

THE CONGRESS OF LOCAL AND REGIONAL AUTHORITIES

Recommendation 277 (2009)¹ First municipal elections in Yerevan, Armenia (31 May 2009)

1. The Congress of Local and Regional Authorities of the Council of Europe refers to:

a. the Committee of Ministers' Statutory Resolution (2000)¹ relating to the Congress of Local and Regional Authorities of Europe;

b. the principles laid down in the European Charter of Local Self-Government (ETS No. 122) which was ratified by Armenia on 25 January 2002 and entered into force in that country on 1 May 2002;

c. Resolution 167 (2003) on local democracy in Armenia adopted by the Standing Committee of the Congress on 26 November 2003;

d. previous reports on the elections observed in Armenia as well as Recommendation 255 (2008) on the local elections in Armenia (observed on 28 September 2008).

2. The Congress underlines its role in the observation of local and regional elections.

3. The Congress is satisfied with the positive developments in local democracy that have occurred in Armenia since the adoption of Recommendation 255 (2008), in particular with the fact that – as was requested by the Congress – the Mayor of Yerevan, previously appointed by the President of Armenia, has been elected for the first time in conformity with Article 3 of the European Charter of Local Self-Government.

4. Also, the Congress notes that the overall organisation of the elections on 31 May 2009 has been broadly carried out in compliance with the general principles of the Council of Europe, as well as European and international principles for democratic elections.

5. In the same context, the Congress welcomes the steps undertaken by the Armenian authorities towards overcoming the political divergence created after the presidential elections of 2008.

6. Nevertheless, the Congress regrets to note that:

a. in general, the delegation had the impression that there was a lack of trust amongst the Armenian public with regard to the electoral processes;

b. in addition, a number of interlocutors with whom the delegation met believed that there was a general feeling of frustration and indifference vis-à-vis the election result which was considered as “predetermined”;

c. generally speaking, the electoral campaign was marked by the absence of a normal competitive climate between political parties, there were few or no visual signs of an ongoing campaign, there was hardly any recognisable difference regarding programmes and policies of the candidates and there was a scarcity of concrete city projects suggested;

d. regardless of previous assertions, relatively few female candidates stood for election.

7. Concerning the media, the Congress notes that there were still difficulties in accessing broadcasting time on public television because of material restrictions and very expensive airtime. With regard to television – the most important source of information in Armenia – the lack of television pluralism remains a point of concern, as it constitutes a constraint for the development of democratic awareness amongst citizens.

8. The Congress considers that the presence of domestic observers and candidates' representatives is a positive signal for the transparency of the electoral process, although too many people without a clear role were lingering inside and outside of some of the polling stations, thus disrupting the voting and vote counting. There was also a police presence in some polling stations or nearby.

9. The Congress is worried about the fact that the meetings with political actors, the international community, local civil society and media representatives have shown that many still have doubts about the electoral process. This was presented as “fair and transparent” by the government and by the authorities, despite the claims of extensive irregularities put forward by the opposition and by different observers.

10. The Congress also takes note that a large number of polling stations remain inaccessible to people with disabilities and present difficulties of access for the elderly. Also, some polling stations were poorly adapted to hosting a large number of people.

11. With regard to future elections, the Congress invites all Armenian political parties to engage in competitive election campaigns and to draw up political programmes and policies to stimulate active civil society involvement and the participation of citizens. After elections, representatives of the opposition should also play their democratic role in the respective bodies (for example, the Yerevan City Council).

12. Taking into account the previous comments, the Congress invites the Armenian authorities to take all the necessary steps to:

a. continue the reform process so as to lead to fair, transparent and genuinely democratic elections, notably by a critical review of the composition and the working methods at all electoral commission levels, by introducing effective fraud prevention measures (for example, the inking of voters' fingers) and a transparent post-electoral analysis of violations;

b. enhance the development of competitive election programmes and policies by an increase of active civil society involvement and the strengthening of the role of the opposition;

c. improve media pluralism, notably concerning television and, in particular, ensure execution of the judgment of the European Court of Human Rights in the case of *Meltex Ltd and Mesrop Movseya v. Armenia* currently under the supervision of the Committee of Ministers;

d. map out an inclusive strategy – involving further legislative reforms, as well as awareness-raising campaigns promoting “clean elections” – to fight political corruption and make elections more transparent;

e. promote the participation of women in political life and support their participation as candidates in local elections;

f. clearly define the role of domestic observers by introducing measures to strictly specify the persons authorised to be present during voting and counting procedures;

g. make efforts with regard to the further improvement of access to and the equipment of polling stations, as well as the handling of the ballots.

13. Furthermore, the Congress declares its willingness to support and assist the Armenian authorities in their efforts to implement the above recommendations with a view to the

tangible consolidation of local democracy in the country, in accordance with Armenia’s commitments under the European Charter of Local Self-Government.

14. The Congress asks the Committee of Ministers to take note of the present recommendation and its explanatory memorandum, and to transmit it to the relevant bodies in the intergovernmental sector of the Council of Europe, to the European Commission for Democracy through Law (Venice Commission), the Directorate General of Democracy and Political Affairs, the Group of States against Corruption (GRECO) and the Commissioner for Human Rights.

15. The Congress invites the Parliamentary Assembly of the Council of Europe to take account of the above recommendations in its procedures for monitoring Armenia’s commitments and undertakings.

1. Debated and approved by the Chamber of Local Authorities on 15 October 2009 and adopted by the Congress on 15 October 2009, 3rd Sitting (see Document CPL(17)5, explanatory memorandum presented by N. Mermagen, United Kingdom (L, ILDG), rapporteur).