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Election of the members of the Avagani (Assembly of Aldermen) of the City of Yerevan, Armenia (5 May 2013)

Rapporteur: Stewart DICKSON, United Kingdom (L, ILDG¹)

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Summary

Upon invitation by the Prime Minister of the Republic of Armenia of 20 March 2013, the Congress appointed a delegation to observe the elections for the Assembly of Aldermen (Avagani) of the City of Yerevan, deploying six teams to more than 100 polling stations throughout the city on 5 May 2013. The Committee of the Regions of the European Union accepted the Congress's invitation to join the delegation, sending three members.

With the exception of individual incidents in a few polling stations, the Congress delegation assessed the elections as technically well-prepared, in keeping with international standards, and carried out in a calm and orderly manner. In pursuance of the Congress's recommendations, with the new Electoral Code of Armenia, the authorities undertook a positive shift from a partisan to a non-partisan model at the level of the Central Election Commission and the Constituency Electoral Commissions. The composition of the Precinct Election Commissions ensured better opportunities for the contestants to scrutinise each other. More generally speaking, the Congress delegation recognised some progress in respect of the strengthening of the system of checks and balances and with regard to media freedom and anti-corruption measures.

The question of citizens who no longer live in Yerevan but remain on the population register and thus on the voters' lists is an issue which needs to be examined to avoid potential misuse. The Congress delegation was informed by interlocutors about pressure exerted on public service employees to vote in a certain way and heard allegations of vote-buying. These issues should be addressed by the Armenian authorities in order to avoid a loss of confidence of citizens in the electoral system.

¹ L: Chamber of Local Authorities / R: Chamber of Regions
EPP/CCE: European People's Party Group in the Congress
SOC: Socialist Group
ILDG: Independent Liberal and Democratic Group
ECR: European Conservatives and Reformists Group
NR: Not registered

Election of the members of the Avagani (Assembly of Aldermen) of the City of Yerevan, Armenia (5 May 2013)

RESOLUTION 359 (2013)²

1. Following an invitation by the Prime Minister of the Republic of Armenia, the Congress decided to observe the elections of members of the Avagani (Assembly) of the City of Yerevan held on 5 May 2013. Stewart DICKSON (United Kingdom, L, ILDG) was appointed Head of Delegation and Rapporteur.

2. The Congress of Local and Regional Authorities recalls that Armenia became a member state of the Council of Europe on 25 January 2001 and ratified the European Charter of Local Self-Government (CETS No. 122) on 25 January 2002.

3. The Congress refers to its Report CPL(10)8 Part II³ and its Recommendation 140(2003)⁴ on local democracy in Armenia as well as to its Recommendations 277 (2009)⁵ on the first Municipal elections in Yerevan (observed on 31 May 2009) and 338 (2013)⁶ on Local by-elections in Armenia (observed on 9 and 23 September 2012) and recognises the reforms undertaken by the country in respect of strengthening local democracy since then, in conformity with the requirements of the European Charter of Local Self-Government (CETS No. 122) which was ratified by Armenia on 25 January 2002, and entered into force on 1 May 2002.

4. In particular, it observes with satisfaction that a few of the recommendations made by the Congress on the observation of local by-elections in Armenia on 9 and 23 September 2012 have already been taken into account for the elections held on 5 May 2013.

5. The Congress reiterates its conviction that free and fair elections, at national but also at territorial level, constitute an integral part of democratic processes in Council of Europe member states and refers to the Explanatory Memorandum and the draft Recommendation regarding the findings of the Congress delegation which observed the Yerevan elections on 5 May 2013.

6. Given the above, and in conformity with its Resolutions 306 (2010)REV⁷ on the strategy and rules for the observation of local and regional elections, Resolution 353 (2013)REV⁸ on Congress post-monitoring and post-observation of elections as well as the Code of Good Practice in Electoral Matters (2002) of the Council of Europe Venice Commission, and the Declaration of Principles for International Election Observation (2004), the Congress:

a. asks its Monitoring Committee to take note of the above-mentioned draft Recommendation and to take it into account in the framework of its mission to assess the progress made by the country in honouring its commitments to the European Charter of Local Self-Government;

b. expresses its will to participate in activities aimed at strengthening electoral processes and improving the situation of local and regional democracy in Armenia in the framework of the existing post-election observation dialogue of the Congress, in association with other relevant departments of the Council of Europe.

² Debated and approved by the Chamber of Local Authorities on 30 October 2013, and adopted by the Congress on 31 October 2013, 3rd sitting (see Document [CPL\(25\)3PROV](#), explanatory memorandum, presented by Stewart DICKSON, United Kingdom (R, ILDG), rapporteur).

³ Local democracy in Armenia [CPL\(10\)8 Part II](#), Rapporteur: Christopher NEWBURY, United Kingdom (L, EPP/CCE)

⁴ Local democracy in Armenia, [REC 140\(2003\)](#), Rapporteur : Christopher NEWBURY, United Kingdom (L, EPP/CCE)

⁵ First Municipal Elections of Yerevan, Armenia (31 May 2009), [REC 277\(2009\)](#).

⁶ Local by-elections in Armenia (9 and 23 September 2012), [REC 338\(2013\)](#).

⁷ Observation of local and regional elections – strategy and rules of the Congress, [RES 306\(2010\)REV](#).

⁸ Congress post-monitoring and post-observation of elections: developing political dialogue, [RES 353\(2013\)REV](#).

Election of the members of the Avagani (Assembly of Aldermen) of the City of Yerevan, Armenia (5 May 2013)

RECOMMENDATION 344 (2013)⁹

1. Following an invitation by the Prime Minister of the Republic of Armenia, the Congress decided to observe the elections of members of Avagani (Assembly) of the City of Yerevan held on 5 May 2013. Stewart DICKSON (United Kingdom, L, ILDG) was appointed Head of Delegation and Rapporteur.

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

a. the Statutory Resolution relating to the Congress of Local and Regional Authorities of the Council of Europe (CM/Res(2011)2)¹⁰ adopted by the Committee of Ministers of the Council of Europe on 19 January 2011 and, in particular, its Article 2 paragraph 4 on the Congress' role in the observation of local and regional elections;

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

3. The Congress points to the importance of genuinely democratic elections and to its specific mandate and role in the observation of local and regional elections in Council of Europe member states.

4. It stresses that the Congress observes elections only upon invitation by the countries themselves. Similar to the monitoring process of the European Charter of Local Self-Government, election observation missions are conceived as activities carried out in dialogue with the respective authorities.

5. In conformity with its Resolution 306 (2010)¹¹ on rules for observing local and regional elections, the Congress underlines the importance of this statutory activity and its complementarity to the political monitoring of the situation of local and regional democracy in Council of Europe member states.

6. The Congress notes with satisfaction that:

a. the elections of members of Avagani (Assembly) of the City of Yerevan held on 5 May 2013 were, in general, technically well-prepared, conducted in an orderly manner and organised in accordance with the standards for democratic elections developed by the Council of Europe and other international institutions;

b. following the recommendations made by the Congress in 2009 (Recommendation 277 (2009)¹²), progress was made, in particular with regard to a shift from a partisan to a non-partisan model at the level of the Central Election Commission and the Constituency Electoral Commissions, ensured by the new Electoral Code; also the composition of Precinct Election Commissions ensured better opportunities for the contesters to scrutinise each other;

⁹ Debated and approved by the Chamber of Local Authorities on 30 October 2013, and adopted by the Congress on 31 October 2013, 3rd sitting (see Document [CPL\(25\)3PROV](#), explanatory memorandum, presented by Stewart DICKSON, United Kingdom (R, ILDG), rapporteur).

¹⁰ Statutory Resolution [CM/Res\(2011\)2](#).

¹¹ Observation of local and regional elections – strategy and rules of the Congress, [RES 306\(2010\)](#).

¹² First Municipal Elections of Yerevan, Armenia (31 May 2009), [REC 277\(2009\)](#).

c. further to Congress Recommendation 338 (2012) which suggested limiting the number of people present in polling stations, there was more control in polling stations thanks to the provision that only 15 voters were allowed to enter at the same time and the clarification on providing assistance to voters in polling stations proved to be positive on Election Day;

d. on the whole, there was some progress concerning the strengthening of the system of checks and balances and with regard to media freedom and anti-corruption measures.

7. At the same time, the Congress has identified issues to be addressed which include:

a. the question of voter registration - concerning those citizens who no longer live in Yerevan but have stayed on the State Population Register and thus on the voters' lists - and possible misuse of voting rights in this respect;

b. the cameras present in each polling station and the practice of extensive filming by different stakeholders as well as the extensive number of domestic observers present in polling stations;

c. the use of mobile phones in polling stations, in particular during the vote count;

d. the reports received by the delegation about pressure exerted on public service employees to vote in a certain way and to persuade other voters, as well as the recurring issue of vote-buying.

8. Taking into account the previous comments, the Congress invites the authorities of Armenia to take the necessary steps:

a. to make the Electoral Code more specific as to the habitual or main place of permanent residence, in order that residence – in addition to registration – be a condition for voting rights at local level, since local issues should be decided by the electorate actually living in a specific community;

b. to change the provision in the Electoral Code concerning the rights of domestic observers, proxies and media representatives with regard to photographing and videotaping in polling stations, in order to discontinue extensive filming on Election Day which could create mistrust among voters about overly-controlled electoral processes;

c. to introduce a provision to limit the use of mobile phones in polling stations, in particular during the vote count in order to avoid practices obstructing electoral processes.

9. In accordance with international standards for free and fair elections which engage states to take action to combat any kind of electoral fraud,¹³ the Congress urges the Armenian authorities to implement the applicable provisions enshrined in the Criminal Code, in particular with regard to financial incentives and the exertion of voting rights.

10. In line with the Venice Commission's Opinion,¹⁴ the Congress is convinced that although the Electoral Code of Armenia has the potential to ensure the conduct of democratic elections, legislation alone cannot ensure this. It therefore invites the authorities of the Republic of Armenia to fully and properly implement the provisions of the Electoral Code and other laws referring to electoral matters.

¹³ Code of Good Practice in Electoral Matters, Guidelines and Explanatory Report, [CDL-AD\(2002\)23rev](#), Venice Commission.

¹⁴ Joint Final Opinion on the Electoral Code of Armenia, [CDL-AD\(2011\)032](#), Venice Commission and OSCE/ODIHR.

Election of the members of the Avagani (Assembly of Aldermen) of the City of Yerevan, Armenia (5 May 2013)

EXPLANATORY MEMORANDUM

Introduction

1. Following an invitation by the Prime Minister of the Republic of Armenia, the Congress decided to observe the elections of members of Avagani (Assembly) of the City of Yerevan held on 5 May 2013. Stewart DICKSON (United Kingdom, L, ILDG) was appointed Head of Delegation and Rapporteur.

2. The electoral mission took place from 1 to 6 May 2013 and comprised 12 members from nine European countries including three members of the EU Committee of the Regions. On Election Day, six Congress teams were deployed to more than 100 polling stations in the 13 electoral districts of Yerevan. The Congress sent the only official international observation Delegation to observe these elections. The details of the Delegation, its programmes and deployment areas appear in the appendices.

The following report focuses specifically on issues arising out of exchanges held with Congress interlocutors in the context of the 2013 elections for the Assembly of Aldermen (Avagani) of the City of Yerevan and on observations made by members of the Delegation on Election Day. Additional studies and analyses can be found through other sources.¹⁵ The Congress wishes to thank all of those who met with the Delegation for their open and constructive dialogue. It also thanks the Head of the Armenian delegation to the Congress and President of the Association of Municipalities of Armenia, Emin YERITSYAN, and his team for their support in preparing this mission. Special thanks go to the Head of the Council of Europe Office in Yerevan, Oleksandr PAVLYUK, and his team for their valuable assistance and fruitful co-operation.

I. Political context

3. The vote held in Yerevan on 5 May 2013, by which the Mayor of Yerevan and members of the Yerevan City Council were elected, was preceded by a series of elections for different tiers of government including local elections (on 12 February and 8 July as well as on 9 and 23 September 2012), Parliamentary elections (6 May 2012) and Presidential elections (18 February 2013). The local by-elections on 9 and 23 September 2012 were observed by the Congress.

4. The 2012 Parliamentary elections brought a split in the ruling coalition: The Republican Party of Armenia (RPA), chaired by the incumbent President Serzh SARGSYAN, took control (69 out of 131) of the majority of seats in Parliament. Gagik TSARUKYAN's Prosperous Armenia (PA) came in second with 37 seats and left the ruling coalition, without however declaring itself as an opposition party, as required by law. The Armenian National Congress bloc (ANC) led by Levon TER-PETROSYAN, Armenia's first President in 1995, is represented with 7 seats. The Armenian Revolutionary Federation/Dashnaksutyun (ARF), chaired by Hrant MARGARYAN, achieved 6 seats in these elections and the Rule of Law Party (RoL) 6 seats. The Heritage Party, led by the US-born Raffi HOVANNISYAN, gained 5 seats in Parliament. The current government is a coalition of RPA and RoL.¹⁶

¹⁵ Including the Council of Europe, OSCE/ODIHR, Transparency International, Human Rights Watch, the Helsinki Committee.

¹⁶ Parliamentary elections in Armenia are held under a parallel mixed electoral system: of the 131 members of Parliament, 90 are elected under a proportional system, in a single nation-wide constituency. The remaining 41 deputies are elected under a majoritarian system in single-mandate constituencies, in one round of voting.

5. In the Presidential competition on 18 February 2013, Raffi HOVANNISYAN was a candidate against the incumbent President of Armenia Serzh SARGSYAN. The results announced by the Central Election Commission (CEC) on 19 February indicated that the incumbent President was re-elected in the first round. The second-placed candidate, Raffi HOVANNISYAN, disputed the results, staged a series of protest rallies and filed a number of requests for recounts and for invalidation of results. On 25 February 2013, the CEC unanimously adopted the final results protocol and declared Mr. SARGSYAN the winner, with 58.6% of votes cast. Mr. HOVANNISYAN received 36.7%.¹⁷

6. The local elections held on 9 and 23 September 2012 brought the following results: Elected Mayors (votes were carried out in 641 municipalities) - Republican Party of Armenia (403), Prosperous Armenia (55), Armenian Revolutionary Federation/Dashnaktsutyun (26), Rule of Law Party (12); 139 Mayors went into the competition as independent candidates. Municipal Councillors (votes in 735 municipalities) - Republican Party of Armenia (1,190), Prosperous Armenia (424), Armenian Revolutionary Federation/Dashnaktsutyun (92), Rule of Law Party (61). There were 2,946 Municipal Councillors who stood as independent candidates.¹⁸

II. Electoral and territorial administration

Legal framework

7. The Constitution of Armenia guarantees the fundamental rights and freedoms necessary for democratic elections. The electoral legal framework – comprising the new Electoral Code adopted on 26 May 2011 as well as several other laws relating to elections, among them the Criminal Code – is supplemented by Decisions of the Central Electoral Commission of the Republic of Armenia (CEC).¹⁹ The Council of Europe Venice Commission together with OSCE/ODIHR issued an Opinion on the Electoral Code summarising that the new code has the potential to ensure the conduct of democratic elections. The Venice Commission and OSCE/ODIHR made clear that “it is the exercise of political will by all stakeholders that remains the key challenge for conduct of genuinely democratic elections in the Republic of Armenia.” The Opinion refers, in particular, to areas of improvement in respect of the separation of state and party/candidate structures, the transparency of campaign finance and the complaint and appeal procedures, to better ensure an effective remedy against abuses. It was specifically mentioned that the deprivation of voting rights of all prisoners, regardless of the severity of the crime committed, should be amended. On a positive note it should be mentioned that restrictions on the rights of foreign nationals – who could not vote in local self-government elections – have been removed from the Electoral Code.

Territorial division

8. Local administration in Armenia is based on three main legal texts: the Constitution (adopted by referendum in 1995 and amended in 2005), the Law on Local Self-Government of 2002 and the Law on the City of Yerevan adopted in 2008. Under the Constitution, the territorial administrative units of Armenia include 10 “Marzes” (regions) plus the City of Yerevan. Each “Marz” is divided into rural and urban communities, so-called “Hamaynks”. The City of Yerevan consists of 12 districts. The bodies of local self-government are the “Council of Elders” and the “Head of the Community” both directly elected for a four-year mandate.

¹⁷ An OSCE/ODIHR EOM analysis of official results showed a correlation between very high turnout and the number of votes for the incumbent which raised concerns regarding the confidence over the integrity of the electoral process.

¹⁸ Congress Report on Local by-elections in Armenia (9 and 23 September 2012), [CPL\(24\)2rev](#), 20 March 2013.

¹⁹ In the [Final Report](#) on Presidential Elections of 18 February 2013, the OSCE/ODIHR states that CEC’s Decisions, at times, provided too-narrow interpretations of legal provisions or failed to provide clarifications.

9. According to the Electoral Code, there are 41 constituencies which are distributed to the 10 “Marzes” and the City of Yerevan in accordance with the number of registered voters using the largest remainder method. After that, the constituencies are drawn up within the “Marzes” with the condition that the variation of size from the average within each “Marz” should not be more than 10%. The number of constituencies in each “Marz” and in the City of Yerevan shall be changed only in case of a change in the number of mandates of deputies of the National Assembly under the majoritarian electoral system. According to the Venice Commission and OSCE/ODIHR, a revision of the Electoral Code would be necessary to provide for a new allocation of seats to “Marzes” at least every ten years, preferably outside election periods.²⁰

10. Following the amendments to the Constitution in 2005, the City of Yerevan was given the status of a community, bringing with it the necessity of electing the Mayor (previously it had the status of a region and the Mayor was appointed by the President). Under the new Law of the City of Yerevan, the top candidate of a party that has received more than 40% of the seats in the City Council (more than 26 seats) is considered “automatically” elected Mayor of Yerevan. If the parties fail to gather the necessary vote, the Mayor is elected by the 65 members of the City Council. In this case, either the candidate who receives the majority votes of all Council members is elected or – if no such simple majority is possible – a second round is conducted among the leading candidates. In case only one candidate has been proposed for the Mayor’s office, this candidate is elected Mayor if the number of votes “for” him/her exceeds the number of votes “against” and if the votes in favour of this candidate exceed 40% of all Council members.

Electoral bodies

11. The Electoral Code establishes a three-tiered system of election commissions, comprising the Central Electoral Commission (CEC, a permanent body²¹), 41 Territorial Election Commissions (TECs) and – in total - 1,988 Precinct Electoral Commissions (PECs). The new Code provides for a minimum presentation of women (2 out of 7 members) in respect of the CEC and the TECs.

12. In the Yerevan elections on 5 May, there were 464²² Precinct Election Commissions operational,²³ composed of – at least – seven members. Six PEC members are nominated by the parties/bloc (represented in Parliament) and there are, in addition, two members nominated by Territorial Election Commissions (there are 13 such Commissions in Yerevan). The Chair and the Secretary of PECs are appointed on decision of the TECs from among members appointed by parties/blocs represented in Parliament.

13. Under the Electoral Code, the PECs (set up for each separate election) are mainly responsible for organising the ballot, counting the votes and summarising the results of voting in the polling station. PECs have to submit to the TECs the seal, the stamp seal of the Commission, the register, two carbon copies of the result protocol, the sack for election documents and the ballot box(es). TECs (set up for a period of six years) are in charge, among other things, of reviewing or abolishing decisions taken by the PECs that are at odds with the Electoral Code, supervising the drawing-up and posting of the voters’ lists in the polling stations (two days before the vote, the Chairperson of the PEC has to post a carbon copy of the voters’ list, including supplementary lists, in the polling station, in a place visible to all) and publishing preliminary results of voting for each precinct (based on the result protocols received by PECs).

²⁰ Joint final Opinion on the Electoral Code of Armenia, [CDL-AD\(2011\)032](#), Venice Commission and OSCE/ODIHR.

²¹ The seven members of the current CEC were appointed by the President in July 2011, upon nominations by the Human Rights Defender (three members) and the Chairpersons of the Court of Cassation and the Chamber of Advocates of Armenia (two members each); the current Chairman of the CEC is Tigran MUKUCHYAN.

²² Elections to the Yerevan Council of Elders are held under the proportional electoral system and the whole territory of Yerevan is a multi-mandate constituency.

²³ No mobile boxes for sick or bed-ridden persons were in use on 5 May 2013; however, there was a special ballot paper for blind people.

Voter registration

14. Voter registration in Armenia is a passive system and based on the State Population Register. The police – who are responsible for the permanent maintenance of a nationwide, electronic voters' register – update the voters' register in June and November each year and submit it to the Central Election Commission (CEC). Voters' lists are extracted from the central voters' register and compiled for each precinct according to the citizen's place of residence. According to the law, at national elections and elections to the Yerevan Council of Elders, voters' lists - as per precincts - have to be published on the internet 40 days and again two days prior to Election Day.²⁴

15. Despite efforts made by the authorities to improve the voters' lists, there is still mistrust in the integrity of the voter registration process. Some political parties voiced concerns about the accuracy of the voters' lists and possibilities for manipulation to the Congress delegation. Among the most relevant issues raised by Congress's interlocutors was the registration of voters residing abroad which could be misused by so-called "phantom voters".²⁵ The provisions of Article 66 of the Electoral Code provide a procedure for filling in the ballot paper, sealing the ballot envelope and the stamping of the voter's identification document (by a PEC member) after the ballot has been cast. In respect of this measure against multiple voting, it seems that the quality of the ink used on 5 May 2013 for the stamping of IDs has improved compared to previous elections.²⁶ In order to increase voters' confidence, some of the Congress interlocutors mentioned the possibility of making the signed voters' lists public, as well as the need for a more effective audit of the voters' register.²⁷

Candidate registration

16. The new Electoral Code of Armenia provides for candidates appointed by political parties and the candidacy of independent candidates through the "right of citizens to be elected by way of self-nomination." The Venice Commission and OSCE/ODIHR qualified this as a positive change compared to the previous situation. The fact that the residency requirement for election to the head of community, community Councils of Elders and the Yerevan Council of Elders has been lowered to six months before Election Day has also been welcomed by the Venice Commission and the OSCE/ODIHR.²⁸ The Electoral Code requires all candidates to pay an electoral deposit but does not provide for signature support as an alternative mechanism for registration. The Venice Commission and OSCE/ODIHR reiterated in its Joint Final Opinion²⁹ that the amount of an electoral deposit must be considered carefully since every citizen should be provided with a meaningful opportunity to stand as a candidate. It also recommended to carefully take into consideration whether to use signature requirements for parties and candidates in lieu of a deposit.³⁰

²⁴ According to the CEC, in total 816,494 voters were eligible to vote on Election Day (including three voters from supplementary lists of voters).

²⁵ Representatives of some political parties (ANC, "Mission" party) alleged that the number of registered voters was highly inflated and could give rise to the impersonation of voters residing abroad on Election Day.

²⁶ It appears that the ink used at Parliamentary elections in May 2012 and at the last local elections in September 2012 had disappeared after only a few hours.

²⁷ At a meeting with the Congress delegation, the representative of the Armenian Revolutionary Federation/Dashnaksutyun (ARF) proposed publishing the lists after the elections. However, it has to be said that the Venice Commission's Code of Good Practice in Electoral Matters ([CDL-AD\(2002\)23rev](#)) considers the publication of the list of persons actually voting as against the principle of "secret suffrage". The representative of the Armenian National Congress (ANC) suggested in a meeting with the Congress delegation to take off the voters' register those citizens who have not been living in the country for the last six months. OSCE/ODIHR recommended, in the [Final Report](#) on the Presidential Election of 18 February 2013, introducing an effective notification system between the different public authorities to facilitate data exchange and enable timely corrections of records in the voter register and voters' lists.

²⁸ Joint Final Opinion on the Electoral Code of Armenia, [CDL-AD\(2011\)032](#), Venice Commission and OSCE/ODIHR:

²⁹ Joint Final Opinion on the Electoral Code of Armenia, [CDL-AD\(2011\)032](#), Venice Commission and OSCE/ODIHR:

³⁰ At a meeting with NGO representatives the Congress delegation heard reports that citizens were afraid to stand as candidates through "self-nomination" because of pressure from party representatives, although the delegation was not provided with concrete evidence of this.

III. Electoral environment

Information policy and training

17. The CEC of Armenia has an informative website including basic information also available in English. A Guidebook for members of the Precinct Electoral Commissions (PECs) for the Election of the Yerevan Council of Elders of 5 May 2013 was published in Armenian language and is downloadable from the CEC website.³¹ There were also posters available in the polling stations to inform voters about deadlines, contact numbers, complaint procedures etc.). More than 150 training sessions for electoral staff were organised to prepare the vote on 5 May, which contributed to the smooth management of these elections in most of the polling stations visited by the Congress teams.

Ensuring genuinely democratic elections

18. According to the Electoral Code, candidate proxies, observers and mass media representatives are entitled to be present in polling stations during the entire voting process and may photograph and videotape the voting process without violating the principle of the secrecy of the ballot.³² At the press conference on 6 May 2013, presenting the preliminary conclusions of the Congress observation mission, the Head of Delegation made clear that – contrary to what was aimed at by allowing photographing and videotaping, namely to increase transparency and prevent election fraud – the extensive filming observed by members of the Congress observation teams could be counter-productive and create mistrust among voters about overly-controlled electoral processes.³³

19. In addition to reports about possible misuse (“phantom voters”) and measures taken by the authorities against election fraud (stamping of IDs), the Congress delegation was confronted with allegations in respect of the widely-suspected practice of vote-buying and electoral bribery.³⁴ Although this is not a phenomenon that can be easily observed on Election Day, it needs to be addressed by the authorities through continuous monitoring of anti-corruption measures³⁵ and awareness-raising for ethical behaviour targeted at different publics (politicians, party members, voters, youth and marginal groups etc.).³⁶ On that note, the issue of psychological pressure exerted, in particular, on public service employees, to vote in a certain way and persuade also other voters, also needs mentioning. The Head of the Congress delegation stated at the concluding press conference that: “... if this is reality or perception – it undermines the trust of the citizens in the electoral system and is therefore harmful”.³⁷ In this respect, he made clear that the Armenian authorities should put an end to this situation to ensure an electoral climate without intimidations or cash incentives.³⁸

³¹ Central Election Commission of the Republic of Armenia: <http://www.elections.am/>

³² [Electoral Code](#) of the Republic of Armenia, Yerevan 2011, Part 1, Section 1 (General provisions), Chapter 1 (Main provisions), Article 6

³³ [Statement](#) by Stewart Dickson, Head of the Congress delegation, press conference, 6 May 2013, Hotel Marriott, Yerevan.

³⁴ The Congress delegation heard allegations of vote-buying and electoral bribery at different meetings, in particular with representatives of NGOs and opposition parties, although the delegation was not provided with concrete evidence of this.

³⁵ According to the [Global Corruption Barometer](#) published by Transparency International in June 2013, 61% of Armenians are of the opinion that corruption is a serious problem in their country. The Judiciary, public officials and civil servants, the medical and health services are considered to be extremely corrupt.

³⁶ At briefings with NGO and opposition party representatives, the Congress delegation heard allegations of psychological pressure exerted, in particular, on public service employees (to collect signatures of people committing themselves to vote for the ruling party) and of voters intimidated by so-called “black leather jacket guys”, although the delegation was not provided with concrete evidence of this.

³⁷ [Statement](#) by Stewart Dickson, Head of the Congress delegation, press conference, 6 May 2013, Hotel Marriott, Yerevan.

³⁸ It should be added that Article 149 of the Criminal Code of Armenia includes regulations concerning the violation of voting rights “committed with threat to property”, “financial incentive” and other actions.”

Complaints and appeals

20. According to the Venice Commission and OSCE/ODIHR, the mechanisms in place in Armenia for addressing complaints and appeals have been identified as key factors undermining the citizens' confidence in election results.³⁹ In general, such issues are regulated by the Electoral Code, the Law on Fundamentals of Administration and Administrative Proceedings and the Law on the Constitutional Court. Complaints against the Central Electoral Commission (CEC) are under the jurisdiction of the Administrative Court. Under the Electoral Code, decisions, actions and inactions of election commissions can be appealed to the superior commission.

21. Articles 45 to 47 of the Electoral Code – which address complaints and appeals – have been previously described by the Venice Commission and OSCE/ODIHR to be “revised to outline an understandable process for each type of complaint and appeal in order to clarify and define the complaint and appeals process for voters, candidates and political party proxies.”⁴⁰ Also, OSCE/ODIHR stated, on the occasion of the observation of Presidential Elections in February 2013, that the legal framework should be amended to eliminate dual jurisdiction and simplify the election-related complaints and appeals process by establishing a singular, hierarchical process. All relevant complaints and appeals provisions in various laws should be consolidated or referenced in the Electoral Code.⁴¹

22. According to the Venice Commission and OSCE/ODIHR, there are areas in which improvements have been achieved (e.g. Article 46 was substantially revised providing a procedure for each type of appeal against decisions, actions and inactions of electoral commissions concerning invalidation of voting results and the fact that all decisions related to elections are now subject to a final appeal to a court of law, are qualified as positive developments). However, both institutions consider the difficult burden of proof on the applicant to be continuously problematic and suggest that it should be made clear that the election commission may not use discretion in order to decide whether or not to seek proof, but must seek it if necessary – “the procedure must be simple and devoid of formalism”.⁴² All in all, it can be said that further specification of the complaints and appeals procedures is needed in order to better ensure, in particular, an effective remedy within a reasonable timeframe in line with European standards and by avoiding an overly formalistic approach to the handling of election complaints.

23. According to media reports, lawyers have filed approximately 160 complaints with the Territorial Electoral Commissions of the four Precincts representing the following three districts of Armenia's capital: Sebastia-Malatia, Shengavit, and Erebuni-Nubarashen. During the hearings, the four Electoral Commissions uniformly dismissed all the applications on procedural grounds. Consequently, the lawyers have now decided to appeal the Territorial decisions directly to the Administrative Court – a court whose decision will be final and not subject to appeal. The lawyers are also working on a strategy to file a case with the Constitutional Court of Armenia. The goal of this lawsuit is to have the Constitutional court extend the deadline for the filing of complaints with the Territorial Electoral Commissions, allowing a reasonable amount of time to prepare the cases. In this lawsuit, the lawyers will also be asking the high court to give election observers the same right to challenge the validity of the vote at polling stations that political parties and their proxies currently have.

24. A petition requesting that the Court declare null and void the results of the elections of 5 May was submitted by the “Barev Yerevan” (Hello Yerevan) party. The Administrative Court of Armenia dealt with it on 20 May, and ruled that there were no substantial violations which could have affected the election process.

³⁹ Joint Final Opinion on the Electoral Code of Armenia, [CDL-AD\(2011\)032](#), Venice Commission and OSCE/ODIHR.

⁴⁰ Joint Final Opinion on the Electoral Code of Armenia, [CDL-AD\(2011\)032](#), Venice Commission and OSCE/ODIHR.

⁴¹ OSCE/ODIHR Election Observation Mission, [Final Report](#), Presidential Election/Republic of Armenia, 18 February 2013. The Report also suggests that the Electoral Code should be amended to permit citizens (or groups of citizens), accredited citizen observers and civil society groups to file complaints against decisions and actions of election commissions, including on unlawful conduct in campaigning, and against the election results.

⁴² Joint Final Opinion on the Electoral Code of Armenia, [CDL-AD\(2011\)032](#), Venice Commission and OSCE/ODIHR:

IV. Election campaign, socio-political environment and media landscape

25. The campaign was officially launched on 7 April and ended on 3 May 2013. During its stay in the capital city of Armenia as from 1 May 2013, the Congress delegation became aware of a vivid and pluralistic campaign involving seven contestants for the Mayor of the City of Yerevan, six parties and one party alliance. Compared to local elections previously observed by the Congress, a higher level of political competition among parties and alliances was positively mentioned by the delegation. According to pre-election surveys, refuse collection, unemployment and socio-economic questions were among the most relevant local themes. At the same time, due to the political situation after the Presidential elections held on 18 February 2013, the Yerevan poll was also of national importance.

26. Yerevan is the largest city of Armenia and the political, economic and cultural centre of the country concentrating around 50% of the population, 52% of the GDP and 91% of public services. In general, the Armenian population is characterised by a large diaspora living outside the country (according to estimations, two-thirds of the population).

27. The six political parties and one bloc who have applied for registration included: The Republican Party of Armenia (49 seats in Yerevan's Council of Elders in last elections, top candidate Taron MARGARYAN, incumbent Mayor of Yerevan), Barev Yerevan/"Hello Yerevan" (did not participate in last elections, top candidate Armen MARTIROSYAN from the Heritage Party), Armenian National Congress (18 seats in last elections, top candidate Vahagn KHACHATRYAN), Prosperous Armenia (23 seats in last elections, top candidate Vartan OSKANIAN), Armenian Revolutionary Federation (no seats in last elections, top candidate Armen RUSTAMYAN), Rule of Law (no seats in last elections, top candidate Armen YERITSYAN) and Arakelutyun Party/"Mission" Party (founded on 4 March 2013, top candidate Mesrop ARAKELYAN).

Media

28. Television is the most important source of information in Armenia and despite a limited advertising market, there are more than 40 terrestrial television stations (six of which with nationwide coverage) operating in the country.⁴³ Public Television of Armenia "H1" is considered one of the most influential media. Print media are constrained by limited circulation figures and suffer declining impact and daily newspapers are published only in Yerevan. Instead, the readership of online media, including a number of politics-oriented portals, is growing, although still with regard to a limited number of citizens.⁴⁴

29. The Constitution guarantees freedom of expression and of the media. The Law on Television and Radio Broadcasting obliges TV and radio channels to provide equal conditions for candidates and to ensure impartiality during election campaigns. The Electoral Code contains provisions for the media coverage of the official campaign period with regard to free airtime, news coverage and paid advertisements. Public and private broadcasters are required to ensure non-discriminatory conditions and provide unbiased information in their news programmes. There are two supervisory bodies in place in Armenia: the National Commission for Television and Radio (NCTR) and the Council of Public TV and Radio. The NCTR oversees all broadcast media, and the Council manages public television and public radio.

⁴³ According to data provided by the National Commission for Television and Radio (NCTR), there are also 52 channels broadcasting via cable networks and 10 regional TV channels received by digital license.

⁴⁴ OSCE/ODIHR Reports on [Parliamentary Elections \(6 May 2012\)](#) and [Presidential Elections \(18 February 2013\)](#)

30. On a positive note it should be mentioned that libel and insult were decriminalised in May 2010 and in November 2011 the Constitutional Court ruled that media cannot be held liable for “critical assessment of facts” and “evaluation judgements”.

31. At briefings with media and NGO representatives it was made clear to the Congress delegation that there had been some progress with regard to the media coverage of electoral campaigns in Armenia and a slight improvement in respect of the freedom of press rating of the country.⁴⁵ However, there was still room for improvement concerning the working conditions of journalists and the consolidation of editorial freedom. According to the Congress’s interlocutors, self-censorship was an increasing phenomenon and the existence of a diverse media landscape did not necessarily guarantee sufficient editorial freedom.⁴⁶ There was also mention of the culture of electoral debates which had the potential to further develop in the country.⁴⁷

V. Election Day

32. On 5 May 2013, 464 polling stations in 13 electoral precincts opened from 8am to 8pm and in those places where Congress teams observed the opening, commissions were composed according to the law, electoral staff were ready for voters, had duly sealed the ballot boxes and made available the required materials.⁴⁸

33. In general, Congress observers had the impression that the voting process was well understood by voters and the Precinct Electoral Commissions (PECs) alike. With the exception of individual incidents in a few polling stations, according to the Congress observers, the elections were carried out in a calm and orderly manner and the vote was technically well prepared.

34. According to the Congress delegation, the composition of the Precinct Electoral Commissions – as stipulated by the Electoral Code, each party and alliance presented in Parliament had one representative and there were two representatives of the respective Territorial Election Commission - ensured better opportunities for contesters to scrutinise each other.

35. Also, it would appear that the provision that only 15 voters are allowed to enter a polling station at the same time⁴⁹ was this time more effectively implemented than during previous elections.

36. The secrecy of the vote was largely respected and the use of envelopes can be seen positively in this respect – though it contributed to the long and tedious vote count at the end of the day.

37. Congress teams also reported a few stray instances in respect of multiple voting in certain polling stations. As on previous occasions,⁵⁰ the Congress observers remarked that the atmosphere in and around some polling stations was tense due to groups of men lingering at the entrance and outside. In this context, the Congress observers noted several indications of vote-buying.⁵¹

⁴⁵ The Armenian Helsinki Committee stated in a on 23 April 2013 that the number of freedom of speech violations had decreased compared to the same time in 2012, but that its Freedom of Speech Protection Committee had noticed that the pressure on the media increases during elections ([Article](#)).

⁴⁶ The European Commission, in a report of 20 March 2013, concluded that while Armenia had made some progress in the field of media freedom and anti-corruption measures, it still needed to increase its efforts to ensure fundamental rights and freedoms, especially the implementation and enforcement of the legislation on this issue.

⁴⁷ The incumbent Mayor of the City of Yerevan did not participate in TV debates during the electoral campaign.

⁴⁸ Chapter 12 of the [Electoral Code of Armenia](#) stipulates actions to be carried out by PEC members prior to the voting, during the opening procedure, the voting and after the cast of the ballot.

⁴⁹ [Electoral Code of Armenia](#), Chapter 12.

⁵⁰ Congress Report on local by-elections (9 and 23 September 2012), [CPL\(24\)2rev](#), 20 March 2013.

⁵¹ Alleged bribes are reported to be between 10,000 and 20,000 DRAMS (20 to 40 Euros).

Observers

38. Apart from a few individual observers from diplomatic and consular representations accredited in the Republic of Armenia, the Congress delegation was the only international group monitoring the elections on 5 May 2013. All in all, the members of the Congress delegation were deployed to more than 100 polling stations in the 13 electoral districts of Yerevan and observed the process from the opening hour to the closing including the vote count.

39. With regard to domestic observers, the Congress received a list including more than 6.500 representatives from 2 Armenian NGOs carrying out election observation on polling day. The Head of the Congress delegation qualified this presence as “extensive” and that the origin of the institutions which registered these observers remained obscure to the Congress teams.⁵²

40. Article 31 of the new Electoral Code of Armenia stipulates that observers of a non-governmental organisation may be present at the sittings of electoral commissions and during the voting – also in the voting room – pending presentation of a qualification certificate. This Article also provides that courses be offered annually in Yerevan and in the “Marzes”, that qualification certificates be granted based on a computer-based or standard test and that persons can be tested “notwithstanding whether he or she has participated in the courses.”⁵³ The Venice Commission and OSCE/ODIHR raised concerns over legal provisions - under previous codes – which could limit transparency by restricting the pool of potential observers through the training, testing and certification process and recommended that any training should be the responsibility of the observer organisation.⁵⁴ Both institutions are also of the opinion that provisions for accreditation and certification of observers should not be applied in such a way as to limit the possibility of observing election processes. It must be said that – based on the experience of the Congress observation mission in Yerevan on 5 May 2013 - there was no limitation of the possibility of observing the election process, on the contrary, the presence of domestic observers was qualified as “extensive” by the Head of the Congress delegation and – in connection with the extensive filming in polling stations – considered to be doubtful.⁵⁵

Voter assistance and access to polling stations

41. According to the new Electoral Code of Armenia (Article 65), a voter who is unable to complete the ballot papers may be assisted by another person who shall not be a proxy. The person assisting is limited to providing assistance to only one voter and the Code requires that the name of the person assisting be entered in the record book of the Precinct Electoral Commission. The Venice Commission and OSCE/ODIHR stated that these provisions were adopted from their previous recommendations and welcomed them as a positive step. The members of the Congress observation delegation also endorsed these provisions which seem to have contributed to more control and order in polling stations this time. However, in a few cases overcrowding inside polling stations was observed.

42. There were individual cases, observed by Congress members, which constituted an abuse of the “permitted” assistance rule and thus rather fall in the category of “family voting”. The Congress observers also reported a few incidents in certain polling stations such as multiple voting and carousel voting.

⁵² [Statement](#) by Stewart Dickson, Head of the Congress delegation, press conference on 6 May 2013, Hotel Marriott, Yerevan: “In the majority of cases, we were unsure about a number of local NGOs and media outlets; their intentions remain ambiguous” to the members of our delegation and it could be suggested that these observers were also acting on behalf of political parties or alliances.”

⁵³ [Electoral Code of Armenia](#), Chapter 7.

⁵⁴ Joint Final Opinion on the Electoral Code of Armenia, [CDL-AD\(2011\)032](#), Venice Commission and OSCE/ODIHR: according to a CEC Decision, training is organised and qualification certificates are issued by the CEC.

⁵⁵ At a briefing with NGO representatives the Congress delegation heard reports according to which the assessment of certain domestic observers could be “instrumental to the authorities”.

43. In general, the polling stations visited by the Congress observers were sufficiently well-identified and located in premises spacious enough for the electoral operations. Besides polling stations equipped with permanent or temporary ramps allowing access for the disabled, there were also polling stations offering only limited accessibility for the elderly and disabled persons. As mentioned in the Report by OSCE/ODIHR following the observation of the Presidential elections in February 2013, more attention should be given to identifying those polling stations that are suitable for disabled voters.⁵⁶ Similar to the situation in 2012, there were no mobile boxes in use on 5 May 2013 because of the abolition of the system previously existing in Armenia which was considered by the authorities to be too open to abuse. In this respect, the Congress delegation reiterates what was said in the Congress Report issued after the observation of local by-elections on 9 and 23 September 2012: "Mobile voting exists everywhere in Europe where the ballot boxes are transported by at least two members of the local polling station".⁵⁷ Such a system should be reintroduced in Armenia, in order to allow voting for people in hospitals or those who cannot leave their homes for health reasons or because of their disability.

The vote count

44. The new Electoral Code of Armenia brought improvements with regard to the provision that for a ballot to be valid it needs to be "signed, stamped or sealed by a member of the electoral commission". The Venice Commission and OSCE/ODIHR, in their Joint Final Opinion on the Code, also make clear that, concerning validity, it is necessary to ensure that valid ballots are not refused by the Precinct Electoral Commission (PEC) because of an "insignificant" breach of the regulations concerning proper marking of the ballot paper.⁵⁸ At vote counts observed by the Congress teams there were no noteworthy incidents concerning validity or non-validity of ballots but there was an unusually high number of spoilt ballots noted by one observation team.

45. The use of envelopes – which can be seen positively with regard to protection of the secrecy of the vote – contributed to the long and tedious vote count in the majority of polling stations visited by the Congress observers. As was mentioned in the Congress Report issued after the observation of local by-elections in 2012, the Congress delegation is of the opinion that – to speed up the counting procedure – several PEC members, not only one person, could be responsible for opening the envelopes and counting.

46. Particularly obstructive during the vote count was the extensive use of mobile phones – not only by proxies, domestic observers and media representatives – but also by members of the commissions including commission presidents. This issue should be addressed by the authorities.

VI. Election results

47. According to the results published by the Central Election Commission (CEC) on the internet, the turnout at the elections of the Yerevan Council of Aldermen on 5 May 2013 was 53.5%.⁵⁹

48. There were 816,491 voters in the main list and 3 voters in supplementary voters' lists – in total 816,494 voters. The number of voters registered who received ballots by their signature was 437,079. The number of invalid ballot papers is 15,301.

⁵⁶ OSCE/ODIHR Election Observation Mission, Republic of Armenia, [Final Report](#), Presidential Election of 18 February 2013.

⁵⁷ Congress Report on local by-elections in Armenia (9 and 23 September 2012): [CPL\(24\)2rev](#), 20 March 2013.

⁵⁸ Joint Final Opinion on the Electoral Code of Armenia, [CDL-AD\(2011\)032](#), Venice Commission and OSCE/ODIHR

⁵⁹ Central Election Commission of the Republic of Armenia: <http://www.elections.am/>

49. The number of votes cast for each candidate (party) is presented on the CEC website as follows:

“Armenian National Congress” Party	18,493 (4.39%)
“Prosperous Armenia” Party	97,166 (23.06%)
Armenian Revolutionary Federation Dashnaksutyun	15,997 (3.80%)
“Barev Yerevan” Party Alliance	35,721 (8.48%)
Mission Party	2,690 (0.64%)
Party “Country of Legality”	15,732 (3.73%)
Republican Party of Armenia	235,515 (55.90%)

50. Based on these results, the distribution of the 65 seats in the Yerevan Council of Aldermen is as follows:

Republican Party of Armenia: 42
 Prosperous Armenia: 17
 Barev Yerevan: 6

A detailed presentation of election results can be found at: <http://www.elections.am/council/>

51. In line with the Law of the City of Yerevan, Taron Margaryan, leading the proportional list of the Republican Party of Armenia who achieved more than 40% of the seats in the Yerevan Council of Aldermen, was re-elected as the Mayor of Yerevan and sworn in on 11 June 2013.

VII. Conclusions

52. In general, the elections of the Yerevan Council of Aldermen of 5 May 2013 were carried out in a calm and orderly manner and the vote was technically well prepared, in keeping with international standards. With a few exceptions in polling stations visited by the observation teams of the Congress there were no major incidents during Election Day and the electoral staff was able to manage the ballot professionally and ensure that major principles were largely respected.

53. In pursuance of the Congress’s recommendations, and as stipulated by the new Electoral Code of Armenia, Precinct Electoral Commissions were composed of members of each party and alliance represented in the Parliament and of two members of the Territorial Electoral Commissions which ensured better opportunities for the contesters to scrutinise each other, in particular during the vote count. The counting process – not least to the fact that envelopes for the ballots were used and had to be opened - was at times chaotic and slow.

54. However, the extensive number of domestic observers – whose background often remained ambiguous to the Congress observation teams - and the cameras present in each polling station contributed to the impression of overly-controlled electoral processes. Also, the use of mobile phones, in particular during the vote count, was very obstructive and there should be measures taken to limit this practice.

55. Among the issues to be addressed remain, in particular:

- The question of those citizens who no longer live in Yerevan but have stayed on the State Population Register and thus on the voters’ lists. In order to both avoid potential misuse (“phantom voters”) and strengthen democracy at the grassroots level, local issues should be decided by those citizens who actually live in a specific community.
- Increase in citizens’ trust in the electoral system including confidence in electoral outcomes. To be qualified as genuinely democratic, elections need to be free of allegations concerning pressure exerted on specific groups to vote in a certain way and vote-buying and there should be complaint and appeal procedures in place which ensure effective remedy for citizens.

APPENDIX I

Congress Election Observation Mission – Delegation and Programme

26 April 2013

CONGRESS ELECTION OBSERVATION MISSION YEREVAN, ARMENIA, 5 MAY 2013

ELECTION OBSERVATION MISSION (1- 6 MAY 2013)

CONGRESS DELEGATION

1. **Xavier CADORET**, Mayor of Saint Gerand le Puy, France (L, SOC)
2. **Stewart DICKSON**, Member Northern Ireland Legislative Assembly, United Kingdom (R, ILDG), Head of delegation / Rapporteur
3. **Matej GOMBOSI**, Mayor of Beltinci, Slovenia (L, EPP/CCE)
4. **Alex LUBAWINSKI**, Member of the Land Parliament, Berlin, Germany (R, SOC)
5. **Ludmila SFIRLOAGA**, Councillor, Prahova County Council, Romania (R, SOC)
6. **Matteo TOSCANI**, Councillor, Regional Council of Veneto, Italy (R, EPP/CCE)
7. **Line Skøii VENNESLAND**, Councillor, Vennesla Municipality, Norway (L, ECR)

EU COMMITTEE OF THE REGIONS

1. **Doreen HUDDART**, United Kingdom (ALDE/UK)
2. **Uno SILBERG**, Estonia (EA/EE)
3. **Ursula MÄNNLE**, Germany (EPP/DE)

CONGRESS SECRETARIAT

Renate ZIKMUND – Head of the Division of Election Observation of Local and Regional elections
Carol-Anne HUGHES – Assistant to the Congress Election Observation Mission

**CONGRESS ELECTION OBSERVATION MISSION
ELECTIONS OF THE MEMBERS OF THE AVAGANI (ASSEMBLY) OF YEREVAN**

DRAFT PROGRAMME, 1 – 6 MAY 2013

Tuesday 30 April/Wednesday 1 May

Arrival of the Congress delegation

*Armenia Marriott Hotel Yerevan
1, Amiryan Street, Yerevan, 0010 Armenia
Tel: + 374 10 599 000 Fax: 374 10 599 001
<http://www.marriott.com/hotels/travel/evnmc-armenia-marriott-hotel-yerevan/>*

Wednesday 1 May **Venue: Queen Erato Conference Room Hotel Marriott**

14:00 - 15:30	Welcome and internal briefing (Congress secretariat, Head of delegation Mr Stewart DICKSON)
16:00 - 17:00	Information meeting with Mr Oleksandr PAVLYUK, Head of the Council of Europe Office in Yerevan

Thursday 2 May **Venue: Queen Erato Conference Room Hotel Marriott**

09:30 – 11:00	Political analysis with the international community/diplomatic corps (notably with Yerevan-based Ambassadors / representatives of countries represented in the Congress delegation (France, UK, Germany, Romania, Italy, and Norway, as well as with international organisations: Head of the EU delegation to Armenia and Head of the OSCE Office in Yerevan)
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OSCE	Mr William HANLON and Mrs Ruzanna BAGHDASARYAN
EU Delegation	Mr Onno SIMONS and Mr Andrej DIDENKO
France	Mrs Isabelle GUISEL, 1st Counsellor
Germany	Mr Christoph BREUNIG, Chargé d’Affaires a.i.
United Kingdom	Mr Amias MOORES, Deputy Head of Mission
Romania	Mr Dragos ZAMFIRESCU, Minister Counsellor
Consul of Norway and Finland	Mr Timothy D. STRAIGHT, Norwegian Honourary Consul in Armenia, Finnish Honourary Consul in Armenia

11:00 - 11:30	Coffee break (2nd floor foyer)
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11:30 – 13:00	Briefing with NGO representatives on the pre-electoral situation in Yerevan in the current political context
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Helsinki Committee of Armenia
Transparency International
Counterpart International
Civil Society Institute
Armavir Development Centre
OSI (supports iDitord project)
All-Armenian Youth Association

13:00 – 14:00 Lunch break

Thursday 2 May *Meetings in Yerevan*

14:00 – 14:30 Bus transfer to the Central Electoral Commission

14:30 – 15:30 **MEETING WITH THE CENTRAL ELECTORAL COMMISSION (CEC)
CHAIRMAN, MR TIGRAN MUKUCHYAN**

Venue: Office of CEC
Gevorg Kochari St., 21a Building
(Kentron adm. district), Yerevan
<http://www.elections.am>

15:30 – 16:00 Bus transfer to the Office of the Deputy Prime Minister

16:00 - 17:00 **MEETING WITH THE DEPUTY PRIME MINISTER AND MINISTER FOR
TERRITORIAL ADMINISTRATION, MR ARMEN GEVORGYEN**

Congress delegation:
12 members + 2
interpreters

Venue: Office of the Deputy Prime Minister
Republic Square, Government House 1, 0010 Yerevan

17:00 - 17:15 Return to Marriott (bus transfer)

Friday 3 May *Venue: Queen Erato Conference Room Hotel Marriott*

09:00 - 10:15 **MEETING WITH MEDIA REPRESENTATIVES**

Yerevan Press Club – monitors the 7 most active broadcasters
FOICA – electronic media monitoring
Hetq investigative journalists – analysis of election
programmes, debates, etc
ArmNews TV
RFE/RL
Public Radio
Aravot Daily
Hayastani Hanrapetutyun Daily

10:15 – 10:30 **WALK TO THE REPUBLICAN PARTY OF ARMENIA HEADQUARTERS**

10:30 - 11:00 **MEETING WITH THE INCUMBENT MAYOR OF YEREVAN MR TARON
MARGARYAN, REPUBLICAN PARTY OF ARMENIA**

Venue: Republican Party of Armenia Headquarters
Melik Adamyanyan / Hanrapetutyun Street

11:00 – 11:30 RETURN TO HOTEL MARRIOTT (WALK)

11:30 – 13:00 MEETINGS WITH MAYORAL CANDIDATES REGISTERED BY THE PARTIES

Venue: Hotel Marriott

11:30 – 12:00 *Mr Vartan OSKANIAN, Prosperous Armenia*
 12:00 – 12:30 *Mr Armen MARTIROSYAN, Barev Yerevan*
 12.30 – 13:00 *Mr Vahagn KHACHATRYAN, Armenian National Congress*

13:00 – 14:00 Lunch break

14:00 – 15:30 MEETINGS WITH MAYORAL CANDIDATES REGISTERED BY THE PARTIES (CONTINUED)

Venue: Hotel Marriott

14:00 – 14:30 *Mr Armen YERITSYAN, Rule of Law*
 14:30 – 15:00 *Mr Mesrop ARAKELYAN, Arakelutyun (Mission) Party*
 15:00 – 15:30 *Mr Armen RUSTAMYAN, Armenian Revolutionary Federation*

16:00 – 16:45 MEETING WITH THE HEAD OF THE ARMENIAN DELEGATION TO THE CONGRESS, MR EMIN YERITSYAN

Saturday 4 May Venue: Queen Erato Conference Room Hotel Marriott

10:00 – 11:30 Briefing with delegation, interpreters and drivers

14:30 – 15:30 2ND MEETING WITH THE DEPUTY PRIME MINISTER AND MINISTER FOR TERRITORIAL ADMINISTRATION, MR ARMEN GEVORGYEN

Venue: Office of the Deputy Prime Minister
 Republic Square, Government House 1, 0010 Yerevan

Sunday 5 May ELECTION DAY

07:30 Teams deploy around Yerevan for the opening of the polling stations

23:00 approximately Return to Hotel Marriott for debriefing

Monday 6 May Venue: Ashot Yerkat Room (Theatre) Hotel Marriott

12:00 Press Briefing
 Head of delegation and Rapporteur: Mr Stewart DICKSON

Venue: Marriott Hotel

6 and 7 May Delegation leaves

APPENDIX II

Congress Election Observation delegation – Deployment Teams

Mission to observe the Elections for the Avagani (Assembly) of
Yerevan, Armenia, 5 May 2013

Deployment Teams

Team 1	Districts 9 & 10 Kentron and Nork-Marash	Stewart DICKSON, Head of Delegation Renate ZIKMUND
Team 2	Districts 7 & 8 Malatia-Sebastia and Shengavit	Xavier CADORET Carol-Anne HUGHES
Team 3	Districts 1 & 2 Avan and Nor Nork	Alex LUBAWINSKI Ursula MÄNNLE
Team 4	Districts 11,12 & 13 Shengavit, Erebuni and Nubarashen	Ludmila SFIRLOAGA Matteo TOSCANI
Team 5	Districts 3 & 4 Kanakaner-Zeitun and Arabkir	Matej GOMBOSI Doreen HUDDART
Team 6	Districts 5 & 6 Davtashen and Ajapniak	Line-Skoi VENNESLAND Ugo SILBERG

APPENDIX III

Press Release (Ref. CG-PR060(2013))



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www.coe.int/congresscongress.com@coe.int

Ref. CG-PR060(2013)

After Yerevan elections: Congress urges Armenian authorities to seize the opportunity of the Council of Europe Chairmanship to increase voters' confidence

Strasbourg, 6 May 2013 - A 12 member-delegation of the Council of Europe Congress composed of representatives from nine European countries including three members of the EU Committee of the Regions has observed the elections for the Yerevan Council of Elders on 5 May 2013. At a press conference in Yerevan, the Head of the delegation and Rapporteur, Stewart Dickson (UK, ILDG), presented preliminary conclusions following the observation of this vote by which also the Mayor of Yerevan was elected.

Congress Rapporteur Dickson stated that, with the exception of individual incidents in a few polling stations, the elections were carried out in a calm and orderly manner and that the vote was technically well prepared, although the counting process, which at times looked chaotic and was slow, needs further improvement. He also stressed that the composition of the Precinct Election Commissions – as stipulated by the Electoral Code, each party and alliance represented in Parliament had one representative and there were two representatives of the Constituency Election Commission – ensured better opportunities for the contesters to scrutinise each other.

He also mentioned cameras present in each polling station and extensive filming which created the impression of overly controlled processes, and the large number of domestic observers whose NGO or media background remained ambiguous to the members of the Congress delegation.

Already prior to Election Day, the delegation became positively aware of a higher level of political competition among parties and alliances but also heard reports by some interlocutors about pressure exerted on public service employees to vote in a certain way and to persuade also other voters and there was the recurring issue of vote-buying. There was also the question of those citizens who no longer live in Yerevan but have stayed on the population register and thus on the voters' lists. "I think that these problems have to be urgently addressed by the Armenian authorities – local issues should be decided by citizens actually residing in a certain community and an electoral climate without intimidations or cash incentives is key for the confidence of the voters," underlined Dickson.

He invited the authorities to seize the opportunity of the up-coming Council of Europe Chairmanship of Armenia to improve voters' confidence in electoral processes. "The Council of Europe Venice Commission said that the new Electoral Code of Armenia has the potential to ensure the conduct of democratic elections but legislation alone cannot ensure this. It is the exercise of political will by all stakeholders – and I mean government and opposition - which makes the difference. There has to be fair play without intimidations and other infringements prior to Election Day and there have to be complaint and appeal procedures for an effective remedy in which citizens can have confidence. Only such an environment

can ensure genuinely democratic elections and thus improve the confidence of voters in electoral processes. I am confident that Armenia's Chairmanship will bring a move forward in this respect", Dickson concluded.

[Press release in Armenian](#)
[Special web file](#)

Contact on the spot:

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Follow us:    

The Congress has two chambers, the Chamber of Local Authorities and the Chamber of Regions. It brings together 318 full and 318 substitute members representing more than 200 000 European territorial communities.

President of the Congress: Herwig Van Staa (Austria, EPP/DC), President of the Chamber of Regions: Nataliya Romanova (Ukraine, IDLG), President of the Chamber of Local Authorities: Jean-Claude Frécon (France, SOC)
Political Groups: Socialist Group (SOC), Group of the European People's Party – Christian Democrats (EPP/CD), Independent and Liberal Democrat Group (ILDG), European Conservatives & Reformists Group (ECR)