and responsible activities of the commissions, increase public confidence, as well as cost-effectiveness.
2. Include the operators working in the Regional Electoral Commissions in the staff of the Regional Electoral Commissions or otherwise guarantee the independent activities of such commissions.
3. Improve the technical and other conditions in the premises of the Regional Electoral Commissions, to guarantee their effective work.
4. Provide both the CEC and the Regional Electoral Commissions with the tools to exercise more proactive oversight of the campaign (for example, commissions monitoring media coverage, overseeing the rules of dissemination of campaign materials in the communities through regular visits, etc.) to prevent and eliminate electoral irregularities.

Precinct Electoral Commissions

5. Review the formation of Precinct Commissions by reducing them as per the party principle and increasing the proportion of appointments by the Regional Commission, in order to create guarantees for better quality, impartial and responsible work of the commission

¹²⁴ The recommendations provided in this Report do not include the amendments to the Constitutional Law “Electoral Code of the Republic of Armenia” which were adopted on 7 May 7 2021 but have not yet entered into force.

members by improving the recruitment, selection and training processes and the methodology, to attract knowledgeable and professional staff.

6. Limit the possibility of being appointed a member of a Precinct Electoral Commission for the members of the Council of Elders, as well as for those whose workplace is located in the given precinct centre.

Registration of Parties (Party Alliances)

7. The list of requirements for registration of political parties (party alliances) with the CEC should include the presentation of their election programs, the financial statements of the parties for the last three years, the declarations of the parties, the property and income declarations of the candidates, as well as the requirement that during the 12-month period prior to the election day (except for newly formed parties). they have a turnover of no less than a certain threshold [for example, AMD 1,800,000, at AMD 500 per month per member (a minimum of AMD 300)].
8. Lower the threshold for political parties by a maximum of 2-3% (lower the threshold for state funding respectively) to reduce the risks of wasted votes, to ensure greater parliamentary representation, and to promote pluralism.

Voter Lists

9. Finally verify and ascertain the addresses of the voters, *inter alia*, separating more than one households registered at the same address.
10. Integrate voter registration equipment into a common online system using additional security measures, ensuring that voter data is automatically matched, and excluding multiple voting not just in one, but in all polling stations.

Accreditation of Observers and the Media

11. Within the scope of the CEC's powers, provide for a toolkit to study the actual activities of the organisations applying for accreditation. This particularly refers to websites, social network pages and public activities. Additionally, if necessary, formal inquiries can be sent, to disclose the circumstance of supporting any political force or candidate running in the election.
12. Include among the grounds for rejecting the accreditation of organisations the circumstance of supporting any political force or candidate running in the election.
13. Restrict acting as an observer or media representative for judges, prosecutors, the staff of investigative agencies, the Police, the National Security Service, the Judicial Acts Compulsory Enforcement Service, the Penitentiary Service, the Probation Service, the Rescue Service, servicemen, the candidates running in the election and the members of electoral commissions.
14. Provide for mechanisms for reviewing and repealing, after accreditation, the accreditation of non-governmental organisations that engage in campaigning and the certificates of their observers.

15. Clarify the procedure and grounds for the CEC to consider and make a decision on applications by international organisations and foreign NGOs on conducting an observation mission (in the absence of an invitation).
16. Expand the scope of observer organisations to include human rights and democracy foundations.

Election Campaign

17. Define the term “pre-election campaign” to cover the whole set of activities carried out by political parties (party alliances), individual candidates included in their lists, by other persons and organisations in favour of political parties and party alliances, including campaign preparation and maintenance work (e.g. activities of campaign offices, development of materials, research, etc.).
18. Review the scope of the places designated for printed and other campaign materials, excluding the possibility for posting them on places of limited visibility/accessibility (e.g. building entrances, lifts) and increasing their distribution at other more accessible places (for example, precinct centres, additional designated places in public areas, perhaps one spot/billboard per 500 voters).
19. Include the cost of outdoor billboards used by the participating political parties (party alliances, their members) or their candidates from the date of appointment of the election until the official start of the election campaign.
20. The CEC to extend the procedure of distribution of outdoor billboards with an area exceeding 5 square metres to posters/billboards with an area of 1 to 5 square metres, organising the distribution electronically. This will ensure an even distribution and will eliminate as much as possible the accumulation of billboards of the political forces running in the elections in some streets, districts or other places.
21. Establish liability for posting campaign posters, campaign printed and other materials in violation of the Electoral Code, as well as provide for tight time frames and effective procedures for removing the posters (billboards, printed and other materials) that were posted in violation of the law, and were left after the end of the pre-election campaign.

Administrative Resource

22. Prohibit campaigning by condominium managers while performing their duties or when appearing by virtue of office.
23. Establish a clear prohibition on combining the election campaign with official business trips by officials, as well as campaigning in the province or community after the end of the business trip.
24. Establish a prohibition on providing or increasing the size of means of social security not planned in the national or community budgets, including state pensions, benefits, financial aid, at least from the moment of adopting a decision on calling parliamentary elections, except for unforeseen urgent measures.
25. Include materials / a components in public servants’ training programs on raising awareness on administrative resources and the risk of their misuse.

Pre-election Campaign Financing

26. Review the periodicity and format of accountability of political parties, providing for quarterly accountability, to ensure the transparency of the complete information on party finances, in the event the elections were held at any time of the year.
27. Establish a requirement to cover all costs related to the preparation, organisation and implementation of the election campaign (including remuneration for works and services provided, reimbursement for volunteer work, transportation costs and utility payments) at the expense of pre-election funds, and reflect them in the reports of political parties (party alliances), specifying a maximum limit of all expenses to be made from the pre-election fund.
28. Clearly state the requirement for segregation/classification of services and goods in the expenses in the declarations of the funds.

Regulation of Involvement of Third Parties

29. Define the term “third parties involved in the election campaign”, to include the organisations (NGOs, foundations, etc.) whose names fully or partially coincide with the names of the political parties, or whose board members – all or part of them – are members of the permanent governing bodies of the political parties. Include also the legal entities that during their activities, directly or indirectly, carry out pre-election campaign during the period established for the pre-election campaign, as well as restrict (for example, up to a maximum of AMD 2,000,000) and make accountable (for example, setting a requirement for declaring any expense exceeding AMD 500,000) their expenses and sources.
30. Establish a prohibition for third parties as well on receiving or using donations from foreign states, international organisations and foreign legal or natural persons for the purpose of engaging in pre-election campaigning.

Control-and-audit Function

31. Expand the scope of powers of the institution performing a control-and-audit function by establishing an effective toolkit for verifying the reliability of the fund’s sources of income and obtaining information on the actual expenditures and goods and services acquired free of charge, including requesting and receiving information and documents from various public agencies and local self-government bodies, legal entities and individuals (including banks, suppliers of goods, service providers or contractors) on the contributions (including information on goods acquired, work performed and services provided gratuitously) and their use which are necessary for verifying the declarations. These may include information constituting banking secrecy, as well as obtaining information through other means, such as site visits, monitoring and inspections, on the actual expenses made and goods and services acquired gratuitously by the political parties and candidates.
32. Establish clear requirements for the content of the conclusion on the results of verifying the declarations on the use of the pre-election funds of political parties (party alliances)

published by the supervisory body, including the verification methodology, the specific measures taken during the verification, the actions aimed at revealing the actual expenditures, the issues identified about the parties, their analysis and legislative recommendations as necessary.

Voting

33. Take active steps to ensure access to all polling stations for voters with mobility (motor-coordination) difficulties.
34. Review the regulations under the RA Electoral Code restricting the rights of observers and media representatives, including the discriminatory provisions related to the restriction of their number, as well as the requirement for one-year of media activities.
35. In case of violation of the procedure established by the legislation, reserve the the right for the media representatives to demand to note an assessment in the register, and provide for the possibility to note an assessment in the register of the commission in the Regional Electoral Commissions as well.

Summarising the Voting Results

36. Provide a mechanism in the processes of summarising the election results and in the appeal process, in order to obtain the law enforcement bodies, as necessary, copies of the necessary documents from the materials of the criminal proceedings on the violations in the polling stations related to the preparation for the voting, the electoral procedure and the summarisation of the voting results, and/or the necessary information.
37. Provide for a mechanism in the process of summarising the voting results by the CEC, in order to obtain from the law enforcement bodies copies of the necessary documents from the materials of the criminal proceedings on the violations related to the pre-election campaign and its financing, and/or the necessary information.

Appeal

38. Both for the CEC and the Regional Electoral Commissions, establish by law the possibility of accepting complaints online, with an electronic signature (including by e-mail).
39. Recognise by law the legal capacity of observer organisations in proceedings of violations of the subjective rights of observers and the violations of objective voting right in the electoral processes;
40. Establish a right for the observers, observer organisations and citizens to dispute the voting results at the polling stations;
41. Review the legal regulations related to the appeal and the deadlines and procedure for decision-making by electoral commissions, as defined by the Electoral Code of the Republic of Armenia, and ensure consideration of appeals filed by the CEC against the decisions of Regional Electoral Commissions prior to summarising the election results.
42. Eliminate the requirement to pay a state duty for lawsuits related to all electoral processes for organisations exercising public control over electoral processes.

Transparency of Electoral Processes

43. Make the work of the Regional Electoral Commissions more transparent by posting the schedule and agendas of their sittings in the relevant section of the CEC's website in advance, and, after the sittings, the minutes, videos and decisions, similar to the format created for the CEC sittings.
44. Make the posting of the pre-election programs of the political parties (party alliances) running in the elections mandatory on the CEC website mandatory, together with their lists
↳ financial statements/declarations¹²⁵;
45. Extend the open data format on the CEC website to a wider range of information, including the schedule, number of voters, turnout, results by province, financial declarations, etc.
46. Replace the videotaping devices with video recorders and provide the "reverse" feature of the broadcast videos and the possibility to download them.

Law Enforcement Bodies

47. Set a requirement for law enforcement agencies to establish the fact and scope of electoral crimes within the shortest time periods possible, as well as state the duty of the Prosecutor's Office to provide, as necessary, copies of the necessary documents from the materials of the criminal proceedings on electoral crimes to competent authorities (including electoral commissions and courts of law).

¹²⁵ The amendments not yet in force established a discretionary opportunity for publishing the programs.

ANNEX. Description of Significant Violations Noted on the Election Day

1. At polling station 2/42, an observer from “Transparency International Anti-Corruption Center” NGO reported that a proxy of “Armenia” Alliance who was at the polling station had passed a phone to him, by which another proxy of the same alliance, who was at the polling station in the morning, demanded the observer’s phone number. The observer refused to comply with the latter’s demand.
2. At polling station 2/15, during the period between 19:35 and 19:40 in the presence of voters, observers, proxies, other persons entitled to be present in the polling station, the proxy of “Armenia” Alliance openly showed “24” with his/her fingers. This was recorded by the camera in the polling station. The incident was registered in the register of the Precinct Electoral Commission. The proxy of “Armenia” Alliance admitted that he/she had committed the deed: a report was drawn up on the described case.
3. At polling station 2/15, during the entire voting process, some voters, after leaving voting booth, openly informed the proxies of “I Have Honour” Alliance that they had voted as told by them. In another case, a voter openly showed the ballot to the proxies of “I Have Honour” Alliance before entering the voting booth. A respective report was drawn up on the mentioned fact of intentional violation of the secrecy of the ballot.
4. At polling station 2/49, during the voting phase, in the afternoon, an observer reported the presence of an outsider in the polling station. In particular, the candidate of “Shirinyan-Babajanyan Democrats’ Alliance” electoral list Gevorg Patvakan Yengibaryan visited the polling station, not for the purpose of taking part in the voting. He asked the observer whether the latter was from the CCP. Hearing a negative answer, he found the CCP proxy and asked about the situation at the polling station. The observer warned that he could not be at the polling station, the candidate answered that he could, only for five minutes. Then the observer showed the law to the candidate and the Chairperson of the commission. The incident was noted down in the register, and the candidate left the polling station.
5. At polling station 4/39, the proxies of “Armenia” Alliance, without registering in the register of the Precinct Electoral Commission, continuously walk in and out of the voting room, talk to the voters outside before their voting, thus presumably guiding them.
6. At polling station 4/46, between 11:00 and 11:30, the proxy of “I Have Honour” Alliance carried out counterpropaganda against other parties and alliances. The same person approached the people standing in line, and, addressing 4-5 people by name, told them to vote for number 6, and that they could tear the ballot paper number 3 and/or not take it into the voting booth with them. The observer asked the Chairperson of the commission to warn the proxy, and the Chairperson warned him several times. After the warnings, the proxy stopped such behaviour. The observer’s assessment was recorded in the register. Three proxies of “I Have Honour” Alliance were present at the same polling station from 15:30 to 16:00 at the same time for half an hour. Their information was recorded in the register.

7. Accumulations of people were observed in polling station 6/13, as well as outside the polling station at 10:00. Three proxies of "I Have Honour" Alliance talked to the voters at the same time in the area near the entrance. An observer informed the Chairperson of the commission about this, a report was drawn up, and one of the proxies was asked out of the polling station. From time to time, according to the shift, the proxies of the said alliance replaced each other inside and outside the precinct centre. Their walking in and out of the polling station was not recorded in the commission's register. Cases of helping a voter inside the voting booth without obvious necessity were reported. In particular, a voter stated that he/she needed help, but, according to the observer, there was no objective need for help, neither was the need for help substantiated by the voter. Additionally, a brief presence of the candidate of "I have Honour" Alliance was reported in the voting room (it was not reported whether or not the candidate left on his own or as urged by the Chairperson). Thereafter the candidate returned to the polling station to vote, but, having left his passport in his car, he asked one of the proxies to bring it. While at the polling station, both during and after the voting, the candidate had an argument with the Chairperson of the commission, afterwards the latter asked to the police to accompany the candidate out. According to the observer, the candidate left the polling station within five or ten minutes after the Chairperson of the commission urged him to do so. No incident report was made, but there is a video. After that, the candidate continued to be in the area adjacent to the polling station for some time. At around 2:43 p.m., two proxies of "I Have Honour" Alliance were removed from the polling station by the decision of the commission, on the grounds of obstructing the normal work of the commission and disrupting the normal voting process.

8. In polling station 6/46 three to four people did not leave the area adjacent to the polling station after voting: specifically, they were inside the gates to the area adjacent to the polling centre (the polling station was located in the kindergarten), and talked to other citizens coming to vote, telling them: "You know what you're going to do", "Let's go and talk in the car", "Let's go to the campaign office and talk". Those people started wearing the certificates of the proxies of "Armenia" Alliance and "I have Honour" Alliance. An observer informed the Chairperson of the commission about it. The latter took steps to remove the persons from the area adjacent to the polling station, involving police officers. After that, the mentioned people left the area, then after some time returned again. The observer's assessment of the violation was recorded in the PEC register. Other proxies of the mentioned alliances also regularly talked to different citizens who came to vote on the voting day (each with about seven voters), and inquired who they had voted for. After the warning of the observer, the Chairperson of the commission talked to the mentioned persons, but the incident was not immediately recorded in the register: the Chairperson of the commission informed that a record of the violation will be made after drawing up the minutes summarising the results, and that is what happened. The proxies explained their action by the fact that the voters were their acquaintances, relatives and neighbours. The Chairperson of the commission warned the proxies to stop such behaviour. After the warning the proxies continued to question the voters, but not with the previous intensity.

9. At polling station 7/14, the candidate for "Armenia" Alliance was in the polling centre for more than an hour, giving instructions to the commission members and voters, as well as other people present in the polling station. The observer applied to the Chairperson of the commission,

suggesting that the latter take appropriate actions, including the elimination of the violation. The Chairperson of the commission demanded that the candidate leave the polling station. The candidate said, "Show a document that says that a candidate has no right to be at the polling station". The Chairperson instructed the Secretary to telephone and find out whether or not the candidate had the right to be at the polling station. After the Secretary clarified, the Chairperson informed the candidate that he/she has no right to be at the polling station. The candidate left the polling station 15 minutes after the Chairperson urged him/her to leave the polling station.

10. At polling station 7/8, the PAP proxy carried out organisational work equally with the commission members. To the observer's question about why he was so actively involved in the work of a commission member, the PAP proxy answered that he is a good acquaintance of the commission Chairperson, that is why he is helping him. The Chairperson and the Secretary were informed of the violation and were recommended to take appropriate action, including eliminating the violation. Some time after the observer's comment the proxy left the polling station, but the Secretary and the Chairperson of the Precinct Electoral Commission refused to note down the violation in the register. The Secretary of the Commission (CCP) specified that in the evening they would, based on mutual compromises, decide with the Chairperson of the commission (PAP) whether or not there was a need to record the observer's assessment of the violation.

11. At polling station 7/1, one of the voters filmed his voting process in the voting booth. The Chairperson of the commission was informed about it, the incident was noted down in the register, the police officer was informed about the incident.

12. At polling station 8/47 the school guard was present in the precinct centre and in the voting booth. The Chairperson of the commission was informed about the violation and offered to take appropriate actions, including the elimination of the violation. The Chairperson explained that the school guard was watching, to prevent outsiders from entering the premises. As a result, the school guard was in the voting room until 08:25 and left it only after some time. An observer requested the Chairperson to record the violation / the assessment of the violation in the PEC register, but the request was rejected. According to the observer, the Chairperson was not aware that the school guard was an outsider, therefore, so he/she did not considering it a violation and did not record the observer's assessment in the register.

13. At polling station 8/41 some of the ballots were found outside the safe during the opening of the polling station. The Chairperson of the commission was informed about the violation and was offered to take appropriate actions, including to eliminate the violation. The Chairperson clarified that there was not enough room in the safe, therefore some of the ballots were placed on the table next to it.

14. At polling station 8/14 an observer noticed signs on the ballots. The Chairperson of the Precinct Electoral Commission separated about 30-40 ballots of different political parties (party alliances): number 24, 18, 12, 25, 7, 20 and 2. The observer demanded to record the violation / the assessment of the violation in the PEC register, but the request was rejected by the Chairperson of the commission on the grounds that the issue should be agreed upon with the

Regional Electoral Commission. After clarifying the issue with the Regional Electoral Commission, the Chairperson again refused to register the case in the register on the grounds that he/she had reported the incident to the Regional Electoral Commission and was told that there was no need to record it because the marked ballots were separated and not distributed to the voters. During the voting, more marked ballots were detected which were again separated and not distributed to the voters. No marked ballots were seen during the counting of ballots. Voters in the same polling station voted without signing the voter list and left the polling station. The members of the Precinct Electoral Commission did not notice it. An observer informed the Chairperson of the commission about the violation and suggested that he/she take appropriate actions, including eliminating the violation. The observer was assured that the voters would be invited to the polling station later, and their signature would surely be put on the voter list. The observer demanded to record the violation / the assessment of the violation in the PEC register, but the request was rejected by the Chairperson of the commission on the grounds that the issue of recording it should be agreed upon with the Regional Electoral Commission.

15. At polling station 8/7 five outsiders who introduced themselves as members of “Armenia” Alliance were regularly present in the area adjacent to the precinct centre and in the voting room throughout the voting day. The Chairperson of the commission was informed about the violation and was offered to take appropriate actions, including the elimination of the violation. As a result the mentioned persons left the precinct centre but returned later (the mentioned violation was of a regular nature). A request was made to make a note in the register, but the violation was registered on a separate sheet of paper rather than in the register. According to the observer, the Chairperson of the Precinct Electoral Commission said an instruction was received from the “precinct”. The observer added that the assessments of other persons were also recorded on the said paper. During filming it was put next to the register.

16. At at 6:45 the safe was open in polling station 9/24. The Chairperson of the commission was informed about the violation, but said that the members of the Precinct Electoral Commission arrived early, that is why the safe was opened early. The Chairperson of the commission recorded the violation / the assessment of the violation in the PEC’s register.

17. At polling station 9/44 the proxy of the Armenian National Congress (ANC) party was sitting next to the voting booth in a position that partially violated the secrecy of the ballot – at least there was such a risk: he/she could see the back of the voting booth., and that could constrain the voters voting in that voting room. The Chairperson of the commission was informed about the violation and was offered to take appropriate actions. The Chairperson demanded that the proxy move, but the latter refused to comply with the Chairperson’s demand. The same demand was made by police officers, however, the proxy again refused to move, stating that he/she had the right to observe the voting room. After some time, the proxy moved. The violation assessment was recorded in the register.

18. The proxy of “Armenia” Alliance arrived at polling station 9/58 at around 13:00. He stood very close to the voting booth and could see the voter’s actions in the voting booth. After the observer reprimanded him, he was removed from near the voting booth.

19. At polling station 9/37 the proxy of “Armenia” Alliance displayed strange behaviour, tried to guide the voters, stood next to the voting booth, tried to control the voting, and even gave instructions to the voters. The Chairperson of the commission was informed about the violation and was offered to take appropriate actions. The chairman of the commission reprimanded the proxy and informed the observer that in case of recurrence of the incident the proxy would be removed from the voting room. However, the unlawful conduct of the proxy continued, thereafter the Chairperson of the commission tried to initiate a written warning process: only the Secretary and the Chairperson were for it, and the decision was not passed. The violation was noted down in the register of the Precinct Commission.

20. At polling station 9/44 one of the proxies noticed that in several cases the ballot papers printed by technical equipment were not stamped individually. The proxy demanded that the violation be recorded in the register, but the Chairperson of the commission became angry and threatened the proxy.

21. The counting of votes in 9/24 precinct had not started yet at 21:14. According to the observer, the reason was the ignorance of the members of the commission about the procedure of summarising the voting results.

22. The building of polling station 9/11 was a two-storey one, with another polling station, 9/12, located on the second floor. Two proxies of “Armenia” Alliance were in polling station 9/11. Another proxy of the same alliance regularly visited the mentioned polling station, coming down from the second floor. The observer demanded that the Chairperson of the commission ensure the defined number of proxies – a maximum of two people. After the observer’s comments the Chairperson removed the third proxy of “Armenia” Alliance from the polling station. An entry of the violation was made in the register at the request of the observer. The observer also noticed that the proxies of the mentioned alliance were close with the member of the commission who was watching the ballot box: specifically, they were sitting next to that member and constantly talking.

23. The proxy at polling station 10/24, who, according to information received from other persons, is a proxy of “Armenia” Alliance (the observer could not find out the identity of the person from the certificate), regularly accompanied the voters to the voting booth and tore the unused ballots. Additionally, the observer noted that the same proxy took the ballots from the hand of a commission member and handed them to the voters. The Chairperson of the commission was informed about the violation and was offered to take appropriate actions. He reprimanded the proxy, after which the violation stopped. The violation was recorded in the register, and there is a video.

24. In polling station 10/24 the proxy of “Armenia” Alliance personally distributed the ballots to the voters, talked to them, and even accompanied them to the area of the voting booth. The observer informed the Chairperson of the commission about this; a corresponding note was made, and the proxy was reprimanded. According to the Chairperson of the commission, the proxy touched the envelopes, rubbed her nail on the envelope, as if by accident, and coloured the envelope. In

response to the observation of the Chairman of the commission, the proxy said. "Why, can't one touch them?" Then the proxy stood a little farther, but the member of the commission who handed the ballots demonstratively gave the ballot papers numbered "24" to the voters so that they could be seen by the proxy.

25. The proxy of "Armenia" Alliance at polling station 10/37 regularly stood near the voting booth from 10:00 to 11:30, gesturing to the voters, and attempted to secretly look into the voting booth, to see who the voters were electing. The proxy left the voting booths in the afternoon of his/her own free will. No demand was made to make an entry on the incidents in the register. There were cameras in the polling station.

26. At polling station 10/44 some of the voters (3 cases were disclosed) tried to publicise their choice aloud, which was prevented by the Chairperson of the Precinct Commission. In the first case, a voter intentionally tore all the other ballots and openly declared who he/she had voted for, naming the "Civil Contract" Party. In the second case, a voter walked out of the voting booth and tried to vote openly, and in the third case, when a mother was helping her son, the latter loudly mentioned the result of the voting, naming number 6, .i.e. "I have Honour" Alliance. No demand was made to record the mentioned incidents in the PEC's register, because the Chairperson of the PEC prevented all three of the cases above, but an incident report was drawn up by the observer.

27. At polling station 10/04, at around 07:45, the members of the commission noticed that there were unnecessary markings on 64 ballots with the number "24", those of "Armenia" Alliance. These were declared invalid by the report drawn by the commission before the beginning of the voting. The said violation was recoded in the register of the Precinct Electoral Commission.

28. At polling station 10/17, at around 19:20, Sedrak Sargsyan, a candidate for "Awakening" Party, was in the voting room for more than 15 minutes, claiming that according to the current legislation the candidates have the right to be in the voting room. The Chairperson of the commission was informed about the violation and was offered to take appropriate actions, including to eliminate the violation. After a long argument the candidate left the polling station. The observer's assessment was recorded by the Precinct Electoral Commission.

29. During the voting of military servicemen at 10/51 polling station, the commanders were present in the voting room until all the servicemen voted. During the voting the commander showed an empty envelope, explaining the voting procedure. The Chairperson of the commission did not intervene in any way, and the violation / the assessment of the violation was recorded in the PEC's register.

30. At polling station 11/34 the observer noticed cases of regular guiding by the proxy of "Armenia" Alliance from 09:30 to 10:30. The mentioned proxy of "Armenia" Alliance is also a deputy village mayor. He guided his fellow villagers who came to vote from the entrance of the polling station to the polling station and gave instructions on the actions to be taken at the polling station. The observer (according to him/her, other persons too) had a clear perception that the mentioned

proxy was at the polling station in order to carry out the prior agreement between him and the villagers on the voting. The Chairperson of the commission was informed about the violation and was offered to take appropriate actions, including the elimination of the violation, but no necessary actions were taken. The proxy was warned by the Chairperson of the commission; moreover, the observer made a demand to record the assessment of the violation in the register of the Precinct Electoral Commission. The demand was at first rejected, then it was satisfied.

31. At polling station 11/27, at 20:00, after the end of the voting, the observer wanted to take a photo of the register, but the members of the Precinct Electoral Commission did not allow it, on the grounds that it is not allowed to take a photo after the end of the election. The Chairperson was busy otherwise and was not aware of this incident. Later the observers did not demand to take a photo of the register. The observer made a report on the incident.

32. At polling station 14/33 three boxes with ballots were placed right next to the safe. The Chairperson of the commission was informed about the violation and was offered to take appropriate actions, including the elimination of the violation, but no necessary actions were taken. The Chairperson of the commission noted that the ballots were too many and did not fit in the safe. A demand was made to record the violation / the assessment of the violation in the register of the Precinct Electoral Commission. The Chairperson of the commission expressed his/her readiness to record the observer's assessment, but given that the observer later did not insist on recording the assessment of the violation, the observation was not registered by the Precinct Electoral Commission.

33. At polling station 14/40 three proxies introduced themselves as being from "Armenia" Alliance and, according to the observer, were at the polling station for 5-10 minutes at the same time. The Chairperson of the commission was informed about the violation and was offered to take appropriate actions, including to eliminate the violation. The Chairperson of the commission agreed to correct the situation.

34. Three to four proxies from PAP and "Armenia" Alliance were present at polling station 18/17. The observer asked the Chairperson of the commission for permission to photograph the proxy registration page but was not allowed to do so. The observer's request to record this violation in the register was rejected by the Chairperson of the commission.

35. At 13:10 an observer noticed at polling station 19/17 that a member of the commission had not stamped more than 200 slips with his/her personal stamp. The observer warned the Chairperson about this, to have a corresponding entry made in the register. As a result, the entry was made.

36. At polling station 19/10, at around 15:55, the proxy of "I have Honour" Alliance helped arrange the ballots. The Chairperson of the commission was informed about this, and the violation was eliminated.

37. During the counting of the next hundred stamps in polling station 19/17, at around 15:30, the cameraman of Yerevan.Today news agency rudely pulled at the observer's arm, saying that he was obstructing his filming. An incident document was filled out. Additionally, more than two proxies of "Armenia" Alliance were always present at the polling station: they were asked out each time after warnings.

38. At polling station 20/57 Zoya Gevorgyan, a proxy of "I Have Honour" Alliance and at the same time the head of Shatjrek community, had lists with personal data. She made regular notes regularly (first and last names) and then made phone calls. Cooperation with the proxy of "Armenia" Alliance was noticed. Z. Gevorgyan also telephoned one of the commission members, then the two met on the second floor of the precinct centre and talked. An observer approached the proxy and asked about the list of the names and whether she knew those people. Proxy Z. Gevorgyan stated in response: "They are my residents; shouldn't I know who came? I am taking notes for myself." The observer informed the Chairperson of the commission about this, noting that, according to him/her, controlled voting was taking place. A corresponding entry was made in the register.

39. At polling station 20/50, starting from 08:00, more than 700-800 military servicemen voted in the polling station, some of them, in violation of the secrecy of the ballot. Specifically, in the beginning two servicemen put ballot paper "24" in the envelope on the way to the voting booth and approached the ballot box. Later three servicemen openly put ballot paper "3" in the same way. In connection with the incidents, the observer drew the attention of the Chairperson of the Precinct Commission. The latter invalidated the ballots of the military servicemen. Then some of the servicemen announced that they had not come to vote voluntarily; they did not vote for anyone but cast the empty envelope into the ballot box. In those cases the Chairperson of the commission affixed a stamp to an empty envelope and cast it in the ballot box with his/her own hand. This was videotaped by the observer. All this time, the commander of the servicemen was at the polling station, near the door. The observer also informed that one of the soldiers showed with his finger who the other soldier should vote for. The observers also added that at the summary sitting, during the counting of the ballots, in three cases ballot "3" was damaged (torn).

40. A suspicious car (white NISSAN TEANA 92AA007) was spotted near polling station 24/57, transporting people. At the moment reported by the observer the car returned, bringing an old woman, waited for her to get off the car and reminded her to vote for number "24", telling her, "Don't forget!" The observer took a photo of the car. Moreover, there was a police car next to the suspicious car.

41. An outsider was observed at polling station 26/32 who did not have a certificate certifying the right to be present in the polling station. The observer noticed this person at 07:00 in the morning, around the precinct centre. The Chairperson of the commission explained that the outsider was a proxy and simply did not carry a certificate. According to the observer's monitoring results, the person was removed from the voting room. Shortly afterwards, the observer noticed the outsider at the entrance to the precinct centre (he had been there for about 1 hour and 40 minutes), informed the Chairperson of the commission, and the outsider was removed again. The incident

was recorded in the register and photographed. There is also a photo of an outsider and the report of the incident. At around 11:30, the outsider returned with a certificate confirming the status of a PAP proxy.

42. At polling station 26/32 Aryom Hayrapetyan, head of Lernanist community, Kotayk Province, from time to time entered the polling station, talked to different members of the commission, including the Chairperson, then approached the observer and urged him/her to take it easy and not to create problems. He also asked his residence address. The observer demanded that the Chairperson of the commission eliminate the violation and record his/her observation in the register. This was rejected on the grounds that the secretary was not present, and the note would be made later. The observation was recorded in the register, and there is a photo. As for the elimination of the violation, according to the observer, the Chairperson warned off the village mayor, and the latter left the polling station. The observer videotaped the incident and made a report of the incident. At around 4:20 p.m., the community leader returned and introduced himself as a CCP proxy, with a respective certificate.

43. At polling station 29/8 the PAP proxy was seen regularly whispering to the voters before the latter voted. The observer recorded this in the register of the commission: Ashot Virabyan, Chairperson of the commission, obviously did not like it. Emma Aghajanyan, a CCP proxy, agreed with the observer. After the incident, the PAP proxy left the polling station, purportedly changing shifts.

44. At polling station 30/33, between 14:00 and 15:00, the proxy of "I Have Honour" Alliance allegedly guided one voter, having a conversation with the latter outside the polling station, accompanying the voter to the entrance to the polling station, then pointing at the relevant political party (alliance of parties) on the list posted on the entrance door. The proxy also did not carry a certificate, about which the Chairperson of the commission warned him. As a result, the latter started wearing the certificate. The observer videotaped the described case.

45. At polling station 34/4 Arthur Hambardzumyan, an observer from the "Institute for the Development of Legal Culture" organisation, instructed the people he knew in the voting room to vote for "Armenia" Alliance. The Chairperson of the commission was informed about the violation and was offered to take appropriate actions, including the removal of the observer. The Chairperson stated that in case the violation was repeated, the observer would be removed from the polling station. The assessment of the violation was recorded in the register of the Precinct Electoral Commission.

46. As of 06:57, the fireproof safe was open in 35/2 precinct. The chairman of the commission was informed about the violation, but stated that there was no violation. Moreover, the chairperson of the commission rejected the observer's request to register his / her assessment in the PEC register.

47. Three proxies of "Civil Contract" Party were in the voting room at polling station 35/55 for about five minutes. According to the observer, the simultaneous presence of the mentioned

persons was not intentional. After the observer informed the Chairperson of the commission about the violation above, the problem was solved immediately: one of the proxies left the precinct centre. At the same time, the observer reported that two persons entitled to be present in the polling station (proxies of different parties) did not carry their certificate as established by law. The Chairperson of the commission was informed about the violation and was offered to take appropriate actions which resulted in the elimination of the violation.

48. At polling station 36/48 cases of voter guiding by proxies of “Armenia” Alliance were reported: they, talking to the voters, accompanied them to the voting booth and asked if they voted correctly or not. Such violations were of a continuous nature. Additionally, the number of proxies present at the polling station exceeded the maximum number established by law, and the latter regularly walked in and out of the polling station, without registering the entry and exit times each time. The Chairperson of the Precinct Commission did not take any active steps to prevent the violations. At the same polling station, a commission member forbade taking a photo of the page of the register with the results of casting lots for the distribution of the functions of the commission members. The Chairperson of the commission was informed about the violation and was offered to take appropriate actions, including to eliminate the violation. Later, the Chairperson allowed the relevant page of the register to be photographed. A demand was made to record the violation / the assessment of the violation in the register of the Precinct Electoral Commission, which was satisfied. At this polling station, the observer was also indirectly pressured by a commission member. In particular, the member of the commission (a woman) during a conversation with another person said in an audible voice that the observer should be found in Vayk. No request was made to record the incident in the register, because the observer chose not to turn to the Chairman of the commission again, in order not to exacerbate the situation. During the sitting of summarising the voting results the same commission member insulted the observer.

49. At around 11:45 a.m., at polling station 38/47, a observer reported that three proxies of “Armenia” Alliance were present at the polling station for about 10 minutes. The observer suggested that the Chairperson eliminate the violation, but the latter showed inaction. After some time two of the proxies left, stating that they would return. The observer demanded that the Chairperson of the commission record his assessment of the violation in the register, but the Chairperson rejected his demand, noting that it was a minor incident. During the summarising sitting the specialist servicing the technical device remained in the voting room. The Chairperson of the commission was informed about the violation and was offered to take appropriate actions, including the elimination of the violation, however, no necessary actions were taken. The Chairperson of the commission insisted that the said person stay in the voting room. A request was made to record the assessment of the violation / the violation in the PEC’s register, but it was rejected by the Chairperson of the commission on the grounds that he would be busy at the time. The observer emphasised that the technical equipment maintenance specialist guided the voters during the voting to vote for ballot paper “24”. According to the observer, in neither of both cases there was an intention on the part of the Chairperson of the Precinct Electoral Commission not to record the observer’s opinion.