



Silba
Gothersgade 151, kld.
Tv
1123 Copenhagen K
press@silba.dk
www.silbadk.com
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SILBA FINAL REPORT

ARMENIA

PRESIDENTIAL ELECTIONS 02 APRIL 2017

EXECUTIVE SUMMARY

Silba - Initiative for Democracy and Dialogue, conducted an Election Observation Mission (EOM) to the Parliamentary Elections on 2 April 2017 in Armenia. Silba deployed 16 Short-Term Observers (STOs) in Yerevan and two neighbouring districts (Ararat and Kotayk) in 19 different polling stations. Silba collaborated with Transparency International (TI) and Helsinki Citizens' Assembly (HCA) for the EOM. Silba's 16 observers were each assigned a local Armenian STO to assist with interpretation and guidance.

Silba's 16 STOs arrived five days prior to Election Day and during the week Silba's STOs participated in workshops, briefings and meetings with relevant local stakeholders. This included NGOs, GONGOs¹, think tanks, journalists, as well as a diplomatic representation – the EU Delegation to Armenia. The STOs received methodological training in election observation and a briefing on the Armenian electoral system from HCA and TI. The STOs also received briefings on Silba's EOM methodology, and guidelines on identifying electoral fraud, from Silba's coordinators. The STOs utilised a dual methodology on Election Day with specific guidelines provided by Silba's coordinators as well as TI's methodology with live cellular text reporting on violations. The organising team was in phone contact with all observers regularly throughout the day providing extremely thorough documentation of observations from the STOs.

The STOs generally stayed in the same polling station throughout the day, yet in some instances rotations occurred between the small teams. Three Silba STOs were reassigned polling stations during the day: one due to discomfort (see description below), one due to the lack of English proficiency of the local partner-STO, and one was reassigned by HCA when the polling stations closed, for unknown reasons. In conclusion Silba's 16 STOs observed a total of 19 polling stations on Election Day.

¹ GONGO: a Government-Organised Non-Governmental Organisation, i.e. a non-independent member of civil society

ACCREDITATION

Under the Armenian Electoral Code, international EOMs may receive accreditation upon invitation from the Armenian Central Electoral Commission (CEC) among others. The CEC declined Silba's request to observe, along with several other foreign NGOs, due to concerns of overcrowding of observers in the polling stations². Silba's accreditation was done through Transparency International's (TI) Armenian branch. TI organised for Silba to receive accreditation as domestic observers through local NGOs. This meant that Silba's 16 observers received accreditation through a local journalists' union called 'Asparez'.

NOTE ON THE VOTING SYSTEM

The Armenian voting system allowed for violations on the secrecy of voting as observed by Silba. According to procedure, the voter receives nine ballot papers, with the party number on the front, and a list of individual candidates for the respective party on the back. In case the voter wished to vote only for the party, the ballot is just to be put in an envelope. If the voter wishes to vote for a candidate from a given party, the voter must note this on the back of the paper. Following either option, the remainder 8 ballots were to be cast away after putting the one desired ballot in the envelope. The envelopes were designed with a hole where a sticker was to be put on the ballot. The ballot with the sticker would be the only one that counted, in the case of several ballots inside the envelope. The issue lying within this system is that the eight unused ballots provide proof of the voting. These unused ballots could be taken outside the polling stations to provide proof of voting for a specific party. The system was also very complicated because there was a high demand for instructions in how to vote properly, also threatening the secrecy of the vote. Based on the STOs observations, Silba concludes that the voting system was inadequately living up to the universal right to the secrecy of voting.

² According to the official information, 28,000 domestic observers were given accreditation for the Parliamentary Elections.

OPENING PROCEDURES

The opening procedure as observed by Silba was conducted in a fulfilling manner, living up to international standards³. Silba's STOs generally reported that the opening procedures were carried out without major disruptions, albeit with notable delays and general confusion by the polling stations' Election Commissions (EC). The disruptions were often the result of new technology applied for the Parliamentary Election.

GENERAL OBSERVATIONS

Silba concludes from observations of the 16 STOs in their respective polling stations, that there was a wide range of misconduct in- and outside of the polling stations.

Generally the polling stations were - especially in the first part of the day - influenced by overcrowding, and the presence of many unauthorised or unaccredited individuals, including numerous police and military personnel⁴, and unidentified individuals that were often aligned with different parties. This created a chaotic atmosphere at times and in cases resulted in yelling between different individuals present inside and outside the polling stations. The occurrences were further influenced by recurring arrival of busses with voters, often with elders who arrived to the polling stations in large numbers. The voters were in many instances escorted and instructed by unauthorised individuals, members of the EC, police officers or party proxies on how to vote, or whom to vote for. In many cases it was not clear exactly whom the voters were instructed to vote for, but unauthorised people and party proxies were actively engaged in pointing at ballot papers together with voters inside the voting booths.. Many voters consequently lost their right to vote in secrecy, either because of the overcrowding at the polling stations, or because they were simply instructed in how to vote and followed into the polling booth by aforementioned individuals. In some instances it was reported by STOs that EC staff was involved in systematic 'bussing' of voters. In one instance one STO felt threatened following having reported the systematic 'bussing', felt uncomfortable and was transferred to another polling station.

The voting booths were often not utilised. There were also numerous reported incidents of family voting, usually with males instructing female family members, often inside the voting booth. This resulted in arguments breaking out between the involved voters.

³ <http://www.osce.org/odihr/elections/16935>

⁴ According to Armenian law, police officers, and soldiers in uniform, are not allowed inside polling stations.

There was campaigning and the presence of campaign material inside and outside some polling stations.

There were also consistent problems of assisted voting, where unregistered individuals repeatedly provided assistance to voters, breaking the Electoral Code, which clearly states that the same person is not allowed to repeatedly assist others in voting. The Electoral Code also states that such assistants must register in the polling station, however assistance often happened repeatedly and unregistered.

The EC in the polling stations were reported to be improperly fulfilling their tasks. In many cases, the EC was reported by the STOs as biased and or indifferent to the numerous violations happening around them. In some instances, the EC also refused to record violations in their registration book, despite being aware of the violations. The EC also violated in many instances their rotation procedures, which were supposed to occur every two hours. In one instance the same person was assigned the same role for ten hours. One STO reported that a specific party ballot was repeatedly put on top of the pile by the EC when handing out ballots to voters. After the EC saw that the STO was filming the misconduct, the EC staff intervened. In another polling station, one STO reported that a member of the Republican Party sat next to the ballot box, repeatedly opening and closing it.

Outside the polling stations, all of Silba's 16 STOs witnessed large crowds of handshaking men, who greeted each voter prior to entering the polling station. The men were not acting threatening, but were described by the STOs as 'intrusive'. The STOs in most instances reported that the men dissolved upon seeing the foreign STOs. A minimum of two STOs reported seeing the exchange of money directly outside the polling stations. Having noted these misconducts, it should be mentioned that there also were STOs positively noting the strictness of the EC staff in several polling stations – where the EC staff was working determined throughout the day to ensure order inside the polling stations.

Silba thus concludes upon the impressions from its 16 observers that the elections happened in a non-fulfilling manner, not adhering to international standards and the Armenian Electoral Code in all 19 polling stations observed.

CLOSING PROCEDURES

The evidence from Silba's STOs concludes that the closing procedures were chaotic in the polling stations observed. Generally, there were unauthorised individuals either present for the counting procedures, or coming or going during the counting.

The STOs reported the counting as happening with some misconduct and or non-deliberate mistakes in counting. The STOs, however, often noted that the counting was disturbed by large arguments over the counting of votes, especially in cases of doubt. In some instances, the STOs reported that members of political parties ended up counting ballots from their own party or simultaneous counting the different piles of ballots corresponding to each party.

In one case, the EC and people inside the polling station harassed the STO and local partner-STO, including a verbal assault and in one instance throwing water on the local observer. In this case it was clear that the presence of Silba's STO ensured that the situation did not escalate further. Silba's EOM coordinators were in contact throughout the day with the STOs in question, to ensure that they never felt threatened or were in danger. The STOs' evidence serves Silba to conclude that the counting procedures happened without major disruptions, but happened in a non-orderly and disorderly manner, with several problematic incidents.

CONCLUSION

Silba concludes upon its STOs' observations that the Armenian Parliamentary Elections was conducted in a non-satisfactory manner, according to international standards and according to the Armenian Electoral Code.

Although the elections were carried out without any proved organised misconduct; the many violations of proper conduct of the voting process inside and outside the polling stations observed by Silba, and a general chaotic atmosphere, both provide a problematic image of the overall democratic and rightful process of the elections in Armenia. Silba, found no concrete evidence of systematic state-sanctioned vote-rigging, but must conclude that there was a clear pattern of alleged vote-buying, which was also admitted by the authorities subsequent to the Election Day.

Silba reiterates that observations from the STOs during the EOM represent a non-conclusive image of the situation in the whole country, as the STOs were only deployed in Yerevan and its surroundings. Silba's conclusion should thus be seen as a reflection on the situation as perceived from the STOs' evidence and can in no way be taken to reflect the situation in the whole country.