REPUBLIC OF ARMENIA
PARLIAMENTARY ELECTIONS 2017

REPORT

HELSINKI COMMITTEE OF ARMENIA

Yerevan 2017
Contents

Preface ................................................................. Error! Bookmark not defined.

Electoral campaign .............................................. Error! Bookmark not defined.

   Electoral campaign in broadcasting media ............. Error! Bookmark not defined.

   Use and abuse of administrative and financial resources .... Error! Bookmark not defined.

   Violence and Pressure ...................................... Error! Bookmark not defined.

Voting ............................................................... Error! Bookmark not defined.

Conclusions ...................................................... Error! Bookmark not defined.
Preface

The present Report is about the parliamentary elections held in the Republic of Armenia (RoA) on 2 April 2017 and is based on findings of the observation mission carried out by the Helsinki Committee of Armenia and on partner organizations’ reports and statements as well as on publications in the media. As compared to previous elections, these elections were particularly important because through the new Constitution¹ adopted by the 6 December 2015 referendum Armenia made a transition from a presidential to a parliamentary system of governance. As per the Constitutional amendments, the National Assembly is elected through a proportional representation system². The referendum on Constitutional amendments was followed by the debates about new Electoral Code. The new Electoral Code established that the list of voters who took part in the elections be published. That had been one of the most important demands of the opposition and civil society in all previous national elections. The requirement that the entire process of voting and vote count in polling stations be videotaped and live streamed was also introduced as were the Voter Authentication Devices to rule out multiple voting.

Even though the Constitution and the Electoral Code established the proportional electoral system, every political party submitted alongside the national list of its candidates also its district electoral lists, as a result of which there was fierce competition not only between various political parties but also between the candidates nominated by the same party on the district electoral lists³, in some cases leading to disputes and violence. 9 political forces, viz. 5 political parties (the Republican Party of Armenia, the Armenian Revolutionary Federation (ARF-Dashnaktsutiun), Armenian Renaissance, Free Democrats, Communist Party of Armenia) and 4 alliances of political parties (Tsarukyan Alliance, YELK Alliance, Congress-Armenian People’s Party Alliance and Ohanyan-Raffi-Oskanian Alliance), were nominated to run in the parliamentary elections of 2017.

² The National Assembly shall be elected through proportional electoral system. The Electoral Code shall guarantee formation of stable parliamentary majority. Where stable parliamentary majority is not formed as a result of elections or through formation of a political coalition, a second round of election may be held. In case of holding a second round of elections, the formation of new alliances shall be permitted. The restrictions on, conditions and procedure for formation of political coalition shall be prescribed by the Electoral Code. (Constitution of the Republic of Armenia, Article 89, para.3).
³ Elections to the National Assembly shall be held under the proportional electoral system, from one multi-mandate constituency covering the whole territory of the Republic from among candidates for MPs nominated in the national and district electoral lists of political parties (RoA Electoral Code, Article 77).
Electoral Campaign

Electoral campaign in broadcasting media

According to the OSCE/ODIHR monitoring results, during the campaign the Public TV (H1) devoted an equitable share of airtime to all contestants in its newscasts. Armenia TV devoted almost double the news coverage to the Republican Party of Armenia and Congress-Armenian People’s Party Alliance (21 and 19 per cent respectively) than to each of the other contestants. Kentron TV devoted significantly more news coverage (18 per cent) to the Tsarukyan Alliance than to other contestants. Shant TV devoted 20 per cent of the news to the Republican Party of Armenia while giving between 7 and 12 per cent to the others. Yerkir Media TV allocated 25 per cent of its news to the Armenian Revolutionary Federation leaving the other contestants with 6 to 13 per cent of coverage. The news coverage on all monitored TV stations was 98 per cent neutral or positive in tone. However, the monitoring results for the period from 24 February to 4 March, before the start of official campaign, revealed a clear bias of monitored TV stations in favor of their publicly perceived party affiliation⁴.

Use and abuse of administrative and financial resources

During the electoral campaign there were numerous publications about instances of abuse of administrative resources by political forces and individual candidates and of giving material assistance to voters or of promises of providing such assistance. On 31 March, the Independent Observer Civic Alliance published the Long-term Observation of Electoral Campaign Report, which contained information about instances of services provided and material support given to voters by the candidates nominated by the Republican Party of Armenia and the Tsarukyan Alliance⁵. From the campaign start on, during numerous rallies the leader of the Tsarukyan Alliance Gagik Tsarukyan manifestly made promises of material support to the citizens who

⁴ Statement of preliminary findings and conclusions regarding parliamentary elections. OSCE/ODIHR International Election Observation Mission (IEOM) 2 April 2017.
approached him with various requests. The Central Electoral Commission warned the Alliance stating that by making promises of monetary and material assistance Gagik Tsarukyan had violated the law. However, the CEC did not initiate any administrative proceedings.

According to a publication in Zhoghovurd newspaper, those servicemen in the armed force who had already served six months and had not yet availed themselves of the leave envisaged for them by the law, they were allowed to go on leave on the condition that they would return to their military units by April 2.

According to Haykakan zhamanak newspaper, Seda Hakobyan, a principal of kindergarten № 38 (and wife of the candidate Arman Sahakyan nominated by the Republican Party of Armenia) ordered her staff to get their relatives residing in the country’s regions reregistered in Electoral District №.

On March 24, suit.am website published audio recordings that were made during telephone conversations with 136 principals of schools and kindergartens. Members of Union of Informed Citizens non-governmental organization, who had made those recordings posing as members of the Republican Party of Armenia, asked those principals about the “recruiting” lists. According to the recordings, the principals of those educational institutions compiled lists (the lists for the most part included parents of kindergarten and school children), submitted them to Regional Governors’ Offices, Town and City Halls, Offices of Districts’ Heads, to the electoral campaign headquarters of the Republican Party of Armenia or its candidates revealing the names of the candidates. The number of persons on the lists was on average 240 in case of schools and 150 in case of kindergartens, at times reaching 1,700. The principal of school №37 in the city of Gyumri even declared that they “have been working with voters for one month already, every day, by intimidating them through any means.” In response, the electoral campaign headquarters of the Republican Party of Armenia and the party’s Deputy Chairperson Armen Ashotyan declared that if the principals were involved in campaigning and logistical activities outside their working

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hours, their actions do not contradict the law. After the elections, 30 of those principals brought a suit against the Union of Informed Citizens NGO and its member Daniel Ionisyan demanding public retraction of facts, which they regard as defamatory, and to pay damages of 60 mln AMD, while the Prosecutor’s Office announced that there is no corpus delicti in those recordings.

On 13 April 2017, Haysatan 24 media outlet published an audio recording made during a meeting of employees of SAS Group Ltd. One can hear in the recording how the moderator of the meeting demands that in the parliamentary elections to be held on 2 April employees should vote for Artak Sargsyan, who was nominated by the Republican Party of Armenia, and should involve their family members, relatives and friends. Those employees with few people on the list [with passport and other data of people who committed to vote for Artak Sargsyan] were publicly shamed and words of sarcasm and threats of dismissal were hurled at them, while those with many names on the list received encouragement and were promised higher wages, promotion and travel packages. On April 19, the RoA Special Investigative Service initiated a criminal case as per Article 154 para. 2 of the Criminal Code.

According to the results of the long-term observation mission by the Independent Observer Civic Alliance, an employee of the Copper-molybdenum plant in Kajaran was
fired for failing to collect passport data of 100 citizens who would vote for the Republican Party of Armenia.\(^{15}\)

As per Article 114 of the RoA Labor Code, employee’s convictions or views and affiliation in political parties, inter alia, are not considered as legitimate reasons for the termination of the employment contract on the initiative of the employer. The grounds for emergence of labor rights and obligation are thoroughly presented in Article 36. Article 3 of the same Code prohibits any type of compulsory work, while Article 37 establishes that while exercising their rights and fulfilling their duties employers, employees and their representatives are bound to comply with the law and act in a sound and reasonable manner. Abuse of labor rights is prohibited.

After the elections the Civic Observer Initiative announced that having studied the signed voter lists, they discovered 106,000 citizens’ registration at unknown addresses.\(^{16}\) Having reviewed data on the final lists of citizens who had the right to vote in the 2017 parliamentary elections (the lists were posted on the official website police.am of the RoA Police), representatives of the YELK Alliance found out that the total of 18,404 voters were registered at 616 addresses in the city of Yerevan.\(^{17}\)

**Violence and Pressure**

The electoral campaign in the 2017 parliamentary elections was launched on March 5 and was marred by tensions. Instances of politically motivated violence and pressure were registered not only during the electoral campaign but even before it was officially launched. Before the start and during the electoral campaign mass media disseminated numerous pieces of information about unequal conditions for campaigning, non-allocation of premises for campaign offices of the opposition forces or refusal to allocate premises to them by bringing pressure to


\(^{16}\) «Հրապարակ.» 106 հազար պատկանության գրանցված է անհայտ հասցեներում. Հրապարակ, 12.04.2017թ., հայտնվում է http://hraparak.am/?p=143404&l=am/hraparak+106+hazar+qaxaqaci+granycac+e+anhayt+hasenero%D6%82m (“106,000 citizens registration at unknown addresses.” Hraparak, 12 April 2017, See http://hraparak.am/?p=143404&l=am/hraparak+106+hazar+qaxaqaci+granycac+e+anhayt+hasenero%D6%82m)

\(^{17}\) «Շատ ծանր հասցեներում 100-ից ավելի հանդիսացած էին հանդիպողներ. 18 հազարից պաշտոնը 621 հանգընկում էին հանդիպողներ.» Հայկական ժամանակ, 05.05.2017թ., հայտնվում է http://armtimes.com/hy/article/111225 (“In many single addresses over 100 persons are registered: 18,000 voters at 621 addresses.” Haykakan zhamanak, 5 April 2017, See http://armtimes.com/hy/article/111225)
bear on the owners of leased premises. Many media outlets disseminated publications about heated disputes between candidates on the district electoral lists of the Republican Party of Armenia, ARF-Dashnaksutian and Tsarukyan Alliance and between supporters of political parties or alliances of parties, about brawls and incidents of stabbing in various regions of the Republic of Armenia. According to the 2017 first Quarterly Report of the Committee To Protect Freedom of Expression on the Situation with Freedom of Expression and Violations of Rights of Journalists and Media in Armenia, during the official campaign 3 cases of physical violence and 18 cases of pressure on the media representatives were registered.

On March 12 and 14 there were clashes in Jrarat community in Arnavir region with the participation of members of Ohanyan-Raffi-Oskanian Alliance (ORO) and Lernik Yeranosyan
who is a brother of the RoA Deputy Police Chief Levon Yeranosyan. The RoA Investigative Committee confirmed the fact that during the 12 March dispute Lernik Yeranosyan used firearm21. According to the ORO Alliance, during a meeting that they organized on March 12 in Jrarat village Jrarat Community Head Samvel Galstyan verbally abused the meeting participants and demanded that they leave the venue. An altercation ensued between him and the meeting participants. On the same day, in a home of the ORO Alliance sympathizers Police Colonel Lernik Yeranosyan threatened the Alliance members with a handgun, fired shots into the air. However, the latter managed to seize the handgun and subjected Yeranosyan to beating. On March 14, 4 shots were fired from a sub-machine gun into the air. ORO Alliance declared that police servicemen Seryozha Galstyan, a brother of Community Head Samvel Galstyan, was armed with the sub-machine gun. After the incident 3 sympathizers of ORO Alliance were taken to Erebuni Medical Center. One of them had a gunshot wound22. The video material posted on the Internet shows that the RoA Deputy Police Chief Levon Yeranosyan was present during the incident23. According to the report published by the Union of Informed Citizens NGO, Lernik and Levon Yeranosyans reside in Jrarat village and are uncles of the village Head, member of the Republican Party of Armenia Samvel Galstyan24. In connection with the incident the RoA Investigative Committee launched a criminal case. The Jrarat village resident Tigran Sargsyan was detained, charged and remand in custody was selected for him as a measure of restraint.

On March 22, the former Defense Minister of Karabagh, supporter of the ORO Alliance Samvel Babayan was detained and then arrested within the framework of the criminal case on illegal transfer of Igla portable antiaircraft missile complex from Georgia to Armenia25. During the interrogation Samvel Babayan declared that he has nothing to do with the transfer of the

23 «Արտահերթ զեկույց Ջրառատի դեպքերի մասին» Իրազեկ քաղցի, 14.03.2017թ., հղում՝ https://www.youtube.com/watch?v=JdLPAByuRe0 ("Levon Yeranosyan took a direct part in the incident in Jrarat village." Zham Tesanyut, 14 March 2017. See https://www.youtube.com/watch?v=JdLPAByuRe0)
25«Սամվել Բաբայանը կալանավորվեց երկու ամսով» Ազատության Ռադիոկայան, 24.03.2017թ., հղում՝ https://www.azatutyun.am/a/28389382.html ("Samvel Babayan has been arrested for two months." Radio Liberty, 24 March 2017. See https://www.azatutyun.am/a/28389382.html)
weapon and does not know the individuals who were arrested in connection with the case. One week prior to his arrest, in an interview given to Radio Liberty Samvel Babayan stressed his continued support of ORO Alliance and subjected the powers that be to unsparing criticism\(^{26}\). Heads of ORO Alliance qualified Babayan’s detention as persecution of the Alliance and regarded Samvel Babayan a political prisoner\(^{27}\).

### Voting

During the 2 April 2017 parliamentary elections 49 local NGOs accredited by the Central Electoral Commission carried out an observation mission. It should be noted that from the very beginning the fact that the CEC granted accreditation to a large number of local organizations involving 28,000 observers raised serious concerns.

The Helsinki Committee of Armenia was among the organizations that carried out an observation mission. Its 120 observers carried out an observation mission in 52 polling stations in Azapniak administrative district in the city of Yerevan. An observation mission was also performed by Transparency International Anticorruption Center (about 3,100 observers) (the Citizen Observer Initiative) as well as the Independent Observer Civic Alliance (about 200 observers) that was established by the Vanadzor Office of Helsinki Citizen Assembly, Union of Informed Citizens, Women’s Community Council of (the town of) Martuni and Press Club (of the town of) Goris non-governmental organizations. The above-mentioned organizations held press conferences and issued statements and reports regarding the Election Day. In their view, the parliamentary elections were marred by numerous flaws and violations and the pressure that was brought to bear on free expression of voters’ will\(^{28}\).
In the polling stations where Helsinki Committee of Armenia carried out an election observation mission, the observers from a number of local organizations pursued their political parties’ interests (Tsarukyan Alliance and Republican Party of Armenia), instructed voters for whom they should cast their ballots for, “helped” them to vote, attempted to give instructions to Precinct Electoral Commission members, to control the election process and to engage in campaigning, etc. Those organizations are Full Life, Regional Center for Initiatives and Projects Development, Center for Economic and Social Rights, United Leaders’ Chamber, Eurasian Integration, Institute for Development of Legal Culture, Democracy and Election Processes and All-Armenian Youth Association.

- A significant number of polling stations were not accessible to persons with locomotor disability, special devices intended for organizing voting for visually impaired persons were absent, the polling rooms were not adequately furnished and in almost all polling stations disruption in the operation of Voter Authentication Devices were registered.
- Not all PEC members in the observed polling stations were knowledgeable enough about the voting procedure (for instance, they took a break during the vote count session) or were indifferent to the voting procedure (for instance, violations of the procedure for changing the Commission members’ shifts that were determined through drawing lots).
- Some proxies and local observers present in the polling stations attempted to regulate the voting process and to give instructions to PEC members. Instances were observed when those individuals interfered with the activities of PEC members, replaced the latter, took part in vote count, etc.
- In some polling stations the performance of the observation mission was obstructed. Observers were intimidated and their rights were limited.
- Crowds gathered and clusters of vehicles parked outside of many polling stations (within the 50-meter radius). The individuals assembled there would meet voters who were
coming to cast their ballots and would accompany them in groups or one by one to the polling station. Many of those individuals from time to time talked to the Tsarukyan Alliance or Republican Party of Armenia proxies or to observers from a number of local NGOs. Observers from those local NGOs represented political parties’ interests, in some instances stating that in no uncertain terms.

- Often citizens coming to cast their ballots violated the principle of secret ballot. They revealed who they voted for by clearly showing outside the voting booth what ballot paper they put into the envelope or by saying out loud about the choice they made.
- There were numerous instances of the same individuals helping those voters who were unable to vote on their own as well as of several individuals entering the same voting booth simultaneously.
- Registered were attempts of multiple voting.
- In many polling stations unauthorized persons were present who undertook activities in the interest of a political party or an alliance of parties or of their candidates, exercised control over the voting process and violated secrecy of ballot.

On the Election Day also registered were instances of violence against and pressure brought to bear on reporters. On April 3, a number of non-governmental organizations issued a statement noting 2 incidents of violence and 8 incidents of obstruction and pressure targeting reporters.29

Shoghik Galstyan, a reporter with Araratnews.am news website, and Radio Liberty reporter Sisak Gabrielyan were assaulted near the campaign office of the Republican Party of Armenia candidate Hakob Beglaryan in Kond administrative district in Yerevan. S. Gabrielyan noticed cases of vote-buying in the campaign office of the Republican Party of Armenia, which was very close to the polling station. The individuals in the campaign office said that they were paying salaries. The crowd near the campaign office demanded that the reporters leave the premises and stop videotaping.30 The reporters went on with videotaping and then two residents started shoving the reporters and seizing their videotaping devices. Julietta Kokolyan and Levon

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Gasparyan were charged under Article 149 Part 2 para.3 of the RoA Criminal Code\textsuperscript{31} for using violence against the reporters and obstructing their professional activities.

Professional activities of Tirayr Muradyan, a reporter with Haykakan zhamanak daily, were obstructed in polling station № 9/29 in Kentron administrative district of Yerevan. In connection with the incident a criminal case was instituted under Article 149 Part 2 para.3 of the RoA Criminal Code\textsuperscript{32}.

On April 9, the Central Electoral Commission published the election results, according to which 4 political forces obtained seats in the National Assembly, viz. the Republican Party of Armenia (49.08\%), Tsarukyan Alliance (27.3\%), YELK Alliance (7.78\%) and ARF-Dashnaksutiun (6.57\%).

**Conclusions**

Since the declaration of independence, elections in the Republic of Armenia were held with gross violations, viz. intimidation, ballot-box stuffing, snatching of ballot-boxes, manipulation of voting results protocols, terrorization of and violence against opposition candidates, while from 2000 on, vote-buying too became widespread. In the aftermath of each successive elections an impression was created that that powers that be try to make voting and vote count as much transparent as possible. Through the Constitutional amendments referendum, which was held in 2015 and was also accompanied by numerous violations, the presidential system of government in Armenia was replaced with the parliamentary one. The specific feature of the 2017 parliamentary elections was that the position of the President will not be filled through general elections and that in the years to come the National Assembly will play a key role in the formation of the system of government. Even though voting and vote count were held

\textsuperscript{31}«Ավարտվել է «Ազատություն» ռադիոկայանի և «araratnews.am» լրատվական կայքի վրա սպասարկված մասնագիտական գործունեությանը խոչընդոտող դեր կատարող մարդկային գործի նախագահի հարցը » ՀՀ քննչական կոմիտե, 27.04.2017թ., հղում՝ http://www.ccc.am/hy/1428493746/3/5506

\textsuperscript{32} «Լրագրողի գործունեությանը խոչընդոտական փաստով հարուցված քրեական գործը ընդունվել է ՀՀ քննչական ծառայության վարույթը » ՀՀ քննչական կոմիտե, 19.04.2017թ., հղում՝ http://www.ccc.am/hy/1428493746/3/5496
for the most part in transparent fashion, the reproduction of power was guaranteed through the use of administrative and financial resources. Many facts of the use and abuse of administrative and financial resources were uncovered and acts of violence were committed, which, however, did not have any appropriate legal consequences.

The Helsinki Committee of Armenia states that the parliamentary elections held on 2 April 2017 were marred by numerous flaws and violations, that pressure was brought to bear on free expression of voters’ will and that the elections did not comply with principles and standards of democratic elections.