

# The Congress of Local and Regional Authorities



**AUTUMN SESSION**  
**CG(15)33REP**  
13 November 2008

## **STANDING COMMITTEE**

### **Local elections in Armenia observed on 28 September 2008**

Paolo Rondelli, San Marino (L, SOC)

Explanatory Memorandum  
Bureau of the Congress

Summary: Following the invitation from the authorities of the Republic of Armenia, the Congress decided to send a delegation to observe the elections of the Local Self-Government Bodies in five out of the 12 communities of the City of Yerevan on 28 September 2008. The delegation was headed by Mrs Veronique Moreira, member of the French delegation to the Congress (For the complete composition of the delegation, see Appendix 1).

The elections were held for the head of the community in two communities and for the council of Elders' in the three others.

The Congress delegation expressed concern that "lack of transparency and tensions at a number of locations" overshadowed "the continuing development of local democracy in Armenia". In conclusion, the delegation stated "that local elections in Armenia showed that local democracy needs further tangible consolidation".

R : Chamber of Regions / L : Chamber of Local Authorities  
ILDG : Independent and Liberal Democrat Group of the Congress  
EPP/CD : Group European People's Party – Christian Democrats of the Congress  
SOC : Socialist Group of the Congress  
NR : Member not belonging to a Political Group of the Congress

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## **1. Introduction**

1. The delegation would like to thank the authorities of the Republic of Armenia for their assistance and co-operation. In addition, the delegation is grateful to Mr Emin Yeritsyan, Head of the delegation of Armenia to the Congress; to Mrs Silvia Zehe, Special Representative of the Secretary General of the Council of Europe as well as other staff members at the Council of Europe Office in Erevan for their support and assistance which was essential for the smooth running of the observation mission.

2. The Council of Europe's delegation held a series of key preparatory meetings with the Deputy Prime Minister and Minister for Territorial Administration, the Central Electoral Commission, members of the delegation of Armenia to the Congress, representatives of the international community in Armenia, the media, as well as political parties and candidates. On the electionday, the Council of Europe delegation was deployed into five teams in Kentron and NorNok for the elections of the head of communities and in the Avan, Shengavit and Nork Marash communities for the elections of the Elders' councils.

3. The members of the Congress delegation were the only international observers present at the elections since the OSCE/ODIHR does not normally observe local elections. This gave a greater visibility and a higher responsibility for the Congress delegation.

## **2. Background**

4. The Republic of Armenia achieved its independence from the Soviet Union on 21 September 1991 and became member of the COE on 25 January 2001. Armenia signed the Charter of Local Self Government on 11 May 2001 and ratified the Charter on 25 January 2002. The Charter came into force on 1 May 2002.

5. Local administration in the Republic of Armenia is based on three main texts: the Constitution, adopted by referendum on July 1995 and amended in 2005, the Law on Local Self-Government of May 2002 and the Law on the City of Yerevan.

6. According to the Constitution, the administrative–territorial units of Armenia include 10 marzes (regions) plus the City of Yerevan. A governor heads each region. Each marze is divided into communities (12 districts for the city of Yerevan.). A community consists of a Council of Elders' and a head of the community, both directly elected for a four-year mandate. The City of Yerevan is considered as a region per se and the mayor is appointed or removed by the President of the Republic upon recommendation of the Prime Minister.

7. However, the 2005 Constitutional Amendments set a four-year deadline to adopt a new law on the city of Yerevan. A draft text has recently been voted by the Parliament in the first reading and the law is expected to be passed during 2009. Under this new legislation, the mayor of Yerevan would be elected by all the members of the city council not later than December 2009. This reform would alter the present situation in two ways:

- The election of the mayor of the capital will become more politically rooted and will polarize the political trends in the country.
- The mayor of Yerevan is likely to become a key political actor in Armenia on a par with the President and the Government.

8. The local elections which took place on 28 September 2008 in five districts of the city of Yerevan are part of a series of local by-elections all over the country aimed at renewing the councils of Elders' along with the head of the community. The previous local elections were held on 7 September 2008 under a climate of tensions but were not observed by the Council of Europe. The next round of elections was due on 19 October 2008.

9. Under the present Election Code, the hierarchical structure of the electoral administration consists of the Central Electoral Commission at State level, the territorial electoral commission at the community level and the polling station commission. The polling station commission is made up of 8 members: 5 members nominated by the five political parties present in the Parliament; 2 members designated by the prosecutorial council and one member appointed by the Central Electoral commission.

10. The polling took place in five districts of the city of Yerevan. Political competition was very high in the central district since it is considered by all the political forces as a major step to obtaining a key role in the running of the capital.

11. However, the overall political climate was still marred with tensions stemming back to the dramatic events of March 2008 when opposition demonstrations ended up with shootings, casualties and several arrests. Demonstrations have continued since then, but recently, the opposition agreed to hold only peaceful rallies.

### **3. Main Findings and Observations.**

12. The delegation was deployed in the five districts where elections for the council of Elders' and for the head of the community took place. The observers of the Council of Europe visited approximately 100 polling stations.

13. One of the main features of the polling was the low voting turn-out. The participation of 30% to 50% derived from election fatigue, lacklustre campaigns and the lack of political competition, especially for the council of Elders. Moreover, the delegation took note of the question about the relevance of holding local elections since fresh local elections are due to take place in 2009, in line with the soon to be adopted law on the city of Yerevan. This latter element also impacted on the voting turn-out.

14. However, in the district of Kenton, where the two contenders for the election of the head of community were the out-going head of the ruling governmental coalition and the former head candidate of the opposition, the political polarization was very high. The figures of 98% voter turn-out observed in some polling stations cast great doubts on the validity and the transparency of the vote.

15. In some polling stations, the voting booths did not provide adequate protection of voters' privacy. Likewise, some stations were located on the first floor of a building, making it difficult for handicapped people to vote.

16. The large majority of the polling station commissions showed a good level of professionalism in electoral management: the members met by the observers proved to have been long involved in past election processes and to have received relevant training.

17. The participation of women in the political process still remains at a low rate. At the technical level of the electoral process, their presence is satisfactory. In many cases, the women made up the majority of the polling station commission, often chairing the commission. However, their presence dropped drastically at the political level, be it among the candidates and the rank of eligibility in the list or among the newly elected councillors. As an example, the list of candidates for the council of the Nornok district included only one woman out of a total of 36 names. She will be the only elected woman of the fifteen-member district council of Elders.

18. The presence of many candidates' proxies and, to a lesser extent, domestic observers was noted at the polling stations, which the delegation sees as a positive sign for a better transparency of the elections. It considered the number of proxies to be excessive, especially during the opening and counting processes. There were also a number of people present in the polling stations whose role could not be clearly identified, presenting the possible danger of hindrance to the work of the polling station committee.

19. During its meeting with the media, representatives and candidates, the delegation heard that there was not yet sufficient quality or balanced information provided by the national electronic media to enable the citizens to make a well-informed choice. The delegation was also informed that a candidate for the head of community office was denied access to 16 of 17 national electronic media.

20. Examples of bussing and bribery were reported to the observers. The delegation itself observed a lack of transparency in both voting and counting procedures and witnessed upheaval of tensions around some polling stations.

#### **4. Conclusions**

21. It is widely accepted that the holding of elections is an important step to the development of local self-government and is seen as an essential pillar of a democratic society. In general, the local elections were technically well organized and the observer teams had positive impressions from the quality of administration by many of the polling station commissions. Most of them claimed to have an already strong background in electoral administration, had received sufficient training and seemed knowledgeable about their duties.

22. In most of the cases, the polling proceeded in an orderly fashion.

23. However, there remain a number of grey areas that the Armenian authorities need to address. In addition to a sound electoral framework, the practical implementation of certain basic political rights and freedoms like freedom of expression and association are essential.

24. The observers noted that the voter turn-out was disappointingly low in some areas and disproportionately high in others, thus underscoring a low interest among voters in local government affairs and giving the impression that the political democratic culture needs further consolidation.

25. The delegation considers that spreading the elections over such a long period is detrimental to a smooth and efficient election process and that holding of elections on a single day would increase citizens' interest in the local government affairs and encourage participation, in particular for the election of the council of Elders'.

26. Overall, the delegation expressed concern over the lack of transparency in both voting and counting procedures and on the climate of tension at a number of polling stations.

27. The Congress, for its part, will renew its efforts to help this Council of Europe member state achieve further progress in this area with a view to continuing the development of local democracy in Armenia.

**The recommendations of the Congress to the Armenian authorities based on the observation of the local elections are presented in document CG(15)33, Recommendation.**

## **APPENDIX I**

### **COMPOSITION OF CONGRESS DELEGATION ON 28 SEPTEMBER 2008**

#### **Congress / Congrès**

- **Ms Véronique Moreira**, Regional Councillor of Rhône Alpes (France, NR, R) – **Head of the delegation**
- **Mr Joe Conway**, Councillor, Tramore Town Council (Ireland/Irlande, ILDG, L)
- **Mr Mikhel Juhkami**, Chair, Rakvere City Council (Estonia/Estonie, EPP/CD, L)
- **Mr Dobrica Milovanovic**, Mayor of the Assembly of the Municipality of Kragujevac (Serbia/Serbie, NR, R)
- **Mr Paolo Rondelli**, Municipal councillor of San Marino (San Marino/Saint Marin, SOC, L) - **Rapporteur**
- **Ms Dominique Ronga**, delegated to the interregional relations and the decentralised co-operation, Vice-President of the Regional Council of Lorraine (France, SOC, R)
- **Mr Uldis Rozenbergs**, Chairman, Gibulu Rural Municipality Council (Latvia/Lettonie, EPP/CD, L)

#### **Congress Secretariat / Secrétariat du Congrès**

- **Ms Antonella Cagnolati**, Director of the Congress
- **Mr Michel Rivollier**, Project Manager
- **Ms Gönül Koçak**, Congress Secretariat

## **APPENDIX II**

### **PRESS STATEMENT ISSUED BY THE CONGRESS DELEGATION ON 29 SEPTEMBER 2008**

#### **Local elections in Armenia show that local democracy needs further tangible consolidation**

Yerevan, 29.09.2008 – Congress delegation, headed by Ms Véronique Moreira (France, NR), arrived in Yerevan on Wednesday last and conducted a number of key meetings with representatives of institutional bodies, political parties, NGOs and media.

Subsequently, observers deployed to all electoral districts in Yerevan and visited some 100 polling stations.

Council of Europe Congress observers, at yesterday's local elections in Yerevan, are worried that lack of transparency, and tensions at a number of locations overshadow the continuing development of local democracy in Armenia.

On the one hand, observers noted that low participation in areas where there was an election for the Community Council underscores low interest among voters in local government affairs.

On the other hand, in areas where there was a perceived high political stake, irregularities, frequently reported tensions in polling stations and disproportionately high turn-out in some instances give the impression that political democratic culture in Armenia need further buttressing.

Amidst reports conveyed to them of transporting voters from a locality to another and of bribery, they themselves observed a lack of transparency in both voting and counting procedures.

During the Autumn Session of Congress (December 2008) Mr Paolo Rondelli (San Marino, SOC), Rapporteur, will present all the findings of the mission.

The Congress encourages the Armenian authorities to take advantage of its recommendations, particularly with a view to the tangible consolidation of local democracy in the country.

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### APPENDIX III

#### ***Observation mission of the Congress of Local and Regional Authorities of the Council of Europe of local elections in Armenia from 25 to 28 September 2008***

#### **PROGRAMME**

##### **Wednesday 24 September 2008**

Late arrival of the Congress delegation  
All members will be met at the airport and provided with transport to:

##### **Ani Plaza Hotel**

19 Sayat Nova Avenue

375001 Yerevan

Republic of Armenia

Tel.: **+374 - 10 - 589 500 , 589 700, 594 575 (Reserv. Dept)**

Fax: **+374 - 10 - 565 343**

**E-mail: [info@anihotel.com](mailto:info@anihotel.com)**

**Website : [www.anihotel.com](http://www.anihotel.com)**

##### **Thursday 25 September 2008**

"Garni" Meeting Room

10:30 – 11:00 Congress delegation briefing I  
***Venue: Ani Plaza Hotel meeting room, "Garni" Meeting Room***

11:00 – 11:30 Meeting with:  
**Ms Silvia ZEHE**, Special Representative of the Secretary General of Armenia to the Council of Europe  
***Venue: Ani Plaza Hotel meeting room, "Garni" Meeting Room***

11:30 – 12:30 Political analysis of the elections by:  
**H.E. Ambassador Sergey KAPINOS**, Head of OSCE Mission to Armenia and OSCE colleagues  
**Representatives of ODIHR Mission**  
**H.E. Ambassador Raul DE LUZENBERGER**, Head of Delegation and Head of Operations Section, European Commission in Armenia  
**H.E. Ambassador Serge SMESSOW, Ambassador of France**  
***Venue: Ani Plaza Hotel meeting room, "Garni" Meeting Room***

15:00 – 15:30 Meeting with the Armenian National Congress (HAK), opposition party not represented in the Parliament  
***Venue: Ani Plaza Hotel meeting room, "Garni" Meeting Room***

15:30 – 16:00 Meeting with:  
**Mr Armen HARUTYUNYAN**, Human Rights Defender of RA (Ombudsman)  
***Venue: Ani Plaza Hotel meeting room, "Garni" Meeting Room***



17:00 – 18:00 Meeting with:  
  
**Mr Garegin AZARYAN**, Chairman of the Central Electoral Commission of Armenia  
**Venue: Ani Plaza Hotel meeting room, "Garni" Meeting Room**

### **Friday 26 September 2008**

08:30 – 09:00 Delegation briefing II  
**Venue: Ani Plaza Hotel meeting room, "Garni" Meeting Room**

09:30 – 10:30 Meeting with **Mr Armen GEVORGYAN**, Deputy Prime Minister and Minister for Territorial Administration  
**Venue: Ministry for Territorial Administration**

11:00 – 12:00 Meeting with **Mr Yervand ZAKHARYAN**, Mayor of Yerevan  
**Venue: Municipality of Yerevan**

14:00 – 16:30 Meetings in the Parliament:  
  
**Mr Hrayr KARAPETYAN**, Deputy Speaker of the National Assembly of the Republic of Armenia  
  
Representatives of the Standing Committee on Territorial Management and Local Self-Government  
  
National Assembly Delegation to the PACE  
  
**Venue: National Assembly of the Republic of Armenia**

### **17:00 – 19:00**

Meeting with the candidates of 7 September 2008

17:00-17:30 **Mr Araik KOTANJYAN**, presently head of Kanaker-Zeytun Municipality Head

17:30-18:00 **Mr Manuel GASPARYAN**, candidate for Kanaker-Zeytun Municipality Head

18:00-18:30 **Mr Gagik BEGLARYAN**, candidate for Kentron Municipality Head  
**Mrs Zoya TADEVOSYAN**, candidate (Heritage Opposition Party)  
**Venue: Ani Plaza Hotel meeting room, "Garni" Meeting Room**

### **Saturday, 27 September 2008**

09:00 – 10:00 Meeting with the representatives of the NGOs  
**Venue: Ani Plaza Hotel meeting room, "Garni" Meeting Room**

1. **Mr Avetik ISHKHANYAN**, Helsinki Committee of Armenia
2. **Dr. David TUMANYAN**, Mr Mkrtich (Sos) Gimishyan, Community Finance Officers
3. **Mr Wartan POGHOSYAN**, Mr Hrayr Tovmasyan "Democracy" NGO
4. **Ms Amalia KOSTANYAN**, Transparency International
5. **Mr Tevan POGHOSYAN**, International Centre for Human Development

10:00 – 11:00 Meeting with the representatives of Media  
***Venue: Ani Plaza Hotel meeting room, "Garni" Meeting Room***

**Media organisations:**

1. Mr Boris Navasardyan, Yerevan Press Club
2. Ms Astghik Gevorgyan, Journalists Union of Armenia

**Practicing journalists:**

3. Ms Anna Israelyan, Aravot Daily
4. Mr Artur Sahakyan, Public Radio
5. Petros Ghazaryan, Kentron TV

11:00 -12:00 Meeting with interpreters and drivers  
***Venue: Ani Plaza Hotel meeting room, "Garni" Meeting Room***

**Sunday, 28 September 2008**

**DEPLOYMENTS OF THE TEAMS WITH DRIVERS AND INTERPRETERS –  
ELECTION DAY**

**Monday, 29 September 2008**

09:00 – 11:00 De-briefing and preparation of press release  
***Venue: Ani Plaza Hotel meeting room***

#### **APPENDIX IV**

##### **DEPLOYMENT AREAS on 28 September 2008**

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<b>Team</b>	<b>Deployment Areas</b>	<b>Team Composition</b>
<b>1</b>	<b>Kentron Community, Yerevan</b> (Head of Community elections)	<b>Ms Antonella Cagnolati</b> <b>Ms Véronique Moreira</b>
<b>2</b>	<b>Nor Nork Community, Yerevan</b> (Head of Community elections)	<b>Mr Paolo Rondelli</b> <b>Mr Michel Rivollier</b>
<b>3</b>	<b>Nork Marash Community, Yerevan</b> (Members of Elders' Council elections)	<b>Ms Gönül Koçak</b> <b>Mr Joe Conway</b>
<b>4</b>	<b>Avan Community, Yerevan</b> (Members of Elders' Council elections)	<b>Ms Dominique Ronga</b> <b>Mr Dobrica Milovanovic</b>
<b>5</b>	<b>Shengavit Community, Yerevan</b> (Members of Elders' Council elections)	<b>Mr Mihkel Juhkami</b> <b>Mr Uldis Rozenbergs</b>