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Observation of the presidential election in Armenia (18 February 2013)

Election observation report

Ad hoc Committee of the Bureau

Rapporteur: Ms Karin S. WOLDSETH, Norway, European Democrat Group

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1. Introduction

1. On 5 October 2012, the Bureau of the Assembly decided to observe the 2013 presidential election in Armenia, subject to receipt of an official invitation, and constituted an ad hoc committee for this purpose composed of 22 members: 7 from the Group of the European People's Party (EPP/CD); 6 from the Socialist Group (SOC); 3 from the Alliance of Liberals and Democrats in Europe (ALDE); 3 from the European Democrat Group (EDG); and 1 from the Unified European Left (UEL). Furthermore, the Bureau decided to appoint the two co-rapporteurs of the Monitoring Committee for Armenia as *ex officio* members of the ad hoc committee and pre-electoral delegation.

2. On 8 December 2012, the Assembly received an official invitation from the President of the National Assembly of Armenia, Mr Hovik Abrahamyan, to observe the presidential election, which was scheduled to take place on 18 February 2013. At its meetings on 17 December 2012 and 25 January 2013, the Bureau approved the composition of the ad hoc committee and appointed me as its chairperson and rapporteur. See Appendix 1 for the final composition of the ad hoc committee.

3. On 4 October 2004, a co-operation agreement was signed between the Parliamentary Assembly and the European Commission for Democracy through Law (Venice Commission). In conformity with Article 15 of the agreement, "When the Bureau of the Assembly decides to observe an election in a country in which electoral legislation was previously examined by the Venice Commission, one of the rapporteurs of the Venice

Commission on this issue may be invited to join the Assembly's election observation mission as legal adviser", the Bureau of the Assembly invited a member of the Venice Commission to join the ad hoc committee as advisor.

4. In order to assess the state of preparations for the election and the pre-electoral political climate, the Bureau sent a pre-electoral mission to Yerevan on 16 and 17 January 2013. This delegation consisted of: myself as Head of the Delegation, Mr Luca Volontè (Italy, EPP/CD), Mr Stefan Schennach (Austria, SOC) and Ms Mailis Reps (Estonia, ALDE)

5. The programme of the pre-electoral mission (Appendix 2) included, *inter alia*, meetings with presidential candidates, including the incumbent President, leaders of all the factions in the Armenian National Assembly, the Minister of Foreign Affairs, the President of the National Assembly, the Chairperson of the Central Electoral Commission, the Head of the National Police, the General Prosecutor, the Head of the Election Observation Mission of the Office for Democratic Institutions and Human Rights of the Organization for Security and Co-operation in Europe (OSCE/ODIHR) and her team, representatives of non-governmental organisations (NGOs) and the media, as well as representatives of the diplomatic community in Yerevan. The statement issued by the pre-electoral delegation at the end of their visit appears in Appendix 3.

6. The ad hoc committee met in Yerevan from 16 to 19 February 2013 and held meetings with, *inter alia*, presidential candidates or their representatives, leaders of factions in the National Assembly of Armenia, the Chairperson of the Central Electoral Commission, a representative of the police, NGO and media representatives, the Head of the OSCE/ODIHR election observation mission and her team and representatives of the European Institutions based in Yerevan (the programme of the ad hoc committee's visit appears in Appendix 4).

7. In line with the guidelines for election observation and relevant Bureau decisions, the ad hoc committee observed these elections as part of the International Election Observation Mission (IEOM), which also included the election observation missions of the OSCE/ODIHR, led by Ambassador Heidi Tagliavini, and of the European Parliament, led by Mr Milan Cabrnach. The OSCE Parliamentary Assembly decided to observe these elections outside the framework of the IEOM, but participated in its joint briefing programme. The co-operation between the three partners in the IEOM was excellent.

8. As Chairperson of the ad hoc committee, I also met, at its request, with a delegation of the Commonwealth of Independent States (CIS) observer mission.

9. On election day, the ad hoc committee split into 11 teams, which observed the elections in and around Yerevan, as well as in the regions of Armavir, Abovyan, Artashat, Gyumri, Sevan, Ijevan, Hrazdan Dilijan, Vanaszor and Vayots Dzor.

10. In its statement of preliminary findings and conclusions, issued on the day after the election, the IEOM unanimously concluded that the 18 February presidential election was generally well-administered and was characterised by a respect for fundamental freedoms. Contestants were able to campaign freely. Media fulfilled their legal obligation to provide balanced coverage, and all contestants made use of their free airtime. At the same time, a lack of impartiality of the public administration, misuse of administrative resources, and cases of pressure on voters were of concern. While election day was calm and orderly, it was marked by undue interference in the process, mainly by proxies representing the incumbent, and some serious violations were observed. The statement of preliminary findings and conclusions is attached in Appendix 5.

11. The ad hoc committee wishes to thank both the Secretariat of the Armenian delegation to the Parliamentary Assembly, the OSCE/ODIHR Election Observation Mission and the Council of Europe Office in Yerevan for the support and co-operation extended in accomplishing its mission.

2. Political and legal context

12. The 18 February 2013 presidential election was announced by the Central Electoral Commission (CEC), in line with constitutional provisions, on 8 December 2012.

13. This was the first presidential election to take place after the tragic events of March 2008. Those events unrolled in the aftermath of the 2008 presidential election, which was won by Mr Serzh Sargsyan (Republican Party of Armenia – RPA) with 52.8% of the votes, with Mr Levon Ter-Petrosyan, the first President of Armenia, coming second with 21.5% of the votes. Mr Levon Ter-Petrosyan challenged the election results and his supporters staged a series of protests in the weeks following the election. After clashes on 1 March 2008

between police and protesters, which resulted into the death of 10 people and more than 200 injured, a state of emergency was declared by the then President, Robert Kocharyan. This election in February 2013, as well as the parliamentary elections that preceded it, were therefore seen by many as an important step towards overcoming the polarised political climate that ensued after the 2008 events.

14. The last parliamentary elections were held on 6 May 2012. The Republican Party led by the incumbent President won 69 of the 131 seats in the parliament. The Prosperous Armenia Party (PA), which had previously been part of the governing coalition, returned as the largest party in the parliamentary minority with 37 seats. The Armenian National Congress (ANC) bloc of President Levon Ter-Petrosyan won 7 seats in the new parliament. The Rule of Law Party (RoL) and the Armenian Revolutionary Federation (ARF) won 6 seats each and Heritage 5 seats. The current government is a coalition of the Republican Party and the Rule of Law Party.

15. The presidential election of 18 February 2013 was the first presidential election to be held under the new Electoral Code. Adopted in May 2011, this Code was drafted in close consultation with the Venice Commission.

16. In their joint opinion (CDL-AD(2011)032) on the new Electoral Code, the Venice Commission and the OSCE/ODIHR noted that a number of their recommendations had been addressed and considered the new law to be comprehensive and providing a sound basis for the conduct of democratic elections. While welcoming the areas of improvement, such as the composition of election commissions, the accessibility of the voters' lists and improved campaign financing transparency, it also noticed a number of remaining shortcomings, such as restrictions on candidacy rights, the possibility to easily deregister candidates, the insufficient separation of State and party structures, and the need to improve complaint and appeal procedures.

17. With regard to the right to stand in presidential elections, the Electoral Code prescribes that candidates should have been citizens of Armenia for the last 10 years at least, as well as have been continuously residing in Armenia for the last 10 years. These 10-year residency and citizenship requirements are considered to be disproportionate. Also, the election law deprives all prisoners of their voting rights, regardless of the severity of the crime committed. This is at odds with the principle of universal suffrage and with the case law of the European Court of Human Rights on this issue.

18. Following the May 2012 parliamentary elections, a working group composed of government and other State representatives was established by presidential decree in order to create an action plan for the implementation of the IEOM recommendations. The results of the group's work were presented to the OSCE/ODIHR in October 2012, but, in line with the Venice Commission's Code of good practice in electoral matters, OSCE/ODIHR recommended not to amend fundamental aspects of the legal framework so close to the 2013 presidential election.

19. An important political feature of this election was the decision of the three main political parties, including the largest party in the parliamentary minority, not to nominate candidates, as well as the decision of a number of prominent political figures not to stand in this election. In addition, the opposition parties failed to agree on, or endorse, a common candidate to challenge the incumbent president. This affected the dynamics of competition and scope of choice in this election.

3. Election administration and voter and candidate registration

20. The election was administered by a three-tiered system of election commissions, comprising the Central Election Commission (CEC), 41 territorial election commissions (TEC) and 1 988 precinct election commissions (PEC).

21. The CEC is composed of seven members appointed by the President, based on nominations by the Human Rights Defender (three members), the Chairperson of the Court of Cassation (two members) and the Chairperson of the Chamber of Advocates (two members). Each TEC is composed of seven members appointed by the CEC from among citizens nominating themselves for these positions. The Electoral Code established gender quotas for the composition of the CEC and of the TECs.

22. PECs are composed of eight members. Two are appointed by the respective TEC, while each party and bloc represented in the parliament may appoint one of the remaining six members. PEC members have to pass a test and obtain a CEC qualification certificate.

23. The leadership positions (chairperson, deputy chairperson and secretaries) of the CEC and TEC are elected by these commissions themselves from among their members. The positions of PEC chairperson and secretary were distributed by the CEC among appointees by parties and blocs, proportionally to their seats in the parliament.

24. The CEC and the TECs prepared the elections in a professional manner and according to legal deadlines. The CEC worked in a transparent manner, granting information and access to its sessions to candidates and to their proxies, to observers and to the media. It launched voter education spots on television, produced information material on the electoral process and provided training for all TEC and PEC members. It also organised electronic voting for diplomatic staff and their family members posted abroad.

25. Candidate registration was inclusive. Presidential candidates could be nominated either by political parties or self-nominated. In total, 15 nominations were submitted to the CEC; one nominee withdrew and seven failed to pay the required deposit of 8 million Drams (about 14 700 euros).

26. Three prospective nominees were not issued the required residency certificates by the Passport and Visa Department of the National Police (PVD). Since the Electoral Code does not define how the 10-year residency should be calculated, the PVD issued certificates only to nominees who had not been residing outside the country for a period of more than six months continuously over the last 10 years.

27. The eight candidates who were registered for this presidential election were: Hrant Bagratyan, Andreas Ghukasyan, Aram Harutyunyan, Paruyr Hayrikyan, Raffi Hovannisyan, Arman Melikyan, Serzh Sargsyan and Vardan Sedrakyan. Mr Aram Harutyunyan withdrew his candidature on 8 February 2013.

28. Voter registration is passive and based on the State population register. The PVD is responsible for the maintenance of a nationwide electronic register and submits the updated voter register to the CEC. The preliminary voters' lists were published and available for public review within the legal deadlines.

29. In order to improve the accuracy of the voters' list, and increase public confidence regarding voter registration, a searchable digital version of the voters' list was made available on the CEC website, which allowed voters to check their personal records as well as those of others. In addition, the police launched a telephone hotline and organised door-to-door visits to check incorrect addresses and demolished buildings where voters were still registered, as well as addresses where high numbers of voters were registered. As a result of these measures, the quality of the State population register and voters' list was considerably improved for this election.

30. According to the Election Code, Armenian citizens who reside outside Armenia can vote in national elections if they are present in Armenia on election day. Armenian citizens residing abroad need to apply to participate in a national election not later than seven days before the election date. They are included in the supplementary voters' list of the PEC closest to their place of residence on election day, as indicated in their application. According to the Law on State Registration, Armenian citizens residing abroad for a period of more than six months are obliged to inform the authorities of this fact, after which they will, *inter alia*, be removed from the voters' register. However, a large number of Armenians residing permanently or temporarily abroad fail to adhere to this legal obligation.

31. As noted by the pre-electoral delegation, a number of candidates and political parties expressed concerns about the accuracy of the voters' lists, alleging that the number of registered voters was highly inflated and could correspond to the impersonation of voters residing abroad. However, no evidence has been provided to support these claims.

32. Prior to election day, 2 505 980 voters were registered. Registration of voters on election day was also possible, based on a PVD or court decision. 14 293 voters used this possibility.

4. The campaign period and media environment

33. The election campaign started on 21 January 2013 and lasted until 16 February 2013. The campaign was characterised by a general respect for fundamental freedoms and candidates were able to campaign without hindrance. The campaign activities were generally low key, with the incumbent's campaign, followed by the campaign of Mr Raffi Hovannisyan, being the most visible, and included a number of rallies throughout the country. The incumbent President had an extensive network of campaign and Republican Party offices

throughout the country (1 186 outside Yerevan alone) at his disposal. The other candidates had only a limited number of offices in the larger cities or no offices at all. Voters and all candidates made extensive use of online media and social networks during this election campaign

34. All candidates, except the incumbent, raised concerns about the integrity of the election process, the accuracy of the voters' lists and misuse of administrative resources. The campaign regulations did not provide sufficient protection against the misuse of administrative resources, nor against the blurring of the distinction between the State and the ruling party. OSCE/ODIHR long-term observers verified instances of misuse of administrative resources in favour of the incumbent, both in Yerevan and in the regions, such as pressure on public workers by superiors to attend campaign events, campaign offices located in buildings occupied by State and local government bodies and by election commissions, and use of public utilities for campaigning.

35. The Electoral Code allows public and civil servants to participate in campaign activities if they are on leave. A large number of public and civil servants took leave to participate in the campaign activities of the incumbent president. While in line with legal provisions, their high number contributed to the blurring of the line between State and political party as well as between official and campaign functions.

36. If implemented properly, the Electoral Code could be effective in ensuring the integrity, as well as in increasing the transparency, of campaign financing. However, a number of CEC decisions undermined the effectiveness of the Election Code to this respect, such as a ruling that the rent paid for premises does not constitute campaign expenditure.

37. In Armenia, television is by far the most important source of information, particularly outside Yerevan. The printed media's impact is declining but the importance of the online media is rapidly growing. The media gave wide attention to the election campaign and related politics and regularly covered the activities and positions of all candidates. Serzh Sargsyan and Raffi Hovannisyan received more coverage than other candidates, reflecting their more extensive election campaigns.

38. During the campaign, public media provided balanced coverage and all candidates made use of their free airtime. However, the coverage of candidates was mostly formal and did not provide analytical comment. It is regrettable that no televised debate could be organised between the candidates.

39. Most stakeholders welcomed the improved media climate, but also pointed to continuing problems of self-censorship and a lack of pluralist media ownership.

40. On 31 January, presidential candidate Paruyr Hayrikyan was shot and injured and he had to be hospitalised. The Armenian law allows a candidate to request the Constitutional Court to postpone the election by two weeks in case of "insurmountable obstacles" to his campaign. On 5 February, Mr Hayrikyan announced that he would not ask for such a postponement; then, on 10 February, he did, however, file an official application for postponement, which he subsequently withdrew on 11 February. This created some confusion in the election campaign.

5. Election day

41. Election day was calm and peaceful overall. The opening procedures were assessed positively in nearly all polling stations observed by IEOM observers. The voting process was orderly and well organised in most of the polling stations observed. While the voting process was assessed positively overall, it was assessed negatively in 5% of the cases, mainly as a result of undue interference in the election process as well as some, isolated, cases of serious violations.

42. IEOM observers, including those from the Assembly, noted numerous cases of activists supporting the incumbent directing voters outside the polling stations. Candidate proxies were present in 88% of the polling stations, mostly representing the incumbent. Proxies of other candidates were present in a limited number of polling stations. However, non-party (NGO and other) observers were present in 63% of the polling stations observed. Proxies representing the incumbent were found to be unduly interfering in, or directing, the work of PECs in 7% of the polling stations observed. Attempts to influence voters and tension were witnessed in 2% of the polling stations observed, and intimidation of voters in 1% of the polling stations observed.

43. IEOM observers also noted a number of other serious violations, including ballot boxes not properly sealed (5% of polling stations observed), a series of seemingly identical signatures on the voters' lists (3% of polling stations observed), proxy voting (3% of polling stations observed), and multiple voting (2% of polling stations observed). In addition, several indications of possible vote buying were observed. In total, two cases

of vote buying and four cases of ballot stuffing were directly observed by IEOM observers. Group voting was witnessed in 6% of polling stations observed, and not all voters marked their ballots in secret in 6% of the polling stations observed. In 12% of the polling stations not all voters inserted their ballots in the envelope provided before leaving the voting booth.

44. The election law provides for the voter's passport to be stamped after voting with a special disappearing ink in order to prevent multiple voting. This special ink, which was supposed to remain visible for 12 hours, proved to be easy removable, despite having been tested by the CEC prior to the elections. The problems with the ink unnecessarily affects the voters' trust. Its use should be reviewed.

45. In 7% of the polling stations observed, IEOM observers noted one or more voters being turned away because their names were not on the voters' list of that particular polling station. It should be noted that in many cases several polling stations were housed in the same premises.

46. The vote count was assessed positively in all but nine of those observed. The irregularities observed were mostly of a procedural nature, but in seven counts the protocol had been pre-signed and in five cases the protocol was not publicly posted after the count was finalised. In 14 cases, non-PEC members were seen participating in the counting procedures.

47. Similarly, the tabulation process was assessed in all but one of the 41 TECs in Armenia. However, observers noted that overcrowding in 12 of the TECs negatively affected the tabulation process. In 12 TECs, observers could not adequately observe the entry of the results into the computer system. Following the election, 55 certified election protocols obtained by IEOM observers on election day were compared against the official results posted on the CEC website and no serious discrepancies were found.

48. On 25 February 2013, the CEC decided unanimously that the incumbent President Serzh Sargsyan had won the 18 February presidential election with 58.64% of the vote. The runner-up was Raffi Hovhannisyan with 36.75% of the votes. The turnout was 60.18%.

49. The final results were as follows:

- Serzh Sargsyan: 58.64% of the votes or 861 373 votes
- Raffi Hovhannisyan: 36.75% or 539 693 votes
- Hrant Bagratyan: 2.15% or 31 643 votes
- Paruyr Hayrikyan: 1.23% or 18 096 votes
- Andreas Ghukasyan: 0.57% or 8 329 votes
- Vardan Sedrakyan: 0.42% or 6 210 votes
- Arman Melikyan: 0.24% or 3 520 votes.

6. Complaints and appeals and post-electoral developments

50. Prior to the election, the election commissions and courts received a limited number of complaints, as the Electoral Code limits the right to file complaints to those whose personal electoral rights are at stake. Court decisions on electoral rights cannot be appealed. This essentially limits the possibility for voters to seek effective judicial redress and remedy for violations of their electoral rights.

51. Prior to election day, the CEC received five complaints. Two of them concerned the issue of the electoral deposit and were rejected on the ground that the amount of the deposit is set by the Electoral Code and was thus outside CEC's competence, and the other three were rejected on substance.

52. The Administrative Court received five complaints prior to election day and all were denied consideration due to lack of jurisdiction or rejected on substance.

53. The National Police and the Prosecutor General announced that they were investigating over 300 possible criminal and administrative offences. Criminal proceedings were initiated in around 10 cases, while most others were considered closed on the basis of the results of the preliminary investigation.

54. The day after the election, on 19 February 2013, Mr Raffi Hovhannisyan declared that he rejected the preliminary results as announced by the CEC and claimed that, in reality, he was the winner of the presidential election. His followers subsequently staged a number of demonstrations in Yerevan as well as other cities, which were allowed to take place unhindered by the police.

55. On 2 March 2013, The OSCE/ODIHR Election Observation Mission issued a post-election interim report. In this report, it noted, *inter alia*, that a statistical analysis of the election results showed that there was a, in their view suspiciously, close correlation between voter turnout and the number of votes for the incumbent, with the PECs with above average turnout also having a higher share of votes for Serzh Sargsyan. The ad interim report also noted that EOM monitoring of the media showed that the main broadcasting media, in contradiction to the online media, showed a more selective approach in their coverage of post-electoral events, with a tendency to limit views that were critical of the conduct of the elections. These are important issues that need to be further investigated and analysed.

56. On 4 March 2013, Mr Hovhannisyan, as well as presidential candidate Ghukasyan, filed an official complaint with the Constitutional Court of Armenia, requesting the annulment of the results of the presidential election of 18 February 2013 as announced by the CEC.

57. On 14 March, the Constitutional Court rejected the request by Mr Hovhannisyan and Mr Ghukasyan to annul the final results of the presidential election as announced by CEC on 25 February 2013. At the same time, it annulled the outcome in PEC 17/05 and recommended that the Prosecutor General open an investigation into possible election fraud in this polling station. However, the cancellation of the results in this PEC did not affect the overall outcome and thus the election of Serzh Sargsyan as President of Armenia.

7. Conclusions

58. The 18 February 2013 presidential election was generally well-administered and was characterised by a respect for fundamental freedoms. This election constituted an improvement over the previous presidential election in 2008.

59. IOM observers, including those from the ad hoc committee, assessed the voting positively in 95% of the polling stations visited, the count positively in 92% of the 106 vote counts observed and the tabulation positively in all but 1 of the 41 TECs in the country.

60. At the same time, a number of shortcomings, some of them structural, were observed. In particular the abuse of administrative resources and the interference in the election process by candidate proxies and supporters were recurrent problems that run counter to European standards for democratic elections and that negatively affect the public trust in the electoral process. We urge the authorities to address these serious shortcomings in order to ensure that they do not resurface in future elections, be it at national, local or regional level.

61. The ad hoc committee regrets that voters saw their possible choices narrowed by the decision of major political parties not to present candidates.

62. In order to help ensure public trust in the electoral process we expect the authorities to investigate all allegations of electoral fraud and misconduct and punish any perpetrators in line with the law.

63. The ad hoc committee welcomes the progress made and calls upon the authorities, in close co-operation with the Venice Commission and the Assembly's ongoing monitoring procedure, to address the shortcomings noted and recommendations made in this report as well as those by the other members of the IEOM.

Appendix 1 – Composition of the ad hoc committee

Based on proposals by the political groups of the Assembly, the ad hoc committee was composed as follows:

- Karin WOLDSETH (EDG, Norway), Head of the Delegation*
- **Group of the European People's Party (EPP/CD)**
 - Jean-Marie BOCKEL, France
 - Lolita ČIGĀNE, Latvia
 - Renato FARINA, Italy
 - Marietta de POURBAIX-LUNDIN, Sweden
 - François ROCHEBLOINE, France
 - Senad ŠEPIĆ, Bosnia and Herzegovina
 - Luca VOLONTÈ,* Italy
- **Socialist Group (SOC)**
 - Tadeusz IWINSKI, Poland
 - Paolo CORSINI, Italy
 - Pietro MARCENARO, Italy
 - Luc RECORDON, Switzerland
 - René ROUQUET, France
 - Stefan SCHENNACH,* Austria
- **European Democrat Group (EDG)**
 - Robert WALTER, United Kingdom
 - Øyvind VAKSDAL, Norway
- **Alliance of Liberals and Democrats for Europe (ALDE)**
 - André BUGNON, Switzerland
 - Kerstin LUNDGREN, Sweden
- **Group of the Unified European Left (UEL)**
 - Dimitrios PAPADIMOULIS, Greece
- **Venice Commission**
 - Oliver KASK, Member of the Venice Commission
- **Secretariat**
 - Bogdan TORCATORIU, Administrator, Interparliamentary Co-operation and Election Observation Unit
 - Bastiaan KLEIN, Administrator, Secretariat of the Assembly
 - Gael MARTIN-MICALLEF, Administrator, Venice Commission
 - Franck DAESCHLER, Principal Administrative Assistant, Interparliamentary Co-operation and Election Observation Unit

* Pre-electoral mission (16-17 January 2013)

Appendix 2 – Programme of the pre-electoral mission (16-17 January 2013)

Wednesday, 16 January 2013

- 10:00-10:30 Delegation meeting
- 10:30-11:00 Meeting with Mr Oleksandr Pavlyuk, Head of the Council of Europe Office in Yerevan
- 11:00-12:00 Meeting with the diplomatic corps in Yerevan:
- Ambassador Katherine Leach, Embassy of the United Kingdom in Yerevan
 - Ambassador Reiner Morell, Embassy of Germany in Yerevan
 - Sir Timothy Straight, Honorary Consul of Norway and Finland
 - Mr Onno Simons, First Counsellor, Head of the Political, Economic, Press and Information Section, Delegation of the European Union to Armenia
 - Ms Ruzanna Baghdasaryan, National Associate Programme Officer, OSCE Office in Yerevan
- 12:00-13:00 Meeting with representatives of NGOs:
- Armenian Helsinki Committee: Mr Avetik Ishkhanyan (Chair)
 - Helsinki Citizens' Assembly: Mr Arthur Sakunts (Chair)
 - Transparency International: Ms Sona Aivazyan (Vice-Director)
 - It's your choice: Mr Harutyun Hambardzumyan (Chair)
 - Open Society Institute: Ms Larisa Minasyan (Executive Director)
 - Counterpart International: Ms Lusine Hakobyan (Civil Society Programs Director) and Mr Carel Hofstra (Project Director)
- 15:00-16:00 Meeting with Ambassador Heidi Tagliavini, Head of the OSCE/ODIHR Election Observation Mission, and her staff
- 16:00-17:00 Meeting with media representatives:
- Yerevan Press Club: Mr Boris Navasardyan, Chair
 - Caucasus Institute: Ms Nina Iskandaryan
 - RFE/RL (Radio Liberty): Mr Aghassi Yenokyan, Director
 - Public TV: Mr Marat Ordyan, Deputy Director
 - Public Radio: Mr Amasya Hovhannisyan, Deputy Director

Thursday, 17 January 2013

- 9:00-10:30 Meetings with presidential candidates:
- 9:00-9:30 Mr Vardan Margaryan (representing Mr Hrant Bagratyan, leader of the Freedom Party)
- 9:30-10:00 Mr Paruyr Hayrikyan, leader of the National Self-Determination Union Party
- 10:00-10:30 Mr Hovsep Khurshudyan and Mr Armen Martirosyan (representing Mr Raffi Hovhanisian, leader of the Heritage Party)
- 11:00-12:30 Meetings with leaders of factions in the parliament:
- 11:00-11:30 Prosperous Armenia (Ms Naira Zohrabyan, Mr Vahe Hovhannisyan)
- 11:30-12:00 Armenian National Congress (Mr Levon Zourabian)
- 12:00-12:30 Armenian Revolutionary Federation (Mr Armen Rustamyan)
- 13:45-14:30 Meeting with Mr Tigran Mukuchyan, Chairperson of the Central Electoral Commission

14:40-15:20	Meeting with Mr Aghvan Hovsepian, General Prosecutor
15:30-16:15	Meeting with Mr Edward Nalbandian, Minister of Foreign Affairs
16:30	Meeting with Mr Serzh Sargsyan, President of Armenia
18:00-18:45	Meeting with Mr Vladimir Gasparyan, Head of the National Police
19:30	Press Conference
20:30	Dinner hosted by Mr Hovik Abrahamyan, President of the National Assembly

Appendix 3 – Statement by the pre-electoral delegation

Armenia: PACE pre-electoral delegation told of efforts to organise democratic elections but concerned about a general lack of interest and trust in the process

Strasbourg, 17.01.2013 – The intention of the Armenian authorities to organise an election fully in line with international standards has been welcomed by a PACE delegation visiting the country to assess the pre-electoral climate ahead of the 18 February presidential election.

However, a crucial matter of concern for the delegation is the continuing substantial inaccuracies in the voter list, since an accurate list is a prerequisite for any proper election. There is still confusion about the right to vote for Armenians living abroad. The delegation was also disappointed to note that previous recommendations on urgently dealing with these issues have not been implemented.

The delegation also noted that, one month before the vote, the general public is lacking both interest and confidence in the electoral process. This is a matter of great concern, in particular given that major political parties, which were strongly expected to present presidential candidates, chose not to do so because of their lack of trust in the conduct of the election. This decision has narrowed the voters' choice, leading to a situation even more regrettable as the elections to come are already overshadowed by apathy and a lack of faith. The delegation emphasised that citizens' trust must be restored as elections are essential for democratic development.

It also strongly hopes that issues already criticised in PACE's report on the parliamentary elections of 6 May 2012, in particular cases of intimidation of voters and the extensive use of administrative resources, have been dealt with in a way that ensures such practices will not be repeated. It also hopes that a level playing field will be granted to all candidates, *inter alia*, through balanced media coverage.

The delegation welcomes increased media freedom and hopes that registered candidates will engage in electoral campaigns based on concrete political programs and that the public discussion will focus more on substance, so that the electorate can make an informed choice.

The delegation is aware of the legal improvements brought by the new Electoral Code adopted in 2011. It however insists that a fair and proper implementation of the Code is as important as the Code itself.

The PACE pre-electoral delegation* was in Yerevan at the invitation of the President of the National Assembly of Armenia. It met with presidential candidates, including the incumbent President, leaders of factions in the Parliament, the Minister of Foreign Affairs, the President of the National Assembly, the Chairman of the Central Electoral Commission, the Head of the National Police, the General Prosecutor, NGO and media representatives, the Head of the OSCE/ODIHR election observation mission and diplomats in Yerevan.

A full 22-member delegation from the Parliamentary Assembly will arrive in Yerevan in mid-February to observe the vote. The PACE delegation will present its findings and recommendations to the Assembly during its April session in Strasbourg.

* Karen Woldseth (Norway, EDG), head of the delegation, Luca Volontè (Italy, EPP/CD), Stefan Schennach (Austria, SOC), Mailis Reps (Estonia, ALDE).

Appendix 4 – Programme of the election observation mission (16-19 February 2013)

Saturday, 16 February 2013

- 11:00 Meeting of the PACE Delegation – general information
- 12:00-12:30 Opening by the Heads of parliamentary delegations:
- Mr Tonino Picula, OSCE Parliamentary Assembly
 - Ms Karin Woldseth, PACE
 - Mr Milan Cabrnich, European Parliament
- 12:30-13:00 Political background:
- Ambassador Andrey Sorokin, Head of the OSCE Office in Yerevan
 - Dr Oleksandr Pavlyuk, Head of the Council of Europe Office in Armenia
 - Mr Traian Hristea, European Union representation in Yerevan
- 13:00-14:30 OSCE/ODIHR EOM core team:
- Ambassador Heidi Tagliavini and her team
 - Political overview, campaign activities and media landscape, elections framework and polling procedure
- 15:00-16:30 Round table with NGOs:
- Armenian Helsinki Committee: Mr Avetik Ishkhanyan, Chair
 - Helsinki Citizens' Assembly: Mr Arthur Sakunts, Chair
 - Transparency International: Ms Sona Aivazyan, Vice-Director
 - It's your choice: Mr Hasmik Sargsyan, Press secretary
 - Open Society Institute: Ms Larisa Minasyan, Executive Director
 - Regional Studies Center: Mr Richard Giragosian, Director
 - Counterpart International: Mr Carel Hofstra, Project Director, and Ms Lusine Hakobyan, Civil Society Programme Director
- 16:30-18:00 Round table on the media situation:
- National Commission on Television and Radio: Mr Armen Mkrtchyan, member
 - Yerevan Press Club: Mr Mikayel Zolyan, Project Co-ordinator
 - Caucasus Institute: Ms Nina Iskandaryan, Editor
 - RFE / RL (Radio Liberty): Mr Hrayr Tamrazyan, Director
 - Public TV: Mr Gevorg Altunyan, Head of News Service
 - Public Radio: Ms Lusine Vasilyan, Editor-in-Chief of Radiolur
 - A1 Plus: Ms Karine Asatryan, Editor-in-Chief
 - Aravot Daily: Ms Christine Mirzoyan, Journalist

Sunday, 17 February

- 9:00-9:45 Meeting with Mr Davit Harutunyan, Deputy Head of the Central Campaign Office of the Republican Party and Chairperson of the Standing Committee on State and Legal Affairs, and Mr Vigen Sargsyan, Head of the Presidential Administration, representing Mr Serzh Sargsyan, President of Armenia

- 9:45-11:15 Meeting with main presidential candidates or their representatives:
- Mr Raffi Hovhannesyan (Heritage) and Mr Hovsep Kahursdhudyan, Press Secretary
 - Mr Arshak Avagyan, Head of the Central Campaign Office of Mr Hrant Bagratyan (Liberty Party)
 - Mr Paruyr Hayrikian (National Self-Determination Union Party) and Mr Garo Yeghnukyan, Head of the Central Campaign Office
- 11:15-12:45 Meeting with leaders of factions in parliament:
- Armenian National Congress: Mr Levon Zurabyan, Co-ordinator, Mr Avetis Avagyan, Head of Office of Mr Levon Ter-Petrosyan, and Mr Vladimir Karapetyan
- 12:45-13:45 Electoral Administration:
- Mr Tigran Mukuchyan, Chairperson of the Central Election Commission, and Ms Tatevik Ohanyan, member
- 13:45-14:30 Concerning voters' lists and other police matters:
- Major General Hunan Pogosyan, First Deputy Head of the Armenian Police and Major General Arthur Osikyan, Deputy Head of the Armenian Police
 - Colonel Hayk Kochinyan, Passport and Visa Department of the National Police
- 14:30 Deployment and meeting with drivers and interpreters

Monday, 18 February

All day Observation of opening, voting and vote count

Tuesday, 19 February

9:00 Debriefing of the ad hoc committee

15:00 Press conference

Appendix 5 – Joint press release

Armenian election generally well-administered and fundamental freedoms respected, but some key concerns remain, international election observers say

Strasbourg, 19.02.2013 – Armenia's presidential election was generally well-administered and was characterised by a respect for fundamental freedoms, including those of assembly and expression, concluded the international election observation mission in a statement released today. At the same time, a lack of impartiality on the part of the public administration and the misuse of administrative resources resulted in a blurring of the distinction between the activities of the state and those of the ruling party, the statement said.

Candidate registration was inclusive, contestants had the chance to campaign freely and voters had the opportunity to express their choice. Media fulfilled their legal obligation to provide balanced coverage and all contestants made use of their free airtime, the statement said.

Among the concerns over misuse of administrative resources identified in the statement was the participation, while on leave, of a large number of public and civil servants in the campaign of the incumbent.

"There have been clear improvements in the electoral process since the previous presidential elections, and we have noted progress in many areas, including the media environment and the legal framework," said Karin Woldseth, the Head of the Parliamentary Assembly of the Council of Europe (PACE) delegation. "At the same time, our joint findings note several important areas where marked improvement is needed to ensure full public trust in the electoral process."

The electoral framework is comprehensive and conducive overall to the conduct of democratic elections, and election commissions administered the process in a professional manner, the statement said. It also noted that, while several candidates alleged that voter lists were inflated and raised concerns about possible impersonation of out-of country voters, no evidence of this had been provided prior to election day. The mission assessed positively the efforts that have been made to improve the accuracy of voter lists, although further work in this area remains to be done.

"We have observed a calm election day, characterized by no major difficulties in electoral procedures, following a somewhat quiet, low-key election campaign lacking significant political debate and real competition," said Milan Cabrnich, the Head of the European Parliament delegation. "This was mainly due to the decision by three main parties not to nominate candidates."

The campaign remained peaceful, although one candidate was shot and injured early in the campaign under circumstances that are under investigation. While election day was calm and orderly, it was marked by undue interference in the process, mainly by proxies representing the incumbent, and some serious violations, including cases of pressure on voters, were observed.

"Having been in the country for six weeks, we can say that candidates were able to campaign freely and fundamental freedoms were respected. Overall, the election was administered in a professional manner and real efforts were made by the authorities to improve the quality of the voter lists. The media covered all candidates in a rather balanced manner, but that coverage would have benefited from more critical analysis and debates between candidates," said Ambassador Heidi Tagliavini, the Head of the OSCE Office for Democratic Institutions and Human Rights (OSCE/ODIHR) long-term election observation mission. "Unfortunately, the blurring of the distinction between the State and the ruling party continues to be an issue. This was demonstrated in the misuse of administrative resources, pressure on voters, and a lack of impartiality on the part of the public administration."