

THE CONGRESS OF LOCAL AND REGIONAL AUTHORITIES

Recommendation 255 (2008)¹ Local elections in Armenia (observed on 28 September 2008)

The Congress,

1. Refers to:

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

b. the principles laid down in the European Charter of Local Self-Government which was ratified by Armenia on 25 January 2002 and entered into force in the 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. its report on the local elections held in Armenia on 25 September and 16 October 2005 (rapporteur: Sean O'Brien (Ireland, L)) adopted by the Standing Committee of the Congress on 9 November 2005.

2. Underlines its role in the observation of elections, in particular local and regional elections.

3. Is satisfied with the principle of a bill concerning the municipality of Yerevan given its first reading by the Armenian Parliament, under which the mayor would no longer be appointed or dismissed by the president of the republic, as provided for in the current legislation, but would be elected by the municipal councillors. The Congress requests the conformity of this bill with the various opinions expressed by the Council of Europe and the vote of this bill as soon as possible and for it to enter into force at the latest by December 2009.

4. Nevertheless notes:

a. that the tensions caused by the tragic events of March 2008 persist and were detrimental to the atmosphere required for local elections to proceed normally. In particular, uncertainty remains about the number and fate of the persons still imprisoned following the events. Moreover, the incidents which occurred during the local elections on 7 September kept up the tense atmosphere;

b. that the successive holding of several local by-elections to fill municipal councillors' and community chiefs' seats caused confusion and a lack of interest among voters, thereby undermining active public participation in the construction of the democratic process. Moreover, the local

elections in four districts of the city seemed to have no real significance insofar as fresh elections for the municipality of Yerevan will have to be held in a year under the legislation currently being considered;

c. that, as a rule, the lack of transparency and the tensions noted or reported in some polling stations undermined the continuing development of local democracy in Armenia;

d. that, in the districts where there were local council elections, the low turn-out demonstrated low voter interest in the management of local government. On the other hand, in areas where the political stakes were perceived to be high, irregularities, frequently reported tensions in polling stations and unusually high turn-out gave the impression that much remains to be done to consolidate democratic culture at local level;

e. that some cases of influence/intimidation were reported and that the delegation itself observed a lack of transparency in both voting and counting procedures;

f. that the accounts given during meetings with local players from civil society and politics showed that access by the opposition to the televised media remains very limited, in particular as regards opposition candidates' ability to present their policies. The delegation also noted that candidates from the ruling coalition parties were much better represented in terms of public posters;

g. that, although there are enough women in electoral commissions, their representation in terms of candidatures, electable positions and district council seats, remains very limited;

h. that the action to be taken on complaints lodged by candidates is left to the sole discretion of polling station chairs and that doubts therefore exist regarding the effectiveness of the disputes procedure and its application;

i. that, while the delegation regarded the presence of large numbers of local observers and representatives of candidates as a positive sign for the transparency of the election, the presence of too many individuals with poorly defined roles in some polling stations during polling and counting was not conducive to a calm process of voting.

5. Invites the Armenian authorities to take all the necessary steps to implement the following recommendations:

a. hold future local elections on a single day throughout the country;

b. enforce the future law on the municipality of Yerevan, in conformity with the various opinions expressed by the Council of Europe, by holding elections within the time limit provided for under the 2005 constitutional reform, namely by December 2009 at the latest;

c. make sure that all political parties have equal access in practice to the media and that the public receive full and objective information about the various political options on offer during elections and referendums;

d. substantially expand the participation of women and young people in the electoral process so as to boost their representation among candidates and in municipal councils;

e. improve the material organisation of polling stations, in particular by facilitating access for the elderly and persons with disabilities;

f. clearly define the role and the identification of local observers and representatives of political parties or candidates on polling day in polling stations;

g. review the procedure concerning electoral disputes, in particular the rules on lodging complaints, so that all candidates are able to assert their rights.

6. Moreover, 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.

7. 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, the Venice Commission, the Directorate General of Democracy and Political Affairs and the Commissioner for Human Rights.

8. Invites the Parliamentary Assembly of the Council of Europe to take account of the above recommendations in its procedure for monitoring Armenian's commitments and undertakings.

1. Debated and adopted by the Standing Committee of the Congress on 3 December 2008 (see Document CG(15)33REC, draft recommendation presented by P. Rondelli (San Marino, L, SOC), rapporteur).