



November 22, 2018

**PRELIMINARY STATEMENT**  
**by the Observer Mission at Early RA National Assembly Elections**  
**(observation period: November 5-20, 2018)**

**On the observer mission**

The “Akanates” (eyewitness) observation mission was established by the NGO Transparency International Anti-corruption Center, (TIAC), by the NGO “Journalists’ Asprez Club” (JAC), and by the civic initiative “Restart”. The mission is a partner with the Foundation for Law Development and Protection.

The purpose of “Akanates” is to promote free and fair elections and public, impartial oversight thereof, and legitimacy of electoral processes.

“Akanates” operates independently following the principle of impartiality and refraining from actions that can be interpreted as assistance, propaganda or anti-propaganda in favor or against any party (alliance) or candidate participating in the election.

In the context of the December 9, 2018 early RA National Assembly elections, the “Akanates” observer initiative performs long-term and short-term observation mission all over the territory of Armenia.

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*This mission is made possible by the financial support from the European Union, National Endowment for Democracy, United States Agency for International Development, National Democratic Institute and Open Society Foundations – Armenia.*

*The contents are responsibility “Akanates” (Eyewitness) observation initiative and its member organizations and do not necessarily reflect the official views of donor organizations.*

## **Long-term observation**

For the long-term observation mission, the initiative recruited 36 long-term observers in order to observe and assess pre-election and post-election processes in the coverage area of 38 territorial electoral commissions, including election administration, adequacy of voters' lists, the activities of the electoral head-quarters of candidates and parties (party alliances), pre-election campaigns, abuses of administrative resource, vote recounting, examination of complaints, compliance of actions with the schedule, etc. The observers on site work with electoral commissions, electoral head-quarters of parties/alliances and candidates, representatives of civil society, mass media and citizens.

Data collection is done by means of desk research, analysis of open-source on-line data, immediate observation, official inquiries, meetings, interviews and monitoring of media coverage. Observers on site will meet representatives of territorial and district electoral commissions, head-quarters of candidates and parties (party alliances), police, media, observer missions, NGOs, and other participants of the electoral process. To ensure data accuracy and authenticity, the obtained data will be verified through several independent sources.

During long-term and short-term observations, observers will collect quantitative and qualitative data which will be analyzed and summarized in the reports, bulletins, press-releases and visual materials of this initiative. Based on the recorded breaches of electoral process, when expedient, complaints/claims/applications will be compiled and filed with administrative, judicial and law enforcement bodies.

Updates on observations will be published on the FaceBook page of the "Akanates" observer initiative, and posted on the websites and FaceBook pages of member organizations.

## **Observation results and proposals**

On November 2, 2018, RA president issued the decree on calling early elections to the National Assembly of the Republic of Armenia on December 9, 2018. According to RA Electoral Code, the election campaign shall begin on November 26.

The long-term observation of the “Akanates” mission will commence on November 5, 2018. Over this period of time, the observation focused on electoral administration, including the activities of the Central Electoral Commission (CEC) and the composition of Territorial electoral commissions, and voters’ lists, the campaign underway after the appointment of the election day, and usage of the administrative resource.

### **Electoral commissions**

On November 2, 2018, the RA CEC started the organizational work. By November 20, 2018, seven sessions had been conducted on the parliamentary elections. In general, the organizational work is carried out in accordance with the schedule stipulated in the law.

The partial survey of the composition of territorial electoral commissions has shown that it mostly remained the same and the commissions do not include those who cannot be commission members by law. Nevertheless, facts of past illegal behavior by commission members have been recorded. Thus, the chairman of territorial electoral commission No. 8 (Shengavit administrative district) Norik Yeranosian on September 23, 2018 during early Yerevan municipal elections physically obstructed performance of professional duties by a journalist at district electoral precinct No. 8/05:<sup>1</sup> The inspection by the observation mission is continuing, and will end on November 26, 2018.

**We call on the Central electoral commission to monitor the past behavior of the staff of territorial electoral commissions and take necessary measures to replace those members who seriously breached the Electoral Code, as well as monitor the past behavior of the members nominated to precinct electoral commissions, and take necessary measures to rule out engagement of such persons.**

Election campaign procedure Նախընտրական քարոզչության կարգ

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<sup>1</sup> <https://www.aravot.am/2018/09/24/982974>, <https://news.am/arm/news/472705.html>, <https://www.shantnews.am/news/view/159605.html>

The period of election campaign is the period set forth in the Electoral Code during which to ensure equal conditions for parties and candidates participating in the election there are rules stipulating the use of public funds, the campaign and financial transparency.<sup>2</sup> The election campaign for the early parliamentary election begins on November 26, 2018, and ends one day before the election day, on December 7, at 24:00. The fixed period of election campaign does not restrict campaigning within another period and there is no restriction before the commencement of the official campaign.

According to RA Electoral Code, the parties participating in the election are entitled to unlimited dissemination of printed and other campaign materials.<sup>3</sup> Ten days prior to the beginning of the campaign, the community leader shall allocate free space for posting campaign materials in the community area. Campaign materials visible for public can be posted at places specially reserved for this purpose... with consent of physical persons, on buildings (except buildings in public and community ownership, general education schools, apartment buildings or public catering or commercial outlets) owned by the latter, on means of transportation (except public transport and taxis) or inside, etc. Printed campaign materials shall contain information on the client, printing enterprise and print-run. In the absence of requisites stipulated by law, dissemination of campaign materials is subject to administrative liability.<sup>4</sup>

In general, substantial breaches have not been registered. Observation has shown that campaign materials are posted on street lamp posts.

**We call on the parties/alliances to observe the rules of campaigning even though officially the campaign has not commenced yet.**

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<sup>2</sup> RA Electoral Code, article 19

<sup>3</sup> RA Electoral Code, article 21

<sup>4</sup> RA Administrative violations Code, article 40.1

## **Election bribes**

According to RA legislation, bribing voters or taking bribes, breach of the ban on charity during election or obstruction of voters' free expression is a criminally punishable act.<sup>5</sup>

There is a number of known cases when the representatives of executive powers called on the citizens to refrain from election bribes.

Mission observers did not reveal facts of election bribes. At the same time, in the media, there are news about dissemination of bribes. According to the news, one party during elections registers numerous individual entrepreneurs who instead of a standard election bribe get a salary for securing votes in favor of the party.<sup>6</sup>

**We call on all the parties and alliances, as well as individual candidates thereof to refrain from buy citizen's votes for money and we call on law enforcement bodies to examine such facts profoundly and comprehensively.**

## **Abuse of administrative resource**

The notion of "administrative resource" is not defined in RA legislation. However, according to accepted international norms, administrative resources are the legal, human, financial, tangible and intangible assets managed by public officials and other civil servants. The usage of administrative resource during elections in favor of any political force or candidate creates unequal competition and can affect the election results.

According to the media, there have been several whistle-blows concerning cases of administrative resource abuse prior to the campaign which are currently being verified by the long-term observers of the mission. At the same time, there are cases when high-ranking officials during meetings with their staff or overtly call on refraining from using the administrative resource. Nevertheless, it should be noted that the representatives of authorities more often call on refraining from election bribes than call on refraining from using the administrative resource.

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<sup>5</sup> RA Criminal Code, article 154.2

<sup>6</sup>

<https://www.lragir.am/2018/11/13/394771/?fbclid=IwAR0SruvXuYbZ5FvkcMzcBp6nymSNzysnmbkes2k5cjVEXYHj7uLUERIDI>

**We recommend the leaders of government institutions to make strict orders to rule out the abuse of administrative resources taking into account the misconceptions concerning administrative resource amongst the public at large and civil servants. We call on civil servants to refrain from abusing the administrative resources at their disposal in favor of any party or candidate.**

## **Hate speech**

The campaign has not started yet and the general situation is not tense. However, hate speech has already been heard targeting individuals or groups for their religious, sexual, and political convictions which can inadvertently or intentionally lead to violence.

Thus, such calls have been made by Edward Sharmazanov from the party ticket of the Republican Party of Armenia in his November 13 speech appealing to those “who oppose defiling, sectarian and homosexual propaganda” to join him.<sup>7</sup> Also Facebook pages of various members of parties contain mutual insults traded by different political forces.

**We appeal to parties/alliances participating in parliamentary elections to refrain from insults and defamatory statements during the campaign and to abstain from attracting voters by discriminatory and hate speech. Such behavior is prohibited in article 10 of the European Convention on Human Rights, articles 19-20 of Covenant on Civil and Political Rights.**

## **Voters' lists**

**The population register of the Republic of Armenia contains 2,969,200 people which has decreased from the population number registered for the April 2, 2017 parliamentary election by 24,700 people. The number of voters is 2,574,916 which has increased compared with the mentioned period by 10,582. In terms of electoral territories, the largest increase in voters, i.e. 2,941, has been registered at electoral territory No. 2 (Arabkir, Ajapnyak, Davtashen administrative districts of Yerevan), 2,789 people in electoral territory No. 3 (Malatia-Sebastia, Shengavit administrative districts of Yerevan), and 2,428 people at electoral territory No. 10 (Komitas St.). The number of voters decreased most at electoral territory No. 11 (Shirak province), i.e. 2440, at electoral territory No. 9 (Lori province), 1,138 people and electoral territory No. 12 (Sunik and Vayots-dzor provinces), by 1,118 people.**

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<sup>7</sup> <https://www.youtube.com/watch?v=thRgg0OulNs&t=7s>, 3:40n-hg

22 Բնակչության, Ազգային ժողովի ընտրությունների ընտրողների թվերը, ըստ armstat.am և elections.am կայքերում հրապարակված տեղեկատվության

Ըստ բնութային տարածքների									
2017թ.					տարբերությունները 2018 և 2017 թթ.		2018թ.		
Մշտական բնակչություն	Ընտրական տարածք	Վարչական շրջան/մարզ	Ընտրողներ	Ընտրողների թվերի %-ները բնակչության թվերից	բնակչության	ընտրողների	Մշտական բնակչություն	Ընտրողներ	Ընտրողների թվերի %-ները բնակչության թվերից
257800	<b>թիվ 1</b>	Ավան, Լոր Լորք, Քանաքեռ-Զեյթուն	198537	77.0	1200	1575	259000	200112	77.3
267000	<b>թիվ 2</b>	Արաբկիր, Աջափնյակ, Դավթաշեն	210687	78.9	-300	2941	266700	213628	80.1
275800	<b>թիվ 3</b>	Մալաթիա-Մեքաստիա, Շենգավիթ	222434	80.7	2700	2789	278500	225223	80.9
274000	<b>թիվ 4</b>	Կենտրոն, Լորք Մարաշ, Էրեբունի, Լուրասաշեն	206883	75.5	1200	2152	275200	209035	76.0
259000	<b>թիվ 5</b>	Արարատի մարզ	220309	85.1	-1300	1346	257700	221655	86.0
266300	<b>թիվ 6</b>	Արմավիրի մարզ	232232	87.2	-1800	1400	264500	233632	88.3
129200	<b>թիվ 7</b>	Արագածոտնի մարզ	117455	90.9	-2500	79	126700	117534	92.8
231400	<b>թիվ 8</b>	Գեղարքունիքի մարզ	187263	80.9	-2400	782	229000	188045	82.1
223200	<b>թիվ 9</b>	Լոռու մարզ	238975	107.1	-7400	-1138	215800	237837	110.2
253700	<b>թիվ 10</b>	Կոտայքի մարզ	237419	93.6	-2300	2428	251400	239847	95.4
241500	<b>թիվ 11</b>	Շիրակի մարզ	231982	96.1	-7400	-2440	234100	229542	98.1
189900	<b>թիվ 12</b>	Մյունիքի և Վայոց ձորի մարզեր	152805	80.5	-2200	-1118	187700	151687	80.8
125100	<b>թիվ 13</b>	Տավուշի մարզ	107353	85.8	-2200	-214	122900	107139	87.2
2993900	ՆԱՄԱԵԸ	Հանրապետությունում	2564334	85.7	-24700	10582	2969200	2574916	86.7

Voters' lists still contain problematic data, which raise doubts about their authenticity. Presently, according to analysis results, 571 voters' addresses are missing in the voters' lists. The number of elderly voters is rather high. Thus, there are 8,826 voters in the list whose age is 90 and above, and there are 117 voters above 100 and 3 voters above 110 years.

At 885 addresses, more than 20 voters are registered, and at 13 addresses, there are more than 100 voters.

	2017 parliamentary elections	2018 early parliamentary elections
20-29	666 (15297 voters)	667 (15271 voters)
30-39	104 (3431 voters)	113 (3703 voters)
40-49	34 (1491 voters)	36 (1581 voters)
50-59	17 (916 voters)	18 (966 voters)
60-99	23 (1727 voters)	38 (1879 voters)
100 and over	12 (2149 voters)	13 (2257 voters)

**We appeal to the police to solve the problem of assigning addresses to voters without addresses or if addresses actually exist, to post them in the final voters' lists.**

**We hope the names of the voters on the voters' lists who are absent from the country will not be used by others.**