

42nd SESSION

Report
CPL(2022)42-04
28 February 2022

Information report on partial local elections in Armenia (5 December 2021)

Monitoring Committee

Rapporteur:¹ Stewart DICKSON, United-Kingdom (R, ILDG)

Summary

Following an invitation by the authorities of Armenia, the Congress conducted a remote procedure to observe the partial local elections held on 5 December 2021 in 38 municipalities, in line with its Resolution 455 (2020). Prior to the Election Day, the Congress delegation held preliminary meetings on 2 and 3 December with state authorities, representatives of the international community, non-governmental organisations, candidates and the media. On 8 December, a debriefing was organised online with representatives of international and domestic election observation organisations.

The Congress delegation welcomes the competitive nature of the partial elections and the overall transparency of the vote. It acknowledges that these elections took place in the aftermath of the large-scale military hostilities which fully erupted again in the autumn of 2020 in Nagorno-Karabakh,² coupled with the upsurge of Covid-19 cases and a recent amalgamation reform in the country. In comparison with past elections observed by the Congress, positive steps towards transparent, fair and competitive elections have been taken and allegations of fraud or violence were rather limited.

However, there is concern about the overly complicated voting procedures and short timeframes for training, campaigning and registering. The application of quotas led to significant increase in the proportion of women in community councils and this is welcome by the Congress delegation. At the same time, measures should be reinforced to strengthen the participation of women in politics as heads of lists and mayors, as well as control over campaign finances and against the misuse of administrative resources.

1 L: Chamber of Local Authorities / R: Chamber of Regions
EPP/CCE: European People's Party Group in the Congress
SOC/G/PD: Group of Socialists, Greens and Progressive Democrats
ILDG: Independent Liberal and Democratic Group
ECR: European Conservatives and Reformists Group
NR: Members not belonging to a political group of the Congress

2 See statement of the Secretary General of the Council of Europe: <https://www.coe.int/en/web/portal/-/council-of-europe-secretary-general-concerned-about-tensions-between-armenia-and-azerbaijan>; and statement of the Parliamentary Assembly of the Council of Europe: <https://www.coe.int/en/web/portal/-/pace-sets-out-steps-to-address-humanitarian-consequences-of-conflict-between-armenia-and-azerbaijan-over-nagorno-karabakh>

1. INTRODUCTION

1. Following an invitation by Mr Alen SIMONYAN, President of the National Assembly of the Republic of Armenia, the President of the Congress and Presidents of the Local and Regional Chambers approved a remote election observation of the partial local elections held in Armenia on 5 December 2021. This decision was made against the backdrop of the current situation of the Covid-pandemic in Council of Europe member States.

2. The delegation comprised Congress representatives in the Council for Democratic Elections/Venice Commission, Mr Stewart DICKSON (R, ILDG, United Kingdom), Ms Gunn-Marit HELGESEN (R, EPP/CCE, Norway), and Mr Vladimir PREBILIČ (L, SOC/G/PD, Slovenia). Congress member Ms Carla DEJONGHE (R, ILDG, Belgium) participated as well. The team was supported by Professor Jelena JERINIĆ, member of the Group of Independent Experts on the European Charter of Local Self-Government, and the Congress Secretariat staff.

3. Due to the ongoing Covid-19 pandemic and pursuant to Congress Resolution 455(2020) on local and regional elections in major crisis situations³, online meetings were held on 2 and 3 December 2021 with key interlocutors, including representatives of the Government, the Central Election Commission, local government association, international and domestic election observers, the media, as well as representatives of candidate lists.

4. Regrettably, the Congress was not able to secure an electoral observation assistance on the Election Day on the ground due to restrictions in Armenian legislation not allowing Armenian nationals to participate in observation missions on behalf of international or foreign organisations.⁴

5. The Congress wishes to thank all those who met with the delegation before and after elections for their open and constructive dialogue, as well as for additional information materials provided after the elections.

2. POLITICAL CONTEXT

6. Following the 2015 Constitutional Referendum, Armenia transited from a semi-presidential system to a parliamentary republic. In spring 2018, mass anti-government protests led to the resignation of President Sergh Sargsyan and fundamental changes in the government. The series of events is often referred to as the “2018 Armenian revolution”.⁵ Between 2016 and 2021, Armenia undertook a major reform of territorial administration, by amalgamating local communities and reducing their number from 915 to 79, as well as adopted significant changes to electoral legislation (respectively in 2016, 2020 and 2021).

7. The current composition of the National Assembly, elected in the early parliamentary elections held in June 2021, consists of the ruling Civil Contract party (holding an absolute majority with 71 of 107 seats), while two coalitions, Armenia Alliance and With Honour, hold 29 and 7 seats respectively. It is also commonly understood that the ruling party controls most of regional governors appointed by the government, out of which some ran as candidates in the local elections on 5 December 2021.

8. According to OSCE/ODIHR, the 2021 early parliamentary elections were assessed as “competitive and generally well-managed within a short timeframe” and the Election Day itself as overall positive. Even though the recent amendments to electoral legislation contributed to legal uncertainty, the election was administered in a transparent and professional manner. The observers’ criticism was directed towards intense polarisation and a personality-driven campaign which hindered a policy-focused debate, as well as the side-lining of women.⁶

9. The political context is also marked by the ongoing Nagorno-Karabakh conflict, resurrecting in July 2020 and climaxing in the “Autumn 2020 War”. This led to introduction of martial law, which was lifted in March 2021 ahead of parliamentary elections, initially planned for 2023 but called early because of

³ <https://rm.coe.int/local-and-regional-elections-in-major-crisis-situations-monitoring-com/16809fbc7c>

⁴ Article 30 para. 2 of the Electoral Code of the Republic of Armenia (hereinafter: the Electoral Code).

⁵ See e.g. the [Report CPL\(2021\)40-02final](#) on the Monitoring of the application of the European Charter of Local Self-Government in Armenia.

⁶ <https://www.osce.org/odihr/elections/armenia/502416>

the conflict. Regardless of the apparent cease-fire in November 2020, clashes and tensions remained high during the campaign and erupted in the border Syunik region in November 2021. National security concerns arising from the conflict heavily influenced the political debate and local and national election campaigns throughout 2021, especially in areas directly affected by it.

10. Local elections were initially planned for 2020, but were postponed due to the Covid pandemic, the application of martial law and the 2021 snap parliamentary elections. The organisation of local elections in 2021 was divided into three separate events, due to the process of amalgamation, as well as the adoption of an electoral code reform imposing the proportional system on most communities. Elections held on 5 December 2021 constituted the third round, after previous election days on 17 October and 14 November 2021. The December elections were held in 38 local communities, including 36 newly amalgamated units using proportional elections and in two smaller communities, in which the majoritarian system was still applied.⁷ This amounted to 43,5% of the Armenian electorate. Local elections were not held in Yerevan, the capital, covering around 30% of the electorate since regular elections are planned there in 2022.

3. ADMINISTRATIVE STRUCTURE (AT LOCAL AND REGIONAL LEVEL)

11. Armenia is a unitary state with a single level of local self-government. Previously fragmented into 915 municipalities, local governments have been progressively amalgamated since 2015. Amalgamation was conducted in three phases (in 2016, 2017 and 2021), eventually reducing the number of local communities to 78. Armenia is also divided into 10 Provinces (Marzes). The regions are not self-governed since they have no elected representative bodies and are subordinated to central government. Provincial governors have often more powers and resources at disposal than mayors of provincial capitals. Some provincial governors ran as Civil Contract candidates in the 2021 local elections.

12. Nine local communities in which there is a high majority of national minorities, mostly Yezidi, Assyrian and Russian communities, were left out of the amalgamation process. While the Electoral Code envisages specific provisions concerning representation of national minorities in the national parliament,⁸ such arrangements do not apply to the local level and there is no specific regulation which would ensure proportional representation of national minorities in amalgamated communities.

13. Competencies of local government are not wide and include delegated powers or responsibilities shared with central government. Delegated tasks are often insufficiently funded from the state budget. As a result, local government has a limited role in delivering public services.

14. The main local government body is the Community Council of Elders (or Community Council) directly elected for a five-year term. Community Councils have between five and 65 councillors, depending on the number of voters registered.⁹ The local executive body is the Mayor or Head of Community, elected for a five-year term. In small communities (less than 4000 voters) mayors are elected directly, while in larger communities they are elected indirectly by the council. Mayors can be dismissed by government, inter alia, as a consequence of a final judicial decision or a conflict of interest, as well in case of reorganisation of the local community into another administrative territorial unit.¹⁰

15. Since 2018, there have been reports of mayors elected under the previous government removed for different reasons, including resignation, dismissal, termination of office due to amalgamation and replacement by appointed mayors.¹¹ Removal of mayors by government has been noted as possibly “problematic in respect of the Charter” in the last monitoring report of the Congress.¹² The appointment of acting mayors on the eve of elections, as well as sporadic cases in which candidates have been under criminal investigation or even in detention during electoral campaign has been put forward as a

7 The 36 communities are situated in Aragatsotn, Ararat, Armavir, Gegharkunik, Lori, Kotayk, Shirak, Vayots Dzor and Tavush provinces and the remaining two are Aragats and Metsadzor communities.

8 Articles 83 and 95 of the Electoral Code.

9 Article 104.1 para. 6 of the Electoral Code. E.g. communities with up to 1000 voters have a five-member council, while those with 300.000 (practically only Yerevan) have 65 councillors.

10 Article 18 of the Law on Local Self-Government lists all reasons for termination of mayors' mandate prior to expiration of the five-year term, which also include other, more objective, criteria such as termination of residence in the community or declaration of incapacity by court decision.

11 Appointment of acting mayors is governed by Article 27 of the Law on Local Self-Government.

12 Report [CPL\(2021\)40-02final](#), para. 151 in relation to Article 3.2 of the Charter.

matter of concern by representatives of the opposition and civil society, also during the preparatory meetings organised in the frame of the Congress election observation mission.

4. LEGAL FRAMEWORK AND ELECTORAL SYSTEM

16. After the 2015 Constitutional Reform, Armenia saw several changes to its electoral legislation. The Electoral Code adopted in 2016 was amended 12 times (in 2016, 2018, 2019, 2020 and 2021). The 2016 Law was positively assessed by the Venice Commission. The 2020 amendments brought about substantial changes to local elections - changing the electoral system from majoritarian to dominantly proportional as well as introducing the indirect election of mayors in local communities with more than 4.000 voters. Further, the electoral threshold was lowered from 6% for political parties and 8% for alliances to 4% and 6% respectively. The Venice Commission and ODIHR questioned the necessity of imposing thresholds for proportional elections at the local level, as well as the relevance of different thresholds for alliances and political parties.¹³

17. Further amendments were adopted in 2020, introducing a one-third gender quota for candidate lists in local elections and in 2021 (some of which will come into force only for the next elections), introducing a geographical quota to ensure even geographical representation in the amalgamated communities. As a result, lists had to include candidates from at least half of former, now amalgamated, communities to register for the 2021 elections. Calling and holding elections under martial law or state of emergency was also prohibited.

18. Depending on the population size of community, one of three voting methods is applied. In municipalities with less than 4.000 voters registered, voters received two ballots: one for mayor and one for city council. They used a pen to check their favourite candidate on the ballot. Candidates were presented in alphabetical order. In Gyumri and Vanadzor, vote was conducted in the same manner as in parliamentary elections. Voters received separate ballot papers for each political party in a random order and placed one in an envelope, which they dropped in the ballot box. Unused ballot papers were disposed of in the polling booth. This system was introduced to limit carousel voting. A third approach was introduced by the 2021 amendment. Municipalities where between 4.000 and 70.000 voters were registered distributed ballots in the polling stations with the names of all participating parties for voters to mark the candidate they vote for.

19. Proxy voting is prohibited and there are no special arrangements for voting by persons with disabilities (e.g. voting outside of the polling stations). Voting is possible only at polling stations and no additional measures were put in place to accommodate voting by persons infected by Covid-19.

5. ELECTION ADMINISTRATION

20. The election administration of Armenia is composed of three levels, headed by the Central Electoral Commission (CEC). The CEC is a permanent and professional seven-member body, elected by the Parliament or in exceptional cases, by the President of the Republic, upon pre-selection by a standing committee. Members must have higher legal education or extensive experience in lower-level commissions. It is primarily responsible for the conduct of elections on all levels and referenda. The current composition of the Commission was re-elected in 2016, for a six-year term and is composed of four men and three women. The CEC is also in charge of voter education and ensuring the accessibility of voting stations.

21. Territorial Election Commissions (TEC), constitute the second level of election administration and are also a permanent and professional body. Members are appointed unanimously by the CEC, after reviewing applications sent by all candidates. As for the members of the CEC, members of the TECs must have the right to vote, a legal education, no party affiliation and at least two members out of seven must be women. TECs are responsible for organising local elections, registering lists or single candidates, summarising the results, approving sample ballot papers, and providing materials and necessary supplies to Precinct Election Commissions (PEC). They supervise the work of PECs, handle complaints and review PEC decisions. They oversee recounts and tabulation of the results and can declare precinct results invalid. For the 2021 December local elections, 23 TECs were set up, consisting of 161 members.

¹³ Joint Urgent Opinion on Amendment to the Electoral Code and Related Legislation, para. 34, https://www.osce.org/files/f/documents/7/d/484355_1.pdf

22. Precinct Election Commissions (PEC) constitute the third level of election administration and are set up for each election, according to the number of registered voters (one precinct for 2.000 registered voters maximum). Two members are appointed by TECs and up to six members are nominated by political parties having a faction in the National Assembly. For the December local elections, 954 precinct commissions of eight members were set up, consisting of over 7.000 members. Training for new members was carried out in September and October 2021. PEC members are in charge of organising the voting in the polling station, summarising the voting results, and submitting to the relevant TEC these results, along with the seal, registration book, two copies of the protocol, the ballot box, and a disposable sack for elections related documents.

23. The CEC organised training, education and prepared awareness materials for lower electoral commission members and for the wider public on voting procedures. A new CEC website¹⁴ was put in place by the 2021 amendments.¹⁵ For the 2021 local elections, lists of candidates, names of Commission members and rules regarding campaigning (airtime on public channels, finances, electoral deposit) were published online. Furthermore, all CEC sessions were streamed and recorded to be later published on the website. The website also includes an e-learning platform.¹⁶ Still, Congress interlocutors mentioned low capacities at the level of precinct electoral commissions, as well as lack of knowledge of new procedures by political parties and PEC members alike.¹⁷

24. In terms of Covid-specific measures, the CEC issued instructions through the 23 TECs that sent to the PECs the necessary personal protection equipment (e.g. masks, disinfectants for hands and tools used in polling stations). Members of all commissions were instructed about preventive measures such as social distancing, organisation of queues to minimise the number of people in the polling station and likelihood of infection. Accredited PEC members which have tested positive before the Election Day were immediately replaced.

6. VOTER REGISTRATION

25. The Register of Voters is a permanently maintained database. Registration is passive in Armenia. Citizens of Armenia aged over 18 on Election Day and registered in the Population Register of the community where the elections are held for a period of at least six months before Election Day have the right to vote and to be elected.¹⁸ Citizens that have committed grave offences are not allowed to vote.

26. Preliminary lists of voters are published online 40 days and final lists seven days before the vote.¹⁹ PEC Chairpersons must display preliminary lists as soon as published and final lists from two-days prior to seven days after the vote. Voters can request modifications of personal information or correct inaccuracies all year long as the CEC gathers every six months to review the Register and until 14 days prior to the vote. For the 5 December elections, 1.128.170 voters were registered.

27. Supplementary voter lists are drawn up for voters not included in the regular voters list (e.g. persons in hospitals). These voters can present themselves to a polling station on Election Day and submit a statement of information or a civil act of a court to be included in a supplementary voter list. Each page of the supplementary voters list drawn up by a PEC is to be signed and sealed by the PEC Chairperson. At closing, the PEC Chairperson indicates the total number of voters included in the supplementary voter list.

28. As in previously observed elections, the main challenge remains in the fact that many Armenians registered to vote reside temporarily or permanently abroad. In the past, this was used for identity fraud. Some Congress interlocutors also reported that this was an issue during the current local elections as it distorted the voter turnout.

¹⁴ <https://www.elections.am>

¹⁵ Article 8 of the Electoral Code governing publicity of elections.

¹⁶ <https://elearning.elections.am>

¹⁷ Further in part 10.

¹⁸ Article 2 of the Electoral Code also provides the right to vote to Armenian citizens which were not registered at least six months before Election Day due to fixed-term military service or for imprisonment from serving punishment as well as for "voters not holding citizenship" but registered as permanent resident for at least one year before the Election Day.

¹⁹ www.police.am

7. CANDIDATE REGISTRATION

29. The Electoral Code sets the same conditions on the active and passive suffrage in local elections, but expressly excludes bearers of certain public functions from being elected mayors or local councillors.²⁰ Registration for the December 2021 local elections was open until 31 October.

30. The candidate nomination process differs in the majoritarian and proportional system. In communities with majority elections, candidates for mayors and community councillors can be nominated by parties, by groups of voters or be self-nominated. A candidacy can be rejected or declared invalid, by a two-third majority of the TEC, only if the candidate does not have the right to be elected or documents submitted are incomplete or falsified. Candidates can appeal against these decisions before the administrative courts. For the December local elections, the registration of one party was rejected and the registration of one party was declared invalid.²¹

31. In proportional elections, nomination is reserved for political parties and their alliances. Parties can include up to 40% of non-affiliated candidates in their lists, but non-party candidates cannot create their own independent lists. Besides relevant documentation, parties and alliances submit to the TEC a proof of payment of an electoral deposit, which varies according to the size of the electorate in a constituency of running. Candidacies are reviewed by TECs. Candidates can be individually refused, following the same process as for the majoritarian system, or the list can be rejected as a whole. Possible appeals to administrative courts are available.

32. A total of 132 parties and party alliances were registered for the December local elections and included a total of 4.190 candidates.²² Even though the shift to proportional elections was meant to incite more political participation and more competition,²³ in practice alliances were formed on personal and not on programmatic basis and this was visible during the election campaign. In most communities, though, more competition was perceived, as more than one list registered, than in elections previously monitored by the Congress.

33. Legislation introduced a gender and a geographical quota. Even though the 30% gender quota was respected overall at registration stage, the Congress interlocutors noted that women did not have a real presence during the election campaign, especially as so few women headed lists, and that the political field is still largely dominated by men. There are many instances of self-resignation by women after registration or after the election, when they are replaced by men, in which case the Electoral Code envisages that the representation of women cannot drop below 25%.²⁴

8. OBSERVERS

34. The Electoral Code²⁵ allows for election observation by international organisations, consular or diplomatic representations and foreign election management bodies upon invitation by relevant state authorities. Armenian citizens cannot be part of international and foreign organisations' observation missions. All observers must accept a code of conduct. Media representatives can also request accreditation to follow the voting process. Nine local NGOs were accredited to observe the December local elections and 25 media outlets were accredited to cover Election Day.²⁶

35. Political parties running in elections can appoint one proxy per list for the purpose of protecting their interests in polling stations. Only persons having the right of suffrage may act as proxies. Congress interlocutors highlighted that political parties were not acquainted enough with the procedure of appointment of their proxies which caused confusion on the Election Day in some polling stations, as

20 Article 107 para. 2 of the Electoral Code excludes judges, prosecutors, officers of the Judicial Acts Compulsory Enforcement Service, police, national security, rescue, tax, customs bodies, penitentiary service, probation service, rescue service, servicemen, members of electoral commissions, as well as persons holding autonomous positions in the Investigative Committee and Special Investigation Service.

21 https://www-elections-am.translate.goog/News/Item/604? x_tr_sl=auto& x_tr_tl=en& x_tr_hl=sr

22 *Ibid.*

23 Out of 36 communities with proportional elections, in 27 there were three or more lists, in 8 of them they were two list and only in one (Armavir) there was only one registered list. In Vanadzor, one of the two big cities in which elections were held, ten lists competed in the election.

24 Article 100 para. 3 of the Electoral Code.

25 Article 30 of the Electoral Code.

26 https://www-elections-am.translate.goog/News/Item/604? x_tr_sl=auto& x_tr_tl=en& x_tr_hl=sr

they often appointed two proxies, following the rule for parliamentary elections, while only one representative was allowed for local elections.

36. Accredited observers and proxies can be present in polling stations, without intervening, to get acquainted with election-related documents, appeal the decisions and submit observations to the PEC Chairperson. None of them can be removed from the polling station, except if they hinder or stop the vote. The Electoral Code also envisages the presence of video cameras in the polling stations.²⁷

9. CAMPAIGN ENVIRONMENT AND THE MEDIA

37. All aspects of the electoral campaign are regulated by the Electoral Code. The campaign starts seven days after the end of the period for registration of voters and runs until one day before the Election Day, when the official period of election silence starts. As in previous elections, the Congress interlocutors reported that the election silence was not always respected.

38. The campaign was marked by a widespread misuse of administrative resources, which is seen as one of the major issues for Armenian elections. However, Congress interlocutors confirmed that unlike the period before 2018, when administrative resources have been largely used to intimidate voters, in the 2021 local elections it seemed to be used mainly as a public-relations or a campaign tool. It was also noted that it was used both by central government and by incumbent local authorities, often not affiliated with the Civil Contract party. In the case of central authorities, this involved, for instance, granting of subsidies and development projects to be implemented by the government. In the case of local authorities, this mostly involved different forms of preferential distribution of social assistance. Another form of misuse of administrative resources was connected to renting of small-size banners (which are not covered by electoral legislation) as a tool for campaigning. Finally, active engagement of government officials, regional governors as well as staff of municipal government in the campaign was also registered during long-term observations conducted by some domestic observers.

39. In terms of campaign financing, although regulated by electoral legislation, all Congress interlocutors noted that the legislation is not detailed enough, thus allowing for its bypassing in local elections. Lack of initiative, resources and training leads to weak oversight and lacking preventive mechanisms on campaign finances and reporting expenditures (including staff costs). TECs, which are primarily in charge of monitoring, were mainly reactive and received no additional training by the CEC on that matter. Personal and party contributions are capped to varying levels depending on the community's size. For proportional local elections, campaign expenses are limited to 30.000-fold of the minimum salary for communities over 25.000 voters registered, and 20.000-fold of the minimum salary for communities under 25.000 registered voters. For communities using the majoritarian system, campaign expenses are limited to 3.000-fold the minimum salary.

40. During this election, the state TV was obliged to organise TV debates for elections in larger local communities (with over 70.000 voters), Vanadzor and Artashat, which is a very positive development. However, it was noted by Congress interlocutors that not all parties and lists took part in the debates and that no women candidates took part in them. Indeed, only two lists were represented during the Artashat televised debate. Parties and alliances also used, to a large extent, the internet and social media for campaigning.

41. Campaigning was largely focused on personalities of the candidates and not on programmatic issues. The Congress interlocutors underlined that the geographical quota led to a political campaign focusing on geographical identity and relations, rather than on programmes and policy. Due to the recent large-scale military hostilities in Nagorno-Karabakh and still existing tensions, security issues were naturally present in the public debate. The impression is also that Covid-19 was not recognised as a major issue during the campaign. Overall, Congress interlocutors mentioned a competitive but low-profile campaign. Only few candidates presented a clear programme and campaigned on local issues or along party lines. The campaign revealed that political parties are often not well-implanted regionally, due to the lack of competitiveness of previous local elections, and the concentration of powers in Yerevan. Furthermore, some Congress interlocutors expressed worries regarding party endorsement

²⁷ In earlier observation reports, presence of video cameras and live streaming on CEC website was seen as a tool to prevent electoral fraud, notably multiple voting. Information report on the elections to the Council of Elders of the City of Yerevan, Armenia (14 May 2017), [CPL33\(2017\)04](#).

and accountability of candidates. In many instances, especially when the list was named after the Head of the list, party endorsed local notables without going through a thorough internal selection process.

10. ELECTION DAY

42. According to Congress interlocutors, who conducted election observations on the ground, Election Day was calm, overall professionally managed and transparent. No major and systematic problems were witnessed. Their general impression was that this election was not so different from the previous two rounds, held in October and November 2021.²⁸

43. However, isolated cases of irregularities noted by observers included instances of group or family voting, disclosing ballots by voters or violation of the secrecy of the ballot, overcrowding outside the polling station, presence of non-authorized persons in the polling station, campaign material found around some polling stations. These incidents were either solved or limited locally. The impression of a coalition of domestic observers, which the Congress delegation met remotely on 8 December 2021, is that the multiple ballots method successfully prevented carousel voting.

44. The main issues identified by domestic observers concerned the low level of knowledge of electoral regulations by PEC members, which led to misinterpretations, as well as lack of understanding of electoral procedures on the part of political parties. In some instances, the PEC members failed to properly present voting procedures to voters or to record violations in the register. On the side of the parties, a common misconception was that they were allowed two proxies per polling station (as is the case in parliamentary elections), while in fact only one is allowed in local elections.

45. The coalition of domestic observers also noted very few instances of carousel voting, violent acts or vote buying. In those instances, they mentioned to the Congress delegation that they believed those to be personal initiatives. It contrasted with previous elections where the ruling party allegedly gave instructions to its members which led to much more widespread abuses.

11. ELECTION RESULTS

46. According to the CEC, the overall turnout of the election was 42.48%. The highest turnout was in Tumanyan community in the Lori region, where it was 69.78%, while the lowest was in the city of Armavir, where only 20.73% of voters went out to vote, but where only one list had registered. However, it has to be noted that the reliability regarding voter turnout remains weak in Armenia as many registered voters live permanently or temporarily abroad or in another region. As such, it is challenging to estimate the real voter turnout.

47. Two incumbent female candidates were elected mayors in Vagharshapat and Amasia. 232 women were elected members of the Community councils which constitutes a remarkable increase (from 8 to 30%)²⁹, largely due to the introduction of the proportional system at the local level and application of the one third gender quota.

48. The ruling Civil Contract Party won the most votes in 27 of the 38 local communities in which elections were held on 5 December but it did not always secure leadership over the community councils as coalitions of other parties sometimes prevailed. In the 20 communities where electoral races had only two or three contending lists, all lists received seats, even if they did not reach the 4% threshold. This was due to the fact that the Electoral Code states that three political forces need to be represented in councils to increase debate and participation.

49. The CEC also announced that 67 applications for a recount were received in six TECs. On the other hand, there were no complaints to invalidate the voting results in any of the polling stations.³⁰ Recounts were organised in the week following the elections and results were widely accepted.

28 Statement of "Independent Observer" on local elections on December 5, 2021, <https://hcav.am/en/ankah-ditord-final-dec-5-local/>

29 For the full results, please see: <https://womennet.am/tim-5-dec-result/>

30 <https://www.elections.am/News/Item/605>

50. As a result of lacking agreement among elected council members on the formation of the ruling majority in the enlarged municipality of Vedi, members of the council resigned and new elections will be held on 27 March 2022.

12. CONCLUSIONS AND PROPOSITIONS

51. The recent territorial and electoral reforms undertaken in Armenia represented a major shift in electoral procedures at the local level. Adding the fact that the elections were held in the midst of the Covid-19 pandemic and an ongoing Nagorno-Karabakh conflict, the 2021 local elections proved to be a major challenge for election administration, political parties, candidates and voters alike.

52. Compared to previously observed elections in Armenia, the Congress welcomes positive developments, mainly in terms of reducing the risks of specific forms of electoral fraud, such as vote buying, carousel voting or assisted and family voting. According to Congress interlocutors, voters expressed their opinions freely at polls, although the challenge of educating voters on the significance of elections, as well as on the complex voting procedures remained acute. The Election Day unfolded without major problems and the irregularities noticed by domestic observers were reportedly not of such magnitude to influence the overall outcome of the election. Basic anti-Covid measures were implemented and overwhelmingly respected by voters and electoral administration members.

53. There was overall agreement during the remote meetings organised by the Congress, that the intended aim of the proportional system to strengthen political organisations and intensify their activities on the local level is an ambitious one and cannot be achieved in one cycle of local elections. The fact that elections were held very shortly after the end of the territorial amalgamation process and that the electoral legislation was not allowed enough time to consolidate played a role in this context.

54. In addition, the complex voting procedures and differing designs of ballots depending on the electoral race at hand proved to be overly complicated for voters and therefore the procedures should be simplified and a uniform design of ballots should be introduced, well in advance of next elections.

55. The introduction of the gender quota at the local level is a positive step and a development welcomed by the Congress delegation. However, further efforts should be made for women to become real actors both in the political arena and in holding local elected functions and to increase the number of women mayors. Additional mechanisms should be put in place to prevent the circumvention of legal obligations regarding the gender quota.

56. Most polling stations were not yet fully accessible for persons with disabilities in order to exercise their right to vote. Initiatives towards improving this situation were undertaken during the 2021 local elections and will hopefully be fully implemented before the next local elections.

57. Short timeframes in the application of the territorial and electoral reforms contributed to confusion for voters and political actors who had little time to familiarise themselves with the changes and new procedures. Therefore, in order to strengthen the stability of electoral legislation, no further changes to the legal framework should be adopted too close to elections in line with the Venice Commission Code of Good Practice in Electoral Matters.

58. Further efforts should be put, early enough before the next local elections, into improving the legislative framework for financing of the electoral campaign and its monitoring and oversight.

APPENDIX

REMOTE ELECTION OBSERVATION MISSION
5 December 2021 – Partial Local Elections in Armenia
Final programme
Online meetings, 2-3 December 2021

Thursday 2 December 2021

- 09:50 – 10:05 Briefing for the Delegation
- **Ms Renate ZIKMUND**, Head of the Department of Statutory Activities, External Relations and Co-operation
- 10:15 – 11:00 Briefing with representatives of the international community in Yerevan
- European Union, **Ms Maria PAPAMICHAIL**, Political Officer
 - United States, **Mr Charles ZAKHEM**, Associate of Political, Economic Section
- 11:10 – 12:30 Meeting with the President of the Central Election Commission of Armenia,
Mr. Tigran MUKUCHYAN
- Lunch break
- 14:00 – 14:45 Meeting with Deputy-Minister of Territorial Administration and Development,
H.E. Mr Vache TERTERYAN
- 14:50 – 15:30 Meeting with the President of the Communities Association of Armenia (CAA)
Mr. Emin YERITSYAN
- 15:35 – 16:30 Briefing with Ms **Ani DALLAKYAN** and **Ms Gayane SIMONYAN**, Senior Project Officers, Council of Europe Office in Yerevan

Friday 3 December 2021

- 09:50 – 10:05 Briefing for the Delegation
- **Ms Renate ZIKMUND**, Head of the Department of Statutory Activities, External Relations and Co-operation
- 10:15– 11:15 Briefing with representatives of domestic election observers and local NGOs
- Transparency International Armenia, **Ms Sona AYVAZYAN**, Executive Director
 - Helsinki Citizens' Assembly, **Mr Arthur SAKUNTS**, President and **Ms Vardine GREGORYAN**, Coordinator
 - Union of Informed Citizens, **Mr Daniel IOANNISYAN**, Programme Director
- 11:25– 12:30 Briefing with representatives of the international election observers in Yerevan
- International Foundation for Electoral Systems (IFES), **Mr Aghasi YESAYAN**, Senior Elections Specialist
 - National Democratic Institute, **Ms Laura NICHOLS**, Resident Senior Director and **Mr Hovhannes HARUTYUNYAN**, Project Manager
 - International Republican Institute (IRI), **Mr James De Witt**, Regional Director and **Ms Anna NAGHDALYAN**, Programme Officer
- Lunch break

- 14:00 – 15:00 Briefing with representatives of the media
- **Mr Narek KIRAKOSYAN**, Factor.am
 - **Ms Tatevik HARUTYUNYAN**, Aravot.am
 - **Ms Sara PETROSYAN**, Hetq
- 15:10 – 16:10 Meeting with representatives of candidates' lists running for the 5 December 2021 Elections
- **Karen ARSHAKYAN**, Akhuryan Community, Victory Alliance (#1)
 - **Grigor PETROSYAN**, Amasia Community, Civil Contract Party (#2)
 - **Arkadiy KARAPETYAN**, Aparan Community, "Karen Yeghiazaryan" alliance (#4)
 - **Samvel EGNATOSYAN**, Amasia Community, Arpi-Amasia Alliance (#30)
 - **Mariam STAMBOLTSYAN**, Akhuryan Community, Akhuryan Alliance (#37)
- 16:15 – 16:30 Debriefing

Thursday 9 December 2021

- 09:00 – 10:00 Debriefing with domestic and international observers
Bluejeans
- Helsinki Citizens' Assembly, **Mr Arthur SAKUNTS**, President and **Ms Vardine GREGORYAN**, Coordinator
 - International Foundation for Electoral Systems (IFES), **Mr Aghasi YESAYAN**, Senior Elections Specialist
 - European Union, **Ms Maria PAPAMICHAIL**, Political Officer
 - United States, **Mr Charles ZAKHEM**, Associate of Political, Economic Section

Delegation

Members of Congress/Representatives of the Congress on the Council for Democratic Elections/Venice Commission

Mr Stewart DICKSON, United-Kingdom (R, ILDG), Rapporteur
Ms Gunn Marit HELGESEN, Norway (R, EPP/CCE)
Mr Vladimir PREBILIC, Slovenia (L, SOC/V/PD)
Ms Carla DEJONGHE, Belgium (R, ILDG)

Expert

Ms Jelena JERINIC, member of the Group of Independent Experts on the European Charter of Local Self-government (GIE)

Congress Secretariat

Ms Renate ZIKMUND, Head of the Department of Statutory Activities, External Relations and Co-operation
Mr Adam DRNOVSKY, Election observation Officer
Ms Mathilde GIRARDI, Election observation Officer
Ms Martine ROUDOLFF, Assistant, Local and Regional Election Observation