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**Interim Report by Long Term Observation Mission on the Early RA National Assembly  
Election of December 9, 2018**

**(November 5 – December 5, 2018)**

**December 7, 2018**

**Yerevan**

## **On the observation mission**

Akanates (Eyewitness) domestic, non-partisan observation mission was founded by Transparency International Anticorruption Center (TIAC) NGO, Journalists' Club "Asparez" (JAC) NGO and Restart Civic Initiative. Its partner is Law Development and Protection Foundation.

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

Akanates operates independently and is guided by the principles of political neutrality and impartiality, including refraining from expressing any preferences for or affiliation to any political party, alliance or candidate in any election.

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

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

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## Abbreviations

PAP	Prosperous Armenia Party
PAMS	Party Alliance “My Step”
BAP	Bright Armenia Party
CEC	Central Electoral Commission
RA	Republic of Armenia
RPA	Republican Party of Armenia
ARF	Armenian Revolutionary Federation
PAM	Party Alliance “Menk” (We)
APST	All-Armenian Party “Sasna Tsrer”
SDPCD	Social Democratic Party “Citizen’s Decision”
CDRP	Christian Democratic Renaissance Party
RL	“Rule of Law” Party

## EXECUTIVE SUMMARY

### **The pre-election phase was generally free and competitive, providing an opportunity for peaceful campaigning.**

The pre-election phase of the early elections, to take place on December 9, 2018, was generally free and fair, providing an opportunity for a peaceful campaign. This is essentially different as compared to the same phase of last year's nationwide parliamentary elections. There has been serious progress in terms of less misuse of administrative resources and less pressure on voters to express their will.

The pre-election processes are largely well and smoothly organized. The Central Electoral Commission (CEC) is acting in a transparent manner; however, some information is not being published according to "open-source" format, which, if done, would add to increased public oversight. There are no discussions taking place during the CEC sessions: all the decisions are being taken unilaterally, which is problematic. The observation organizations accreditation procedures and practices have multiple flaws that on the one hand create obstacles for those organizations, and on the other hand hinder the efficiency of the administrative work by the CEC. The CEC does not carry out its functions properly as it does not exclude the involvement of politically affiliated observation groups, thus putting the institution of independent and impartial observation at risk.

The territorial electoral commissions do not function sufficiently professionally. They also lack modern technical equipment, which decreases their efficiency and further improvement. The training of precinct election commissions is in general adequate; however, there was not enough time allocated for the preparation of the new committee members, given the complicated electoral procedures, envisaged by the Armenian legislation.

The gap in the regulation of the campaign outside the pre-electoral campaign period creates unequal competition for the political forces participating in the elections. When disseminating election campaign materials, political parties and party alliances disregarded the rules provided by the law. The competent authorities do not properly control the adherence to the campaign rules and do not take appropriate measures to eliminate violations, thus failing to ensure proper competition.

The practice of electoral bribery, and "charity" is almost entirely eliminated, even though there have been separate, sporadic cases and warnings in this regard.

The number and prevalence of cases of the misuse of administrative resources have significantly reduced as compared to the 2017 parliamentary elections. In general, there are problems with the appropriate perception of this concept by public figures.

The pre-electoral campaign was marked by a live-stream debate among political parties contesting in the elections, organized for the first time in the Republic of Armenia. The major focus of the media on the electoral rivalry between two of the political forces cast a shadow on party programs and policy platforms, including their recommendations for resolving different problems affecting Armenian citizens. Offensive statements, threats and hate speech repeatedly expressed during the campaign are worrisome and do not contribute to the formation of a civilized political culture.

## **METHODOLOGY**

Within the framework of long-term observation mission, the Akanates observation initiative involved 36 long-term observers to observe pre-election and post-election processes in the service areas of 38 territorial electoral commissions of this country.

In the pre-election period, the observers survey election administration, compliance of actions with the schedule established by the Central Electoral Commission (CEC), adequacy of voters' lists, the activities of the electoral headquarters of the candidates, parties and party alliances, election campaigning, pre-election foundations, misuse of administrative resource, pre-election events, and the general atmosphere. On the ground, the observers work with electoral commissions, HQs of parties/alliances and candidates, civil society representatives, media and citizens.

In the post-election period, vote recounting and consideration of complaints as well as voter list problems will be surveyed.

Data collection is done by means of desk research, on-line open-source data analysis, immediate observations, official inquiries, meetings, interviews, and monitoring of media coverage. On-site observers meet territorial and precinct electoral commissions, party/party alliance HQs, police, media, observation missions, NGO representatives, and other parties to the electoral process, including citizens. To confirm and authenticate indirectly obtained information, the latter is verified through several independent sources.

During long-term and short-term observations, observers collect quantitative and qualitative data which is analyzed and summarized in the Akanates observation mission's reports, bulletins, press releases and video footage. Based on the recorded electoral breaches, when expedient, complaints/claims/applications will be compiled and filed with administrative, judicial and law-enforcement bodies.

Current information on observation is posted on the Facebook page of Akanates observation mission and on the websites and Facebook pages of member organizations.

## **OBSERVATION RESULTS AND CONCLUSIONS**

On November 2, 2018, RA president adopted the decree on the appointment of early parliamentary elections on December 9, 2018. The long-term observation of Akanates observation mission started on November 5, 2018.

From November 5 to December 5, 2018, observation mission focused on the election administration process, including the activities of the CEC, the composition of territorial electoral commissions, voters' lists, electoral campaign, misuse of administrative resource during the latter, and general atmosphere.

During the observation period, the members of Akanates observation mission paid 119 visits to territorial electoral commissions, and observed 47 sessions in 27 territorial electoral commissions. They paid 383 visits to the HQs and offices of parties/party alliances/candidates, held 52 meetings with

journalists, and 103 meetings with NGO representatives. Observers participated in 163 pre-election events and visited more than 230 communities. There were informal meetings with citizens.

## Electoral commissions

### *Central Electoral Commission (CEC)*

From November 2 to December 5, 2018, the CEC convened 12 sessions, most of which were dedicated to various issues concerning the early parliamentary election. Relevant decisions were made. In general, organizational works were in compliance with the schedule set forth in the law.

### **Registration of parties/alliances and candidates**

No breaches of registration of parties and alliances were recorded.

Due to incomplete documentation, the CEC gave 48 hours to “Rule of Law” Party (RL), All-Armenian Party “Sasna Tsrer” (APST), and Prosperous Armenia Party (PAP) to complete the documentation of the candidates running for election on the party list.

Only the candidacy of Armine Babayan (RL), was rejected on this basis of the failure to submit required documents within the stipulated deadline.

The number of candidates on the territorial party/alliance lists in various electoral territories was established by the CEC decision as 7-15 persons. 41 candidates filed self-disqualification motions of which 38 were approved, and three motions were rejected due to failure to be present at the session. Registration of one candidate was voided due to the death of the latter.

### Official clarifications

The CEC received an application from the consulting NGO “Informed Citizens’ Union” and based on the latter discussed part 2, article 61 of RA Electoral Code with respect to the fact that due to the number of ballots, the capacity of the fireproof safe may be insufficient to contain all the ballots. The CEC unanimously decided to specify that in case the ballots do not fit in the fireproof safe, the envelopes and ballots can be stored in the voting room.

### **Electronic vote**

Electronic vote started on November 30, 2018 and ended on December 2. It is planned to publish its results prior to the end of the main vote.

### Information transparency

The video footage of CEC sessions and its decisions, on the whole, are accessible at the web page of the commission, as a rule, on the next day. The survey of individual sessions shows that simultaneous broadcasting of CEC sessions is not implemented and the video footage thereof is posted only after the sessions. Although the transparency principle is generally observed, CEC observers have discovered certain drawbacks. Thus, on November 9, 2018, the CEC convened a session and made two decisions on procurements for the preparation and implementation of elections and on the expenditures for

preparation and implementation of elections (CEC: AMD 898.228.994 million, TECs: AMD 139.811.390 million, and precinct commissions: AMD 1.669.103.780 million). There is no information on the convening of this session and its decisions at the CEC web sites, and there is no audio/video footage of this session.

At the same time, the CEC published the declarations of the candidates on the party lists, although the law does not require to post the latter on the website which can be considered to be positive.

### Decision making

During observation of CEC sessions, there has been not a single case of voting against the proposed draft decision by CEC member. At CEC sessions, essentially, no discussion takes place, and all the decisions are adopted unanimously. Likewise, there has been not a single recorded case of inquiries made by other commission members addressed to the initiator of the draft decision, and not a single case of proposals concerning draft decisions. It should be noted that these problems also occurred during the previous parliamentary elections.

### Registration of Observation missions

According to CEC decision No. 119-N of 09.11.2016, observers are considered to be accredited after filing with the CEC, within the established deadline, the application for accreditation and filing certificates with the relevant organization from the moment of posting information on accredited observers on the CEC website. This information is posted on the CEC website prior to the end of the day after the application for accreditation had been forwarded.

Twenty-two local NGOs have been registered at the CEC website whose observers total 17,800 persons. Only 10,800 of these observers represent two organizations: “United Chamber of Leaders” and Student Council of Abovyan NGOs that registered maximal number of observers. The head of the former organization, Lianna Manukyan, is the secretary of the PAP faction at the RA youth parliament. The second NGO is chaired by Venera Gulinyan nominated by the PAP at the service area of territorial electoral commission No. 10 in Kotayk province. These NGOs actively and overtly support one of the parties participating in the election, which is prohibited to observer organizations according to part 1, article 30, RA Electoral Code. Otherwise stated, the CEC has not properly checked the activity of observer NGOs and did not take into account possible breaches of RA Electoral Code, despite the warnings made by the NGO Hetq<sup>1</sup> and Akanates observation mission<sup>2</sup> at least as concerns “United Chamber of Leaders”.

It should be noted that earlier three other organizations supporting the PAP had applied to the CEC for accreditation and were accredited: “All-Armenian Youth Association”, “Iravazor” and “Proportionate Development” NGO for community development, each with about 5,400 observers. Based on the warning of the investigative journalists, the application of the latter was rejected since it turned out that the activity of this NGO was terminated last year, and forged documents were filed with the CEC, on which occasion a memorandum was sent to the prosecutor’s office. The data on “Iravazor” and

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<sup>1</sup> Hetq, “A disbanded NGO, an NGO owned by a candidate and other pro-Tsarukian organizations have filed observation requests”, November 24, 2018, <https://hetq.am/hy/article/98491>

<sup>2</sup> Akanates observer mission, An announcement on “fake” observer missions, November 26, 2018, <https://transparency.am/hy/news/view/2558>

“Proportionate Development” NGO for community development were removed from the CEC website without a public decision or substantiation.

According to CEC decision No. 119-N of 09.11.2016, the observer organization issues certificates matching the number of observers in the submitted list in which the title of the relevant organization is filled out. The observer’s name, patronymic and surname are filled out in the certificate by the organization and handed to the observer. The CEC does not check the matching of the composition of observation missions with each other, as well as with commission members or the media. These shortcomings create grounds for abuse both in terms of observer organizations and individual observers. Thus, in the lists filed with the CEC, numerous coincidences have been discovered. In the absence of data checking, the involvement of other persons in the certificates issued by the CEC is possible.

It should be mentioned that ENEMO (The European Network of Election Monitoring Organizations) was invited to carry out an observation mission and the CEC registered it in the list of international observation missions at its website; the application of the latter to observe the April 2, 2017 parliamentary election was rejected by the CEC.

### Consideration of complaints

On December 3, 2018, the NGO “UFAR Alumni Association” filed a complaint with the CEC, concerning the statement in ROL campaign materials that the establishment of the French University of Armenia is an achievement of that party and the chairman of the party Arthur Baghdasaryan is the “founder and president” of the university, whereas he is the chair of the university’s board of trustees. According to the applicant, a memorandum was forwarded to the ROL after which this statement was withdrawn from electronic campaign materials, however, it was not withdrawn from printed materials.

At the December 5, 2018 session, the CEC made a decision rejecting the complaint of the applicant on the grounds that RA Electoral Code does not stipulate a function for the CEC to check the content of campaign materials and a possibility to withdraw such materials.

**In general, organizational processes of the election are running smoothly, in accordance with set up procedures. Overall, the operation of the Central Electoral Commission (CEC) is transparent, but some information is not revealed in the “open-source” format, which can promote additional public supervision. During CEC sessions, no discussion has taken place: all the decisions have been made unanimously, which is problematic. Procedures and practice of accreditation for observer organizations have numerous drawbacks which on the one hand create obstacles for the organizations, and on the other hand, the CEC management is not efficient. The CEC does not properly function and does not rule out the involvement of politically biased observer groups thus jeopardizing the freedom and impartiality of the observer institution.**

### Territorial electoral commissions

During the sessions of electoral commissions observed by long-term observers, organizational issues were discussed and a number of decisions were made in conformity to RA Electoral Code, in accordance with the schedule.

It should be noted that territorial electoral commissions have neither websites, nor electronic communication. Hence, to observe their activities and to file applications, one shall visit their offices in person.

### The composition of commissions

The composition of territorial commissions has predominantly remained the same, and there are no commissioners who are not entitled by law to be electoral commission members. Nevertheless, it is known for a fact that in the past commissioners manifested improper behaviour for which, however, there were no repercussions. Thus, the chair of territorial electoral commission No. 8 (Shengavit administrative district) Norik Yeranyan on September 23, 2018, on the day of early community council election of Yerevan hindered a journalist's activity by physical force at precinct No. 8/05.<sup>3</sup>

During the session of territorial electoral commission No. 4 (Arabkir administrative district) it turned out that the commissioner Nune Cholagyan left the country and the CEC substituted her by another person.

Territorial electoral commission No. 34 (Syunik province) has not been functioning regularly and was oftentimes shut down. Although the headquarters of the commission is in Goris, six out of seven commissioners, including the chair, are from Sisian, and only one is from Goris, who is sometimes available at his work place, and it is possible to visit him only after a telephone appointment.

In addition to commissioners, so called "operator-specialists" were present at some sessions of territorial commissions. According to the CEC, in each of 28 commissions functioning in the provinces, one leading specialist has been hired for 1 year with a minimal salary to arrange procurements for the electoral processes as stipulated in article 55 of RA Law on procurements, in order to assist the commissions with electronic document management of elections. Nevertheless, during observation of territorial electoral commissions, "operator-specialists" were spotted also in the service areas of some Yerevan territorial electoral commissions, while territorial electoral commission No. 10 admitted seven teachers from school No. 119 as assistants on volunteer basis.

### Level of cooperation

The behaviour and attitude of commissioners towards Akanates mission observers on the whole was welcoming and cooperative. As a rule, although sometimes belatedly, they provided the observers with requested information on the sessions and the minutes thereof. There was an exception at territorial electoral commission No. 9 (Kentron, Nork-Marash), which unwillingly communicated with the observer and hindered his work. Commission chair Yegishe Terteryan and the secretary continuously insisted that they were not obliged to share information about sessions, hence they did not do that. They demonstrated the log unwillingly and leafing through it rapidly did not allow to film log pages. It should be noted that Yegishe Terteryan is known for his rude refusal to share information about commissioners with a candidate at municipal elections back in 2005.<sup>4</sup>

### Training

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<sup>3</sup> <https://www.aravot.am/2018/09/24/982974>, <https://news.am/arm/news/472705.html>, <https://www.shantnews.am/news/view/159605.html>

<sup>4</sup> <http://armtimes.com/hy/article/144578>

From November 25 to December 7, the CEC conducted training courses for all the precinct commission members.

Observers, mostly, positively assessed the observed courses conducted by the CEC, and the quality of instruction. Nevertheless, according to some participants, there were some organizational issues that affected the efficiency of courses. Some participants learned about the courses on the actual day of training. Some members did not participate in the courses. There were cases when participants came quite late or left early. However, it was considered that they took the course. In other words, there was weak discipline and strictness towards the participants.

In some cases the classrooms were overcrowded, and despite sufficient efforts of the instructors, there were problems with comprehension of the material. The duration of classes was 3.5-4 hours without intervals which affected the efficiency thereof. The period of time allocated for the classes was not sufficient for new precinct commissioners to digest the voluminous material.

On the whole, the knowledge and preparedness of the participants were rather poor. The commissioners with previous similar experience had an obvious advantage.

**The performance of territorial electoral commissions is not sufficiently professional. Also, the latter have no access to modern equipment, which reduces their efficiency and further progress. In general, the training of precinct commissions is sufficient, although, taking into consideration the complexity of electoral process stipulated by RA legislation, the time allocated for training was not sufficient to properly train new commissioners.**

### Election campaign

The election campaign period, according to RA Electoral Code, is the period during which the rules prescribed by this Code on making use of public resources, conducting election campaign and ensuring financial transparency are in place for the purpose of ensuring equal opportunities for the political parties running in the elections and candidates.<sup>5</sup> However, the definition of the election campaign period does not restrict campaigning during another period and there is no obstacle prior to the beginning of the official campaign, which enables the parties running for election to launch unhindered and unlimited campaigns.<sup>6</sup>

The election campaign for the early parliamentary election started on November 26, 2018. Its duration is 12 days, and it will end one day before the election, on December 7 at 24:00.

### Election headquarters

The location of the observed election HQs, in general, was in conformity to the limitations prescribed in RA Electoral Code.

As a rule, the employees of election HQs were discrete with observers and mostly avoided or refused to share information about HQ premises, and the number of HQ employees and volunteers.

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<sup>5</sup> RA Electoral Code, article 19.

<sup>6</sup> RA Electoral Code, article 21.

## Election campaign procedure

Ten days prior to the commencement of the election campaign, community leaders allocate free space in the community to post campaign materials. Publicly visible campaign materials can be posted at specially allocated places..., in case of consent from physical person, on buildings owned by the latter (except public or community buildings, schools, apartment buildings, public catering or trade facilities), on means of transportation (except public transport and taxi) or therein, etc.

It is prohibited to disseminate campaign materials in places that have not been specified by law. In case of failure to execute the decree of the electoral commission to remedy the breaches of the specified election campaign procedure by candidates, parties (alliances) the latter are subject to administrative liability.<sup>7</sup> Printed campaign materials shall contain information on the customer, printer and print-run. Dissemination of printed campaign materials without requisites specified by law is subject to administrative liability.<sup>8</sup>

During the election campaign, nearly all the political forces and candidates thereof totally ignored the rules of dissemination of campaign materials. In addition to illegitimate activities, this practice undermined the principle of equal opportunities providing most active visual campaigning for the forces that breached the procedure prescribed by law, and restricting the possibilities of law-abiding forces.

According to Akanates observations, campaign materials have been posted in places that are not specified and prohibited by law: on apartment buildings, trade and public catering facilities, community premises, taxis, lamp posts, speed-meters, trees and laundry ropes. Also printed materials without information on the customer, printer and print-run have been discovered. For example:

- In the service area of Yerevan territorial electoral commission No. 7: in Malatia-Sebastia: on Tychina St., Sebastia and Andranik Streets, at undesignated areas, posters were posted by the party alliance “My Step” and Bright Armenia Party. On Leningradian St., by the party alliance “My Step” and Prosperous Armenia. in the same area, at undesignated areas, the posters of Sasna Tsrer, Citizen’s Decision and Social-Democratic Party were also spotted.

In Yerevan Center, in the service area of territorial electoral commission No. 9, on Tumanian St., lamp posts, as well as on Yerevan Underground train doors, symbols of Sasna Tsrer were posted.

In the service area of Yerevan territorial electoral commission No.10, in Erebuni administrative district, posters mostly posted by the party alliance “My Step” on lamp posts and residential building entrances have been found.

- In Ararat province, a poster was posted by the party alliance “My Step” on lamp post, and a poster posted by Bright Armenia on a shop.
- In the service area of Armavir province territorial electoral commission No. 14, the posters of “Bright Armenia” candidates Emil Hovhannisyan and Gagik Mirijanyan, and “My Step” candidate Razmik Tonoyan, were posted on Echmiadzin polyclinic and hospital walls. In

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<sup>7</sup> RA Code on Administrative Offences, article 40.12

<sup>8</sup> RA Code on Administrative Offences, article 40.1

Echmiadzin, the posters of “Prosperous Armenia” candidate were posted inside and outside the minibuses of rout #14.

In the same province, in the service area of territorial electoral commission No. 15, in Metsamor, observers spotted the posters of “My Step”, “Prosperous Armenia” and “Bright Armenia” on residential buildings and “Prosperous Armenia” posters on a hospital.

- In Aragatsotn province, in the service area of territorial electoral commission No. 18, “My Step” and “Bright Armenia” campaign materials were posted on trees and lamp posts, at bus stops, and on shops. At the intersection of Komitas and Central Streets, the ARFD poster was posted on the reverse side of the traffic police sign.
- In Gegarkunik province, in the service area of territorial electoral commission No. 19. The posters of “My Step” candidates Narek Grigoryan and Haik Sargsyan were posted on lamp posts, gas pipes, bus stops, and residential buildings of Noraduz, Gavar, Gandzak, and Sarukhan communities. Haik Sargsyan’s posters were also spotted on two taxis owned by Gavar Trans, and on two minibuses bound to Yerevan, as well as on the chess school and Gavar music college which is also an electoral precinct.

“Prosperous Armenia” candidate Paruir Asoyan’s posters are posted on gas pipes, lamp posts and pharmacy in Noraduz, Gavar and Sarukhan communities. Davit Ziroyan’s portraits have been spotted on Gavar residential buildings and on a shop.

ARFD candidate Lavrik Arevshatyan’s posters have been spotted on residential buildings. “My Step” candidate Taguhi Tovmasyan’s posters were posted on a Gavar shop.

In the service area of territorial electoral commission No.21, in Martuni, “My Step” candidates Taguhi Tovmasyan’s and Narek Grigoryan’s posters were posted on residential buildings. “Prosperous Armenia” candidate’s poster was posted on the community center of Martuni.

- In the service area of territorial electoral commission No. 22, in Lori province, in Vanadzor, in undesignated areas, posters of “My Step” and “Prosperous Armenia” were spotted. In the service area of territorial electoral commission No.23, most posters of “Prosperous Armenia” candidates lack data on the print-run and printer.
- In the service area of territorial electoral commission No. 27, Kotayk province, in Charentsavan, Proshian, Kasakh, Byureghavan, Bjni, Karenis, and Fantan, the posters of “My Step” candidates, Sasun Mikaelyan and Romanos Petrosyan were spotted posted in undesignated areas, and in Yeghvard, “Prosperous Armenia”’s posters.
- In the service area of territorial electoral commission No. 30, Shirak province, on the community center of Ashotsk, the posters of “My Step” candidates, Karen Sarukhanyan and Emma Palyan are posted. Karen Sarukhanyan’s posters are also posted on a residential building in Ashotsk, and on the outside of a food store, and on the Amasia community library.

In the vicinity of Ashotsk town square, on lamp posts, the posters of “My Step” candidate Tigran Petrosyan are posted. At Amasia bus station, on a shop, the poster of “My Step” candidate Felix Tsolakyan is posted.

On the road signs along interstate highway M1, near Tsoghamarg village, Shirak province, ARFD candidate Suren Sargsyan’s posters are posted. The poster of “Menk-We” party alliance are posted on gas pipes in Amasia. The poster of Vardevan Grigoryan of «Prosperous Armenia» is posted on a building in Amasia.

In the service area of territorial electoral commission No. 24, in numerous undesignated places, the posters of Sarkis Petrosian from “My step” are posted.

- In the service area of territorial electoral commission No.35, in Sunik province, Nrnadzor, a poster of “My step” was spotted on a lamp post.
- In the service area of territorial electoral commission No. 36, in Vayots-dzor province, in Yegegnadzor, Vaik, and Malishka community, “Prosperous Armenia”’s and “My step”’s posters were spotted on residential buildings, on the hospital and in the catering facility.
- In Tavush province, “My step”’s posters are posted on lamp posts, and on internal and external walls of residential buildings.
- The posters of candidate Araik Agababian of “Prosperous Armenia” were posted in public transport.
- On November 24, during “My step”’s procession in Yerevan, “My step” and “Dukhov” flags were installed on an ambulance.

On certain recorded cases, Akanates observation mission filed an application with the CEC, requesting to take measures to prevent and to remedy breaches. In response, the CEC advised that during the November 29, 2018 session, at 18:00, an announcement was addressed to parties and alliances running for election, and local self-government bodies, calling on them to take measures prescribed by law to remedy the breaches. The CEC also sent memoranda to Yerevan mayor and governors focusing their attention on this problem and requesting them to give instructions to relevant bodies. Obviously, neither legal restrictions, nor CEC’s appeals changed anything in the campaigning methods of the parties, and local self-government bodies mostly did not take any proper measures.

In addition to breaches of law concerning posting of campaign materials, also, breaches of holding events were recorded. Thus, on December 1, 2018, in the service area of territorial electoral commission No. 27, the Christian Democratic Party of Armenia held its event in the plenary hall of Charentsavan art school, at 12:40, although according to the local self-government body’s decision, the school hall can be provided free of charge to political forces only after 18:00.

**Lack of regulation of campaigning prior to the election campaign period creates unequal competition for political forces running for election. During dissemination of election campaign materials parties and party alliances have totally ignored the rules specified by law. The campaigning rules are not properly supervised by law enforcement bodies and necessary measures are not taken to rectify the breaches, thus failing to ensure proper competition.**

## Electoral bribes and “charity”

According to RA legislation, bribing voters or taking bribes, breaching the ban on charity during elections or obstructing the free will of the voters are subject to criminal liability.<sup>9</sup>

We know a number of cases when the representatives of executive power appealed on the citizens to refrain from taking electoral bribes and to vote in line with one’s will and consciousness. Nevertheless, during long-term observation, a few cases of electoral bribes and “charity” have been recorded. For example:

- In the service area of territorial electoral commission No. 16, RA National Assembly member Nahapet Gevorkyan whose son is running for “Prosperous Armenia”, delivered stone and sand for the church built in Armavir, and present during the construction works.
- In the service area of territorial electoral commission No. 19, ARFD candidate, head of Gavar social support agency Lavrik Arevshatian proposed to the voters to collect votes for him for which services he promised to incorporate these families in the allowance system.
- In the service area of territorial electoral commission No. 1, on the door to Avan office of “Prosperous Armenia” a note was posted reading “Free legal assistance” with office hours. During the campaign, this office also served as the HQ of the candidate Gevork Petrosyan.
- On November 26, in Pemzashen, during “My step” election campaign, in response to a citizen’s request for an olympic carpet for Pemzashen to exercise, acting PM Nikol Pashinyan called his assistant and said to him to solve this problem.<sup>10</sup>: Later on, the PM voided his promise.<sup>11</sup>

**The practice of electoral bribe and “charity” has been nearly eliminated although there have been individual cases and whistle-blows to that effect.**

## Misuse of administrative resource

The notion of “administrative resource” has not been defined in RA legislation. However, by internationally accepted norms, administrative resources are the legal, financial, tangible and intangible means controlled by political officials and other public servants. During elections, usage of the latter in favor of a political force or candidate creates unequal competition and can affect election results.

During the observation of election campaign period, including the period prior to the official campaign commencement, a number of administrative resource abuses have been recorded. For example:

- On November 19, 2018, in Martuni, during the celebration of the 190th anniversary of the town and at the inauguration of the school building, in his speech, acting PM Nikol Pashinian campaigned in favor of “My step”.
- On November 27, 2018, at 12:20, in the service area of territorial electoral commission No. 23, in Vanadzor, there was a pre-election meeting of “My step” with voters, in which Vanadzor mayor Mamikon Aslanyan participated, as well as some municipality employees and Lori provincial government staff.

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<sup>9</sup> RA Criminal Code, article 154.2.

<sup>10</sup> <https://factor.am/102566.html>

<sup>11</sup> <https://factor.am/102623.html>

- On November 29, 2018, in Vanadzor, during work hours, there was a pre-election meeting of “My step” with voters, in which Vanadzor mayor Mamikon Aslanyan participated, as well as some municipality employees and Lori provincial government staff.
- In the service area of territorial electoral commission No. 19, according to citizens, “My step” candidate, RA state supervision service deputy chief Haik Sargsyan met the community leader and instructed him to collect votes for him, he also hinted that he can conduct inspections in the municipality.
- In the service area of territorial electoral commission No. 19, Gavar community leader, according to citizens’ information, instructed to collect votes for the candidate Haik Sargsyan of “My step”.
- On November 29, 2018, “My step” candidate, acting Shirak governor Karen Sarukhanyan’s campaign was attended by village mayors, village hospital personnel, culture center personnel, and kindergarten personnel.
- In Lori province, Alaverdi municipality utilities department chief Hamlet Mirzoyan, during work hours and days, campaigned in favor of RPA candidate Arthur Nalbandian.
- According to various residents, in Gegarkunik province, “My step” candidate candidate Narek Grigoryan promised jobs at the provincial government, in case he would be elected.
- On November 30, 2018, in Amasia community, during work hours, the pre-election meeting of “My step” candidate Karen Sarukhanyan was attended by Amasia municipality personnel.
- RA Aragatsotn governor David Gevorgyan invited community leaders and, misusing his official position, instructed them to work for “My step”.
- According to a group of Ashtarak citizens, Ashtarak mayor campaigned in favor of the RPA.
- On December 4, 2018, in the service area of territorial electoral commission No. 8, (Shengavit), a member of electoral precinct No. 8/9 from YELK faction, Vahan Arsenyan was actively campaigning at the electoral event of “My step”.

Abuse of official influence was also spotted in private companies. For example:

- Head of Gavar Trans company met his employees and told them to collect votes for “My step” candidate Haik Sargsyan.
- In Charentsavan, the employees of ASKE Group factory owned by RPA candidate Vahan Harutunyan warned that the factory management instructs them and makes them vote for the RPA.
- On November 27, 2018, “My step” electoral event was attended by Gloria garment factory employees, who were transported to Vanadzor central square by four buses, in an organized manner. During the conversation with garment factory employees, it was recorded that “they were told to come” or “we don’t know, we were transported”.

In addition to the above, there are announcements by some parties on exerted pressure. Thus, the secretariat of All-Armenian Party “Sasna Tsrer” announced that the police in Gumry, Martuni, Vanadzor and Ijevan tried to prevent the meetings of party members with the citizens, and persecuted party members.<sup>12</sup>

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<https://www.aravot.am/2018/11/01/990813/?fbclid=IwAR2pRER3MxDhBdBKWhCOoS2Pa4dkg8z2EYDAojTicbSazLbjpuKkalcZ9kY>

The RPA announced that in Echmiadzin the billboard provided to the RPA by lot by the CEC was not given to them by the organization that owns it. On this occasion, a crime was reported to the Office of the Prosecutor General, however, this body did not respond within the proper deadline.

**The number and occurrence of administrative resource misuses have significantly decreased compared with the parliamentary election of 2017. In general, there are problems with the inadequate perception of this notion among public officials.**

### Hate speech

The election campaign period for the December 9, 2018 elections was rather tense for all forces. However, public attention was focused on the counter-propaganda carried out by “My step” and the RPA and reciprocal tough accusations that overshadowed the electoral programs of the parties and debates. It was mostly during the electoral events and meetings of these two forces and in the records of cohorts thereof that insults and threats have been voiced. In the case of “My step”, acting RA PM Nikol Pashinyan who heads the party list in his numerous speeches used aggressive and improper overtones and vocabulary. For example: “spreading on asphalt” or “bumping against the wall”. Although it was said about perpetrators of crime, emphasizing intolerance towards such offences, such rhetoric can be perceived by public at large as propagation and instilment of violence culture.

There were cases during the pre-election period when to win the sympathies of a certain electorate, sexual minorities were targeted, which may contain the risk of instilling hatred and violence among some groups against this population. Thus, Edward Sharmazanov on the RPA list on November 13 in his speech made an appeal to those who “oppose sectarian propaganda, perversion and homosexuality” to join him.<sup>13</sup> Vigen Sargsyan who heads the RPA list attempted to hold counter-propaganda against these groups during the TV debates on December 5, 2018. Menua Harutunyan from the RPA list proposed to declare Shurnukh the “international center for beating gays and pinks”.<sup>14</sup> Such propaganda obviously breaches article 10 of the European Human Rights Convention, and articles 19 and 20 of the International Covenant for Civil and Political Rights.

**For the first time in the Republic of Armenia, the electoral campaign has been marked by live broadcasting of the debate between competing political forces. The focus of the media, predominantly, on the debates of two political forces overshadowed the party programs and the proposals of Armenian citizens on various problems. What causes concern is the frequent abusive language during the campaign, as well as threats and hate speech which does not contribute to civilized political culture.**

### General atmosphere

Akanates observations have shown that that on the whole the election campaign has been running rather actively which essentially differs from the April 2017 elections held under the same electoral procedure, when there was no competition between parties, electoral competition was moved to the dimension of

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<sup>13</sup> <https://www.youtube.com/watch?v=thRgg0OulNs&t=7s>, 3:40

<sup>14</sup> <https://www.facebook.com/1448029655493046/videos/124380358455188>, 0:20

bribes and “charity” distributed by candidates. Competition was not as much political as financial, while the election results were predictable.

It should be noted that despite the tense campaign, the general situation was assessed by citizens as peaceful. They emphasized essential differences compared with the previous elections where pre-election atmosphere was tense owing to involvement of condominiums, voter list compilation, door to door visits, pressure exerted on employees, aggressive “charity”, electoral bribes and other negative phenomena.

At the same time, it should be noted that some citizens were indifferent to and unaware of elections. Some individuals still have expectations of electorsal bribes from somebody. Nevertheless, a most citizens are interested in the election and have expectations of fair elections.

**One can conclude that the pre-election phase of the December 9, 2018 early elections ran in free, competitive and peaceful electoral conditions, which are essentially different from the previous national elections held in the same period. Serious progress has been achieved in terms of decrease in administrative resource misuses and restriction of the free expression of the voters will.**