



On results of "It's Your Choice"
NGO's observation mission
of the February 19, 2008 Presidential elections in Armenia

Final report

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Introduction

It's Your Choice is a non-partisan NGO and the largest domestic election monitoring organizations in the Republic of Armenia (RA), with 4,000 volunteers, and offices and chapters in 10 marzes and all communities of Yerevan. IYC's mission is to promote transparent elections and democratic processes in Armenia, establishment of a government accountable to its constituency and provide objective, reliable and timely information to Armenian voters.

Since 1999, IYC has conducted election monitoring of at several levels including three parliamentary elections, three elections of Local Self-Governing Bodies, two presidential elections, and the Constitutional Referendum of November 27, 2005. During all of these elections IYC provided written reports of the monitors' findings, developed amendment recommendations to the Electoral Code and presented them to the Legislative Body, as well as provide election reports to the media and other interested parties.

The observers of the It's Your Choice (IYC), non-governmental domestic election monitoring organization, monitored the February 19 presidential election in all 1,923 polling stations of Armenia. Trainings were organized for more than 4,000 accredited observers. IYC has also involved 140 observers with disabilities in its mission.

During the official campaign period the IYC showed videos on most common violations defined by the RA Criminal Code through outlets widely broadcast by media, aimed at informing the public about violations.

During the official campaign of the presidential election IYC deployed a long-term observation mission. This mission included 82 long term observers in 10 marzes and Yerevan. IYC's main objective is to monitor the official campaign and elections. However, candidate registration and other important procedures such as accreditation of observers, provision of voter lists and their correction took place well before the official campaign according to the timetable determined by the Central Electoral Commission (CEC). Therefore, IYC also found it necessary to observe the procedures before the official campaign period.

The areas of long-term observation included: political environment, process of nomination and registration of candidates, official campaign and its materials, conduct of electoral authorities, involvement of the executive authorities in the electoral processes, voter lists, and media coverage of the campaign.

The monitoring group observed the coverage of print and electronic media within the electoral process in accordance with the methodology of the European Media Institute.

A day prior to the election, the IYC monitors observed the electoral commission sessions and the procedures planned for the day.

On Election Day, IYC observers monitored the activities of electoral commissions, legality of voting and vote counting processes, the environment inside and outside the precincts, and the execution of voters' right to express their free will and make their choice.

Processes of vote tabulation and publication of election results, as well as legal proceedings of submitting complaints regarding election results were also monitored after Election Day.

Summary

In spite of the relatively peaceful environment in most of the polling-stations, sufficient knowledge of electoral commission members, legality during the voting, and valid calculation processes in a substantial number of polling stations, the IYC observed a series of violations, shortcomings, inaccuracies, and other concerning facts which to a certain extent cast a shadow on civil society's expectations about democratic elections.

As a result of monitoring the official campaign IYC finds that the pre-election campaign of the 2008 presidential election has proceeded in a tense and sometimes imbalanced environment as well as cases of inadequate conduct. IYC believes that the cases of intolerance, which are against democratic elections and fair competition, and the need to get truthful information to the public so that voters can make a conscious choice contribute to society's disappointment toward the Election.

As a result of the observation of the official campaign, It's Your Choice observed some tension and incidents that occurred during the voting process. According to IYC's estimation, the tension was stimulated by the environment of intolerance dominating the entire official campaign period as well as impermissible methods of electoral campaigning irrespective of the principles of democratic elections, which were also emphasized in the IYC pre-election report dated February 15.

Despite the fact that during the pre-election period IYC requested that the parties involved in the electoral process demonstrate tolerance and ensure legality of elections, certain negative patterns continued to exist on Election Day.

IYC positively estimated public assurances of the rival sides concerning their readiness to organize free and fair elections and supervise the legitimacy of elections.

It was encouraging that the office of the Prosecutor General of Armenia established an ad hoc commission in charge of legal proceedings of electoral violations. The executive body's efforts to correct the shortcomings in voter lists and implementing a "hot line" telephone service by the passports and visas department of the Police was also encouraging. IYC finds that the authorized bodies made a good effort to correct shortcomings in the voter lists. The authorized body periodically announced corrections to voter lists, and provided voters with the ability to register on the Internet contributed to the efficiency and transparency of handling voter lists.

IYC positively estimates that voter lists were significantly improved, which is based on the data of an active voter turnout, more than 69% of voters, comparatively fewer citizens applied to the courts of general jurisdiction to recover their suffrage throughout Armenia.

It is also a positive fact that most of the trained electoral commission members have been well-informed of the electoral law, which provided an opportunity in most cases to organize and conduct the voting process and ballot counting in a proper manner.

The IYC applauds the new practice applied by the Republic of Armenia police on the process of publicly and periodically informing society at large about incidents which occurred during the voting process. Due to the newly revised information network of the RA Central Electoral Commission the voting results were publicized, concluded and delivered more quickly and efficiently.

Notwithstanding, the It's Your Choice observation of the presidential election of 2008, included witnessing tension and incidents which occurred during the voting process. According to IYC's estimation, the tension was stimulated by the environment of intolerance dominating the entire official campaign period as well as impermissible methods of electoral campaigning irrespective of the principles of democratic elections.

Specifically, the restriction of the rights of poll-watchers and mass media representatives in some precincts, attempts of violence against them, cases of scuffling and mutual offences, pressure on Precinct Electoral Commission (PEC) members, party proxies and mass media representatives on part of neighborhood authorities, cases of illegal influence on the free will of voters, deliberate ignoring of certain procedures, and inappropriate presence of police and other unauthorized people at the polling stations, all contributed to concerns and deepened voters' disappointment in the electoral process and impacted the integrity of the electoral process.

Among the most concerning facts are:

- Impediments to the campaign;
- Use of administrative resources during the campaign;
- Campaigning in violation of the RA electoral legislation;
- Imbalanced power distribution of head positions in territorial electoral commissions;
- Lack of sufficient information on the part of voters;
- Inconvenience of polling stations for disabled to vote;
- Shortcomings in voter lists;
- Violations of the electoral procedure;
- Cases of illegal voting;
- Influence on voters' free will;
- Cases of illegal campaigning;
- Voter gatherings and artificially created lines;
- Presence of unauthorized people in polling stations;
- Violation of monitors', proxies' and mass media representatives' rights;
- Abuse of proxy rights;
- Inconvenience of polling stations; and,
- Cases of inadmissible campaign or anti-campaign manifestations in Mass Media coverage, public media in particular, in favor of or against certain candidates.

Impediments to the campaign

During the campaign period different violations and shortcomings were observed, which are against the principles of organizing a civilized and democratic campaign.

For Instance:

- "Sosi" and "Khustup" TV companies in Syunik region refused to broadcast presidential candidate Artur Baghdasaryan's announcement (advertisement) concerning organizing a meeting with voters, notwithstanding the fact that the heads of the aforementioned TV companies allege that they announced that they would not broadcast any campaign-related commercials;
- On January 22, the Mayor of Armavir prevented presidential candidate Vahan Hovhannisyanyan from organizing a pre-election campaign meeting with voters at the culture

- house of that city;
- On January 27, in Talin city, during presidential candidate Levon Ter-Petrosyan's pre-election meeting the latter's supporters beat up a local citizen Sargis Karapetyan;
 - On the night of January 25-26, the windows were broken and posters and torn of the Legal State party headquarters in Vanadzor city (address: Vardanants 47);
 - On the night of January 26-27, the pre-election posters of presidential candidate Levon Ter-Petrosyan in Vanadzor city at Tigran Mets 16 and Tigran Mets 29 were torn;
 - On the night of January 31-February 1, the door of Levon Ter-Petrosyan's pre-election headquarters in Vanadzor was burned;
 - On February 1, some people opened fire on Serzh Sargsyan's pre-election headquarters in Yerevan at Mari 12, in Nor-Nork community and Mikoyan 14 in Yerevan;
 - During Ter-Petrosyan's meeting with voters in Artashat city on February 6, the candidate's supporters and local citizens conflicted which resulted in shouting and scuffling and bodily injury of some participants;
 - During Vahan Hovhannisyanyan's campaign event in Tsovagyugh community on February 1, a citizen created conflict with some participants;
 - On February 7, in 3rd Massive of Nor-Nork community, a group of RPA representatives tried to prevent Levon Ter-Petrosyan's supporters from dispersing their candidate's campaign materials, in which Hovh. Grigoryan, G. Zakaryan and A. Hakobyan were beaten ;
 - During the campaign period there were cases of hooliganism Such as on February 11, unknown citizen violated the public order and attached materials and posters on walls of buildings in Martuni which contained negative and insulting information concerning presidential candidate Serzh Sargsyan;
 - On February 11, an unknown person burned the door of Serzh Sargsyan's pre-election headquarters at Azatutyun St. 12 in Yerevan; and,
 - At February 9, an unknown person tried to burn the door of Serzh Sargsyan's pre-election headquarter at Hakhtanak 6/31.

There were cases when supporters of different candidates were burning and damaging posters and campaign materials of their opponents. Such violations were done both by pro-government and pro-opposition supporters.

During the campaign period there were cases of threatening and insulting relatives of certain candidates, as well as the principle of "presumption of innocence" was ignored. Certain people were threatened to be imprisoned or get negative payback after the elections, which are against the principles of democratic elections.

During the official campaign period IYC has expressed its concerns on such cases and requested the candidates to run their campaigns with good political will and focus on their programs and platforms and not by slashing, blackmailing, nor implementing negative campaigns against each other, or any other actions counter to the principles of democratic elections.

Such shortcomings that were observed by IYC significantly affected the moral and psychological environment in the country and didn't provide an opportunity for a great number of undecided voters to have access to thorough information and make a conscious decision.

Use of administrative resources during campaign

- Despite the fact that Prime Minister Serzh Sargsyan verbally instructed the members of the government to abstain from campaigning during business hours, Serzh Sargsyan's campaign implemented activities through the use of administrative resources. Municipalities and local community heads actively campaigned in favor of Serzh Sargsyan. The Prime Minister's campaign events in Yerevan and marzes were organized by using administrative resources, which created unequal conditions for the candidates to campaign.

Specifically, heads of educational institutions instructed their staff members to take part in such campaign events.

Such examples are:

- In Vagharshapat, Armavir children were allowed to go home before their lessons were completed so teachers could take part in campaign events as they were instructed to do so.
- The employees of Nor-Nork community municipality, schools and kindergartens were involved in the process of campaigning in favor of candidate Serzh Sargsyan. Specifically, the head of the education department L. Atyan gave circus tickets to people in the office and said that those tickets had been given by S. Sargsyan.

The CEC chairman Garegin Azaryan brought attention to concerns expressed by different political powers and IYC involving cases of collection of passport details from citizens and called on citizens not to provide such details to anyone in such cases.

The IYC has expressed concerns about the fact that passport details were collected before, the election, which created an environment of negative pressure and psychological influence on voters.

Campaigning in violation of the RA electoral law

Some candidates campaigned before the official campaign period in violation of the requirements of the RA "Electoral Code."

For example:

- MIAK (United Liberal National Party) party distributed the campaign materials of their candidate prior to the official campaign. Even some citizens say that the mentioned people have also asked them to fill in a questionnaire and write there their first and last names, addresses, registration addresses, telephone, and cell phone numbers.
- Before the official campaign period Levon Ter-Petrosyan's supporters have distributed CDs with their candidate's speeches in Yerevan and marzes.

Our observers witnessed such cases on the part of other candidates as well.

- There were fliers reading "Say no to Serzh", which didn't include any information about the printing house that had printed those fliers and as well as the number of printed copies, which is a violation of Article 21/6-7 of the RA Electoral Code.
- Campaign materials were posted randomly, however Article 21/2 of the RA Electoral Code defines that those materials shall be attached in special areas provided by local governments. Even though the law does not clearly prohibit attaching posters in other places than those provided by local governments, the provision on providing specific places for posters provides some limitations and if these limitations were defined by the

law clearly, it would be possible to implement monitoring of campaign materials, their quantities and money spent on them more effectively, thus providing equal conditions for all candidates to campaign.

- Some political powers used techniques to influence voters' free will, which can be considered as preliminary calculation of citizens' votes and intimidation to vote for certain candidates. Before the launch of the official campaign period, the representatives of the Armenian Revolutionary and Legal State parties executed agreements with voters on for their support during the presidential election. This method of executing agreements with voters as an electoral mechanism to preliminarily calculate citizens' votes and an attempt to intimidate voters to vote for said candidates.

Electoral Law

The RA presidential elections are governed by the RA Constitution, RA Electoral Code and the decisions of the RA Central Electoral Commission. IYC supports the reformations in the Electoral Code such as stamping passports for the purpose of preventing multiple voting, the new regulation of installing voting booths to provide better privacy and secret voting, the changes to the procedures of handling voter lists (inclusion of voters in voter lists according to the place of residence), and providing broader rights to monitors and proxies. All of these reformations are improvements in comparison with the old code, which IYC believes, will serve as a mechanism to protect vote secrecy, as well as provide more effective efforts on the part of proxies, monitors and commission members.

However, IYC believes that because the law has not been amended to the full extent necessary and should include provisions on the order and procedures of forming electoral commissions because currently these commissions do not represent equal power distribution and sufficient impartial activities on their part.

As mentioned, the IYC is still concerned of the fact that the power distribution in electoral commissions as imbalanced, governed by the provisions of the Electoral Code. As a result, the head positions in TECs, with some exceptions, were formed of the representatives of the RA president, RPA and Prosperous Armenia (PA) parties. ARF party has only 23 head positions in TECs, and Legal State and Heritage parties taken together have only 7 representatives in TEC head positions.

PECs have been formed in the same manner too. Such examples are:

- In Territorial District #24 the head positions of 25 PECs out of 42 were ascribed to Serzh Sargsyan's RPA party representatives (16), PA (2) and representatives appointed by the president (7). The other 16 PEC head positions were ascribed to judicial servants (16) and only one place was ascribed to a representative of presidential candidate Vahan Hovhannisyan.
In these 42 PECs, the positions of commission deputy heads were ascribed to RPA (2), PA (12) parties, representatives appointed by the president (11) and only 4 representatives of ARF. The positions of secretaries in the mentioned PECs were ascribed to 10 RPA members, 3 PA members, 10 representatives appointed by the president and 5 ARF members. Artur Baghdasaryan's Legal State party is represented in the head positions of the TECs of Territorial District #24 with two secretaries only.
- The power distribution was similar in 40 PECs of #25 territorial district. The head positions of these PECs were mainly ascribed to representatives of RPA (15 commission heads, 9 deputy heads, and 7 secretaries), PA (4 commission heads, 12 deputy heads, and 9 secretaries). In the PECs of #25 territorial district ARF had only 3 head positions (2 deputy heads, 1 secretary), and LS had only a deputy head's position.

Lack of sufficient information on the part of voters

The voters in rural communities of Armenia are not well informed. Only two widely broadcast TV channels are available in such rural communities – the national H1 TV channel and H2 channel. The information concerning the presidential candidates provided by these two TV channels cannot be considered full and comprehensive for the broad constituency, and doesn't provide a large section of voters sufficient information in order to make an informed and conscious choice. For instance, in #40 territorial district of Tavush region newspapers were delivered with delay and in limited quantities, and "Kamut" local TV channel refused to provide air time to candidates for paid campaign.

Shortcomings in voter lists

Shortcomings in preliminary voter lists

- In the voter lists of #33/52 polling station names of young people who have finished their temporary military service were missing (for example, Martirosyan Alek, Stepanyan Arkadi). To the contrary, names of deceased people were included in the voter list (for example, Eghoyan Rudolf, Kocharyan Sasha, Avetisyan Ruben);
- Names of deceased people were found in the voter lists of # 33/49 polling station (for example, Mirijanyan Bagrat, Petrosyan Hranush);
- 141 names of voters weren't included in the voter lists of #33/57 polling station in Vahramaberd due to address database wrong management (citizens of Lengesavan);
- The name of citizen Armen Harutyunyan was missing from the voter lists of Akhuryan community;
- The names of citizens residing in #31 building of Davitashen community of Yerevan were not included in the preliminary voter lists of #5/13 polling station;
- Names of deceased people and other shortcomings were observed in #29, 30 and 31 polling stations of Lory and also a number of polling stations in Tavush, Kotayk, Armavir regions (for example, #31/36, 31/53, 31/58, 31/62, 32/60, 40/22, 40/23, 31/38, 29/24, 29/40, 29/43, 21/10 polling stations), and #32 polling station in Tashir;
- In a number of polling stations in #31 territorial district of Stepanavan, 23 names of deceased people and many names of unregistered people were included in the voter lists;
- In voter lists there were many names of people, who have unregistered long before and several elections have been relisted after they unregistered. For instance, three people were included in the voter lists of #19/13 polling station (Hovhannes, Harutyun and Abraham Mghshyans) at the address Hunan Avetisyan 9, who have lived in the United States for the past 13 years. Two other citizens, who live in Russia, were included in these lists as well (Armen and Armine Grigoryans);
- Names of deceased people were included in the voter lists of #21/37, 21/38, 21/40 polling stations (for instance, the following names have been included in the voter lists of #21/37 polling stations: Volodya Boroyan, Onik Khachatryan, Aleksan Tovmasyan, Zabella Khudoyan, Hrant Khudoyan. The names of Roza Baghdasaryan and others were included in the lists of #21/40 polling station);
- Names of many voters were not included in the voter lists of #31/33, 31/36, 31/37, 31/42, 31/46, 31/48 polling stations in Alaverdi and #31/58 polling station in Vedi;
- There were quite many shortcomings in the voter lists of Territorial District #41;
- Application forms on the procedures of recovering voting rights that is to be attached to voter lists were missing in #21/11 polling station of Armavir, #33/65 polling station of Shirak and in many polling stations of #40 territorial district of Tavush region;

- During the second week of the campaign, the voter lists of a number of polling stations in #20 territorial district were damaged and torn due to inadequate control and carelessness on the part of authorized bodies in charge of protecting them;
- The voter lists of #9/08, 9/09 polling stations were attached not inside the stations, but on the external walls, thus resulting in damage;
- In #10/01, 10/06 polling stations the voter lists were attached in dark places and were inconvenient for voters with bad eyesight to read;
- In multiple places voter lists were not available to voters at any time to check whether their names were in the lists;
 - Specifically:
 - #19/01 polling station in #8 school of Zvartnots hasn't been available to voters for a long time due to the fact that the mentioned school was closed for the most part of the day (after 6 p.m. when voters returned from work they couldn't see the voter lists as the school was closed);
 - The same difficulties have been observed in 19/15 polling station located in #14 kindergarten, #19/12 polling station in #1 musical school, where the watchmen didn't let anyone in to see the voter lists; and,
 - The same shortcomings were observed in #19/25, 19/13 polling stations on January 30 2008, when the polling stations were closed after 5 p.m.

Problems concerning final voter lists

- In #1/9 polling station a citizen Manushak Mkhitaryan found two unfamiliar names under her address in voter lists;
- In #3/18 polling station the voter lists were attached in an inconvenient place for observers to view;
- In #19/01 polling station some voters could not find their names in voter lists, although they had received a reference from the TEC to recover their suffrage, but never recovered it and did not visit the polling station to vote;
- In #37/16, 38/01 polling stations names of many voters were missing from voter lists.
- In #38/14 polling station a woman found her deceased son's name in the voter lists. She was insulted and refused to vote;
- In #20/09 polling station names of people who do not reside in Armenia for more than 4 years were found in voter lists (e.g. Surik Kamoyan, Anahit Kamoyan); In the same polling station numbering of final voter lists did not coincide with the numbering of voter lists provided by the TEC;
- IYC also has concern regarding additional voter lists according to place of residence. IYC believes that at times the number of citizens applying for temporary registration at other addresses to vote in other communities was enhanced. Specifically, in #2 territorial district about 400 citizens applied for such temporary registration in other communities to vote in other places. IYC believes that in some cases it is done artificially for certain purposes. Especially in the precincts of Yerevan many people were included in additional voter lists and IYC believes that it would not be difficult for them to vote in the precincts where they were registered. For example, there were many names of people included in the additional voter lists of Kentron, Arabkir and Kanaker-Zeytun communities of Yerevan, who had applied for permission to vote in communities other than those they were registered in (for example, #4/15, 3/11 and other polling stations). Also there were names of 3 citizens in the additional voter lists of #3/11 polling station in Kanaker-Zeytun community, who were registered in Avan community which is not far from the mentioned community where they wanted to vote.

- In #3/9 polling station of Kanaker-Zeytun community a group of people arrived from Vardenis and Byureghavan cities by buses and voted according to the additional voter lists. A group of people were bussed from Kotayk marz to vote in #3/29 polling station of Kanaker-Zeytun community according to the additional voter lists.
- In #10/10 polling station in the first half of the day a group consisting of 90 old and homeless people, who were preliminarily included in additional voter lists of that precinct, entered the polling station at once and voted creating a long line and time delays.

Violations of the electoral procedure

- In #9/27, 28/30, 3/25, 1/27, 9/30, 9/31, 3/11, 1/25, 1/26 and many other polling stations in Davitashen community of Yerevan, the voting booths were not positioned in the required manner. The law determines that in all polling stations voting booths are to be installed in a manner such that the voters can stand facing the commission with their back to the wall when voting. Only in the case where it is not possible for the voting booths to be attached to walls, they are then to be encircled by a ribbon in a radius of 1,2-2 meters with one entrance and one exit only. In this case it was possible to set up the voting booths in the manner established by the law in the above-mentioned polling stations, however the voting booths were attached to the walls without any encircling ribbons.
- In #1/27, 1/28, 1/29, 2/5, 3/31, 3/33, 2/26 polling stations the voting booths were attached to the walls and encircled by ribbons despite the mentioned polling stations had all the necessary conditions to set up the polling stations in the new manner defined by the law.
- In #19/01 precinct of Echmiadzin IYC observed several cases when the same person escorted voters to the voting booths and helped them to vote (it violates Article 55/4 of the RA Electoral Code). The same case was registered in #28/20 polling station.
- In #38/01 polling station some people escorted voters to the voting booth who were not disabled and could vote on their own. According to the IYC monitor, the people who escorted the mentioned voters were teenagers.
- In #38/20 polling station of Syunik marz multiple cases were registered of the same person escorting voters to the voting screens.
- One day prior to the voting day in #8/27 polling station the PEC chairman did not want to draw lots to select the PEC members in charge of signing the ballots. One of the PEC members, who represented the Heritage party, protested and called other witnesses to the polling station, after which the PEC chairman had to follow procedures in the manner provided by the law.
- In #3/25 polling station the PEC member in charge of the ballot box and stamping envelopes took the passports of voters and kept them until the voters would vote and return (it is a violation of Article 57/3).
- In #41/11 polling station the PEC member responsible for allocating ballots was also stamping voters' passports, thus violating the electoral procedure established by the RA Electoral Code.
- In most of the monitored polling stations the commission members in charge of the ballot boxes and stamping envelopes were not provided with the address lists of the apartment buildings of the precinct as provided by Article 53/3. Accordingly the PEC member could not check whether the voters were registered at the mentioned precinct or not (for example in #4/15, 9/29, 6/02, 19/13, 19/08, 19/16 polling stations and almost all polling stations of Yerevan). Moreover, none of the PEC members in charge of that procedure was aware of the mentioned law requirement.

- In #38/01 polling station the corresponding PEC member did not stamp an envelope and allowed the voter to cast it into the ballot box. The mentioned voter was not allowed to vote one more time. The same was done in #21/14 polling station.
- Upon opening #38/17 polling station it turned out that the PEC members had signed the envelopes the day before. The TEC was informed about it and the polling station was opened with an hour and 15-minute delay in order to receive new envelopes.
- The safe box of #29/23 polling station was not inside the polling station.
- In #39/04 polling station of Vayots Dzor, while opening the fire-proof safe at 7:40a.m. Zakar Matevosyan, proxy of L. Ter-Petrosyan, noticed that the paper with the PEC members' signatures attached on the lock of the safe was somewhat torn and moved aside. The protocol prepared by Z. Matevosyan on this regard was not signed by the PEC members, thus resulting into a conflict between the proxy, the PEC members and the RA policemen. After opening the fire-proof safe all documents and necessary items were found in their places.
- Most of the PEC members and even chairmen in Tavush marz were not sufficiently aware of the electoral law and did not entirely understand their responsibilities, thus committing a number of violations while making recordings in the registers as well as preparing protocols.
- In #3/27 polling station the representative of the Heritage party in the PEC was not allowed to take part in the vote counting process. Proxies had difficulties in observing the process as well. In the mentioned polling station, 24 ballots voted for Levon Ter-Petrosyan were put on the ballot stack of Serzh Sargsyan, which was noticed and documented by the Legal State and ARF proxies.
- The stamps of #2/22 polling station were packed in the bag for ballots brought to the corresponding PEC. For the purpose of taking those stamps out the PEC decided to open the ballot bags in the presence of the PEC members.
- The bag for the ballots brought from #2/23 polling station to the TEC was opened, which was documented with a protocol by the TEC. The PEC representatives said that it was a result of negligence on the part of the persons in charge of taking that bag to the TEC.
- The #2/33 PEC brought the signed voter registers to the TEC without having packed them in a bag.
- In #1/19 polling station the vote count was interrupted because of temporary cut-off of the electrical power.
- In #3/18 polling station of Kanaker-Zeytun community the vote counting process was interrupted for several times due to unknown reasons.
- In #38/39 polling station during the vote count, 5 unstamped envelopes with marked ballots were taken out of the ballot box, which means that the PEC member in charge of stamping the envelopes had not stamped them. The mentioned ballots were considered invalid.
- In #38/15 and 38/14 polling stations the electrical power supply was temporarily cut off during the vote count, resulting in an interruption of the vote count.
- In #10/10 polling station in Kentron community of Yerevan the commission chairman was drunk and started the vote count five hours after the closing of the polling station. The PEC chairman was deliberately delaying the vote count till the leaving of the representatives of the CIS (Commonwealth of Independent States) monitoring mission. On the demand of proxies and observers to immediately start the vote count, the PEC chairman was firm to declare that they could stay in the polling station till 8 o'clock in the morning.
- In #10/34 polling station the vote count was postponed because of a quarrel between the proxy of L. Ter-Petrosyan and the RPA representative in the PEC. After how the proxy left

the polling station, unknown people and cars appeared in the adjacent area, thus creating a tense environment which resulted in postponing the vote count.

- In #38/08 of Syunik during the vote count the PEC did not count the envelopes according to the order established by the EC: valid and invalid envelopes were not separated from each other and were wrapped without counting them.
- In #5/22 polling station proxy of L. Ter-Petrosyan doubted the results of the vote count requiring to recount the ballot stack voted for S. Sargsyan. As a result of the recount, 70 ballots voted for L. Ter-Petrosyan were found in it.
- In #4/27 polling station during the vote count the PEC Chairman solely decided to rule 90 ballots invalid, although the majority of those ballots were marked according to the established manner. After the visit of two members of the TEC to the precinct, the PEC Chairman abruptly showed several ballots, 4 out of which were ruled valid.

Cases of illegal voting

- There were multiple cases in #35/07 polling station in the Azatan community in Shirak marz that two voters voted in one voting booth simultaneously, thus they ignored the principle of secret ballot.
- Cases of multiple people voting at one voting booth simultaneously were observed in #13/16, 16/09, 38/40, 38/02, 39/23, 38/11, 38/01, 38/06 polling stations.
- In #19/01 polling station two or three people voted simultaneously at one voting booth, which was out of the line of sight of the PEC members, proxies and monitors.
- In #1/26 polling station of Nor Nork community located at School #62, at 7:15p.m., voter Varduhi Navasardyan (address: Gayi ave. 6/24) found a signature next to her name. In response to her demand to vote, the PEC committed another electoral code violation and wrote down the name of that citizen in the main voter list, gave a ballot to that citizen and allowed her to vote despite the fact that the PEC does not have such a right.
- In #1/9 polling station voter Vardan Vardanyan found a signature next to his name.
- In precinct #3/21, at about 3 p.m., voters Eliza and Cristina Torosyans found signatures next to their names in the voter lists. This fact was registered in the protocol.
- In precinct #3/21, at 1:45 p.m., a voter didn't cast his marked ballot into the ballot box, left it on the table anticipated for stamping and left the polling station. A PEC member took that ballot and cast it into the ballot box, which resulted in a conflict between that PEC member and a proxy. This fact was also registered in the protocol.
- In #38/13, 38/40, 38/39 polling stations a group of soldiers voted in an instructed march line.
- In #38/14 polling station three voters took pictures of their marked ballots with their mobile phones.
- In #38/14 polling station there were cases where voters audibly announced who they had voted for, thus openly campaigning inside the polling station.
- In #30/22 polling station 6 cases of open vote were observed. Cases of open vote were observed in #32/14, 32/15, 29/24, 29/37, 29/51 polling stations as well as in # 40/10, 41/37, 41/15 polling stations in Tavush marz, #24/14, 24/23 polling stations in Martuni and # 38/08 polling station in Syunik marz.
- There was an attempt of ballot stuffing in #11/5 polling station, which was prevented by V. Manukyan's proxy.
- In #17/01 polling station of Artashat the attempt of ballot stuffing by a group of young people was prevented.
- In #9/24 polling station the PEC chairman escorted to the voting booth the voters brought from the retirement home, who were unable to vote on their own, and helped them to vote.

- In #21/31 polling station a woman voted for several times. She voted audibly announcing the name of her preferred candidate.
- In #8/8 polling station a voter made an attempt to take a ballot out of the polling station. After the interference of the proxy of A. Melikyan to prevent this attempt, a conflict commenced between the PEC Chairman and proxies present in the precinct,
- In #28/30 polling station an open vote was led by the head of the village whom also supervised voting during the whole process.
- There were cases of ballot stuffing in #17/01, #17/02 polling stations in Artashat, which were noticed by proxies, who made an attempt to prevent them. A conflict and scuffling resulting between the proxies and a group of people who attempted the ballot stuffing. The proxies' complaint applications to the policeman were ignored.
- In #5/23 polling station the son of the PEC Chairman periodically entered the polling station with his friends and voted multiple times by the permission of the PEC members. On a monitor's or a proxy's demand to show their passports the young people hurried to leave the precinct center.

Influence on voters' free will

- There were many cars and 3 police cars near #13/16 polling station. Many supporters of S. Sargsyan and L. Ter-Petrosyan created an environment of intolerance and tension around the #13/16 and 13/17 polling stations and also influenced on voters.
- Local neighborhood authorities were driving and supervising in the adjacent area of #9/9 polling station.
- In #10/01 polling station aged, unhealthy old people were forcibly brought from the retirement home close to the precinct and were made to vote by the assistance of the PEC members.

Cases of illegal campaigning

- An unauthorized person named Vardges Sargsyan openly campaigned in #10/19 and 10/20 polling stations. The police stopped the citizen and took to the police station for that violation.
- In #19/01 polling station the PEC deputy chairman was instructing voters how to vote.
- There were gatherings of people near #38/06, 38/01 polling stations, who openly campaigned among voters.
- In #30/16 polling station the proxies of L. Ter-Petrosyan campaigned and after they were told to leave the polling station they continued campaigning actively outside the polling station.
- In #6/30 polling station 3 people were continuously bringing voters to the polling station by their cars and campaigning among those voters.
- From time to time, voters who were wearing tricolor scarves, representing campaign material of one of the candidates entered #9/16 polling station, and this is considered as a campaign among voters.
- In #19/10 polling station with the motive to help aged voters and voters with physical disabilities, a woman was continuously joining them, campaigning and escorting voters to the voting screens. Only after the interference and prohibition of the PEC Chairman did the woman leave the precinct.
- In adjacent areas of #37/02, 37/09, 38/01 polling station a group of people were campaigning among voters.

- In #28/30 polling station of Ptghni, the head of the village was continuously present in the precinct, carrying out campaign in it, directing voters how to vote, observing the marked ballots and illegally influencing voters' free will.
- In #10/10 polling station the PEC Chairman was openly campaigning for S. Sargsyan.

Voter gatherings and artificially created lines

- There were massive voter gatherings in many polling stations in Vanadzor and Syunik marzes (e.g. # 38/10, 38/04, 38/06, 38/14, 37/02, 37/09, 38/39, 38/40, 38/13 polling stations), in Gyumri, #35/07 polling station in Shirak, #1/11, 1/9, 13/04, 13/08, 7/32 polling stations in Yerevan. The PEC Chairmen could not control the situation in the precincts during the large gatherings.
- In # 9/19, 9/20 polling stations there were crowds and delays in voting because many people were bussed to those polling stations.
- As a result of transporting voters by taxis (plate numbers: 2069S, 2841S) huge voter gatherings were observed in #6/01 polling station.
- In #7/25 polling station, at about 11:45 a.m., 100-120 voters were present inside the polling station and the situation was not controlled. Furthermore, the commission chairman did not try to control the situation in the manner established by the law.
- Big gatherings of voters were observed in almost all precincts of Erebuni community. There were many people near #1/07, 11/08 polling stations of Erebuni community at 11:45 a.m. and some young people bussed voters to those polling stations. Presence of more than 50 people was observed in the above-mentioned polling stations.
- Huge voter gatherings were observed in polling stations of villages in high mountain zone of Vardenis.
- More than 15 voters were gathered in # 21/11 polling station .
- In many polling stations in village communities of Shirak big voter gatherings, lines and chaos was created because a readdressing was done in those communities before the voting and the citizens were uninformed about the change of their addresses. Coming to the polling station, they had to look through the voter list to find their names, which took much effort and time making the voting process difficult and delayed. Most of the voters simply got angry of the prolongation and difficulties preferring to leave the polling station without voting.
- After 12 o'clock there were so many people near #6/17 polling station that there were 2-3 lines of voters. Those lines of voters were controlled by the local government employees and community council members.
- There were large gatherings of voters in a number of precinct centers and neighboring areas in Malatsia-Sebastia and Nor-Nork communities. There were many mini-buses not far from the municipality of Nor-Nork community to bus voters to polling stations.
- There were large voter gatherings in the nearby areas of almost all polling stations of Shengavit community. Many people were bussed to #12/12, 12/26, 12/02, 12/03 and many other polling stations to vote.
- Big gathering of voters were created at the entrances of many polling stations of Tavush marz (e.g. #42/03, 41/01, 41/33).
- #9/12 polling station was continuously crowded and from time to time the situation was coming out of control due to the chaos inside the polling station.
- In #10/10 polling station a group consisting of about 90 aged and poor people was brought to vote by the additional voter lists, thus creating a long voter line and delays.

Presence of unauthorized people in polling stations

- A group consisting of 6-7 people entered the #8/21 polling station and created a conflict there hindering the voting process. Similar cases were observed in #7/18, 7/19 polling stations of Haghtanak village community. There was a conflict and scuffle between L. Ter-Petrosyan's and S. Sargsyan's supporters not far from the polling stations, which created a tense environment inside the polling stations.
- Continued presence of community authorities and many unauthorized people was observed in #7/25 polling station. The PEC chairman did not ask those people to leave the polling station.
- A citizen entered #2/4 polling station of Nor-Nork community and instead of voting and leaving the polling station he made noise and interrupted the work of the PEC, thus creating tension in the polling station.
- In #4/15, 6/01, 7/25, 19/31, 1/26, 39/14 polling stations there were policemen who had not been asked to be there and instructed the PEC chairman and members what to do and also periodically asked for voter turnout.
- Needless presence of policemen was registered in #16/48, 16/03, 18/06 polling stations of Ararat marz.
- In #41/33, 41/01, 41/03 polling stations the RA policemen were constantly present at the entrances.
- About 10 unauthorized people entered the #7/05 polling station and created a conflict with the LS and ARF proxies, as a result of which the PEC members left the polling station for a long time.
- Periodic presence unauthorized people was observed in #13/23 and #11/5 polling stations.
- There was an unauthorized person in #7/32 polling station after 8 p.m.
- Long lasting presence of unauthorized people was registered in # 20/09 polling station. A number of such people continuously brought people to the polling station, who, as they presented, were old people they knew, however, they were obviously brought to the polling station to vote through intimidation of their free will.
- Employees of local governing bodies entered #40/42 polling station in Baghanis community of Tavush marz continuously escorted voters to help them to vote at the voting booths reasoning that those voters had poor eyesight or were illiterate.
- Long lasting presence of unauthorized people was also registered in #16/03 polling station (Masis city) and #16/48 polling station (Sayat-Nova community) of Ararat marz.
- In #17/05 polling station of Artashat, at about 4 p.m. two young people entered the polling station and started cursing the PEC members and other people present in the polling station, impeding the PEC work and hindering the voting process. The incident was suppressed after the interference of the policemen.
- In #17/02 polling station of Artashat a person who was not registered here wanted to vote, however, the PEC chairman did not allow him to do so. The person started arguing, created a conflict and disruption.

Violation of proxies' and mass media representatives' rights

- In #9/19 precinct the policemen did not allow the journalists of the Yerkir Media TV company to record the voting process in the polling station by reasoning that they had been told not to allow anyone make recordings without a corresponding document.
- In #13/16 precinct reporter of the Haykakan Zhamanak daily Lusine Barseghyan was beaten up by a group of people led by a man named Avo, who took the journalist's voice recorder and broke it down making it inoperable.

- In #11/07, 11/08 polling stations several unknown young people impeded the work of the IYC monitor by threatening and demanding to write only “good things” about the situation in the polling station.
- In #10/22 polling station the PEC chairman displayed a negligible attitude towards the IYC monitor, did not allow him to have close observation of the ballots and voter lists, and ignored remarks about the shortcomings in voter lists. Violating the law, the same PEC chairman did not stamp the protocol excerpt for the observer on the summarization of the vote results, and only signed it saying “this much is enough for you.”
- The PEC chairmen of #37/49, 37/62, 37/14 polling stations refused to provide the IYC observers with the excerpts of protocols on the summarization of the vote results.
- In #41/18 polling station in Hovq community of Tavush marz, the PEC did not allow the IYC monitor who arrived to the polling station at 7 a.m. to enter the polling station, reasoning that the monitor’s certificate was outdated (date of allocation of the certificate is December 27, 2007). From 7 to 8 a.m. the observer was not allowed to enter the polling station and could not observe the opening procedures for that hour conducted by the PEC. Only after the start of the voting, due to the interference and grounded explanations of the IYC coordinator the monitor was able to carry out observation in that polling station.
- In #38/01, 38/19, 38/14 polling station of Syunik marz the PEC chairmen refused to inform the proxies and the IYC observers about the number of voters who had voted in that polling station, although according to the EC requirement they were to periodically announce these numbers.
- In #38/01, 38/19 polling stations of Syunik marz the PEC chairmen did not allow the IYC observers to observe voter lists signed by voters closely.
- In #37/02 polling station of Syunik marz the PEC members did not allow the IYC observer to move freely in the polling station and observe. The observer had to observe the voting process from a far, inconvenient place. The PEC did not admit any suggestions made by the observer.
- In #2/33 polling station of Nor-Nork community L. Ter-Petrosyan’s proxy tried to take photos of voter gatherings in the polling station but the PEC chairman and members hindered his work which caused noise and conflict. The problem was solved and the situation was under control only after a TEC representative arrived and interfered.
- In #3/12 polling station of Kanaker-Zeytun community a reporter of the Haykakan Zhamanak daily had a conflict with the PEC head because the reporter had taken photos of several passports, where he had seen pencil marks. The conflict was stopped after the journalist was registered with the registration book of the polling station.
- In #9/24 polling-station L. Ter-Petrosyan’s proxy, who wished to observe ballots closely during the vote count, was taken out of the polling station.
- In #30/22 polling station Sofya Kalantaryan, proxy of L. Ter-Petrosyan, was made to leave the polling station.

Abuse of proxy rights

- The head of Levon Ter-Petrosyan's headquarters in Maralik community of Shirak region, Harutyun Urutyun, beat up a proxy of another candidate Suren Avetisyan not far from #36/34 polling station.
- In #13/23 polling station Levon Ter Petrosyan's proxy Ani Khachatryan insulted the PEC chairperson and created tension in the polling station. She was periodically instructing some unauthorized people to come to the polling station.
- In #11/5 polling station the New Times party chairman Aram Karapetyan, in the presence of journalists and international observers, threatened to punish the PEC members and other authorized poll-watchers in the future.

- In #31/69 polling station Levon Ter Petrosyan's proxy Sargis Tamazyan terrorized and threatened the PEC members. This fact was also documented.
- In #32/53 polling station of Arevatsag community Edmond Vachagani Gevorgyan, who said he was Levon Ter-Petrosyan's proxy, did not show any documents proving that he was the mentioned candidate's proxy, was drunk and impeded the work of the PEC. This person was told to leave the polling station. This fact was also registered in the protocol.
- In #30/22 polling station in Vanadzor one of the proxies artificially created tension and hindered the voting process. This person was replaced with another proxy and was sent to the #30/28 polling station, where he behaved in the same manner.
- Simultaneous presence of 3 proxies of L. Ter-Petrosyan was registered in #19/02 polling station.
- In #19/17 polling station the voting process was disturbed due to the conflict between the proxies of S. Sargsyan and L. Ter-Petrosyan.
- In #21/11 polling station a proxy escorted a voter to the voting screen.
- In #38/06 polling station a proxy helped a voter at the voting screen. The PEC chairman noticed the violation, but did not prevent it and did not take corresponding measures.

Inconvenience of polling stations

- #38/03 polling station was too small for organizing the voting process, and continuous voter gatherings were created due to this reason.
- Polling Stations #9/30 and 9/31 were located in a school, which had a narrow corridor with 50-60m² space and were divided from each other with a ribbon only. As a result of inconvenience of those polling stations there were big voter gatherings there and the situation was not controlled.
- In #19/01 polling station, which was located at the school of Parakar, the ballot booths were out of the sight of the PEC members, proxies and monitors. The polling station was in a large room, but the voting booths were far in a narrow corridor connected with that room despite the fact that the room was large enough to install the voting booths in that room.
- The #10/32 polling station was located in a narrow and inconvenient area. The ballot box was placed inconveniently for observation in a corner.

Inadequacy of polling stations for the disabled to vote

According to Article 16/5 of the RA Electoral Code, local self-government bodies shall take necessary measures in polling stations in order to facilitate the exercise of electoral rights by the disabled (such as building wheelchair ramps, creating conditions for the disabled to move easily inside polling stations and furnishing polling stations appropriately). However, this law requirement was not followed in most of the polling stations. The state bodies have not built wheelchair ramps in polling stations to provide easy access of the disabled into polling stations. For example, in #31 territorial district only two polling stations have been furnished and located in a manner to provide easy access of the disabled (#4 polling station of Tashir and #1 polling station of Stepanavan).

Most of polling stations were located in second floors of buildings, thus making it impossible for the disabled, especially those with wheelchairs, to access the polling stations.

Monitoring of post-election procedures

Recount requests were filed in 25 TECs regarding 159 PEC results. Other requests were rejected by TECs on the grounds that the deadline to request a recount had expired. TECs rejected 34 requests for being 'baseless'. Some complaints were filed with the CEC alleging that TECs did not function continually in the period before 2p.m. on February 20.

Complaints were submitted to the CEC regarding the TEC #32, which denied a request to recount the PECs #32/20, 32/30 and 32/46 on the basis that time had expired. Those with complaints claimed to have been in TEC at 13.30 hours. At the TEC #8, recount applications for the PECs #8/6, 8/16, 8/17, 8/21, 8/23 and 8/24 were presented before 2p.m. hours but the TEC refused to register the applications before the expiration of the 2p.m. deadline. Recounts for the PECs #34/04, 34/07 and 34/30 were not performed. A complaint was filed that the chairman of the TEC #35 could not conduct recounts because only five TEC members were present, even though there is no legal quorum required. Other requests for recounts were denied in the TECs #3, 21, 23, 24, and 38.

The majority of recounts observed showed discrepancies and mistakes in the original count, some of which were significant.

The TEC #5, for example, remained inactive regarding the recounting of PEC 5/21 and the storming of the TEC on 23 February by unknown persons who forced TEC members and other authorized persons including candidate proxies, journalists, and an international observer to leave the TEC premises.

An envelope containing valid ballots marked in favor of Levon Ter-Petrosyan disappeared from the TEC #13 during the recount of PEC 13/10 on 23 February. At the TEC #4 the TEC produced 34 ballots with marks for both Mr. Ter-Petrosyan and Mr. Sargsyan from a pile of ballots counted previously by the PEC #4/03 as valid ballots for Mr. Ter-Petrosyan. The adjudication of invalid ballots by some PECs in the TEC #3 raises concern as for example, in the PEC #3/13 some 28 per cent of 1,225 votes cast were invalid.

Candidate proxies and PEC members filed complaints and appeals with the CEC regarding rejection of recount requests or violation of recount procedures in #16 TECs. In most cases, the CEC stated that these applications should be addressed to the Administrative Court. As part of the judicial reform process and amendments to the Election Code, Administrative Courts were vested with jurisdiction over election-related appeals in December 2007. This contributed to significant confusion over which body would be competent to address appeals process with respect to recounts. In light of ambiguous legal provisions including the newly created Administrative Court structure and its election related competences, the process of effective redress for complaints was not facilitated, hence, obstructing the realization of the rights of those with valid complaints. Ultimately, no complaints were filed with the Administrative Court.

Final results of the presidential election in Armenia were announced during the CEC special session on February 24.

The CEC, guided by the Articles 83 and 84 of the RA Electoral Code decided, that Serzh Sargsyan was elected as the RA president, receiving 52.82 percent of the vote. On the basis of the summarization of vote recount results of the PECs, the CEC registered: number of participants in elections – 1,671,027, number of ballots allocated to the PECs – 2,390,000, number of ballot stubs - from 1 to 2,390,000, number of liquidated ballots – 720,303, number of invalid ballots – 35,798, number of stubs of used ballots – 1,669,678, number of

valid ballots – 1,636,666, number of envelopes of the established specimen in the ballot box – 1,667,995, number of discrepancies – 6,720.

Candidate for the presidency Artur Baghdasaryan received 272,427 votes, Artashes Geghamyan – 7,524, Tigran Karapetyan – 9,792, Aram Harutyunyan – 2,892, Vahan Hovhannisyan – 100,966, Vazgen Manukyan – 21,075, Arman Melikyan – 4,399, Serzh Sargsyan - 862,369, Levon Ter-Petrosyan – 351,222: All of the CEC six members present in the session voted for the decision. The special opinion of the ARF representative Hamlet Abrahamyan was attached to the statement. Representatives of the LS and “Heritage” parties did not participate in the session.

Monitoring of judicial proceedings

Proceedings of the case brought at the Constitutional Court on declaring the factors established for the RA presidential candidate during the RA presidential election 2008 as unconquerable

The RA Constitutional Court proceeded the case on declaring the factors established for the RA presidential candidate during the presidential election 2008 as unconquerable (impossible conditions for conducting fair elections) according to the application of presidential candidate Levon Ter-Petrosyan during the official campaign period on February 11, 2008, and resolved that the existing legislation provides concrete procedures for discovering, evaluating and eliminating the possible violations occurred during electoral processes and the disputable issues stipulated by such violations by specifying the terms and the liabilities of different law-enforcement institutions.

The resolution specifically writes that within the framework of those proceedings the claimant, on the day of applying to the Constitutional Court (February 7, 2008), basing on the facts set forth in the claim brings a case before the RA administrative court. On the same day the same claim was brought before the TV and Radio national commission as well. On February 6, 2008, basing on the facts brought before the Constitutional Court the RA presidential candidate's representative submitted an application-recommendation to the RA Central Electoral Commission. The Constitutional Court resolved that those activities were in compliance with the law and the requirements of the legislation.

At the same time the Constitutional Court found that the Constitutional and legal content of the "RA candidate's unconquerable obstacles" brings to the fact that during the period since the date of registration as a presidential candidate till the eighth day before the RA presidential Election Day a situation was created despite the candidate's wish and connected with him, which was impossible to eliminate objectively, and which practically deprived him of an opportunity for further participation in the electoral process.

In consideration of the mentioned activities on the part of the RA presidential candidate's proxies in the pre-election campaign period, as well as the fact that the candidate continued with pre-election campaign, the Constitutional Court resolved that there were not unconquerable obstacles, but a dispute for providing legality of the pre-election campaign was raised, which has already been submitted, in the manner established by the law, to the above mentioned bodies having the right to estimate and solve them in this phase of elections.

Basing on the claim proceeding results, the Constitutional Court resolved that the facts submitted by the claimant, within the framework of the legal regulation of Article 52 of the RA Constitution and Article 75 of the RA law on the Constitutional Court, cannot be considered as unconquerable obstacles for the RA presidential candidate Levon Ter-Petrosyan in the RA presidential election 2008.

Appealing of the results of the RA presidential election February 19 2008 in the Constitutional Court

During the period of March 4-8 the Constitutional Court, basing on the claims submitted by the RA presidential candidates Tigran Karapetyan and Levon Ter-Petrosyan, held a court session on disputing the RA CEC Decision 24-A, dated 24.02.2008, on "Electing the president of the Republic." In consideration of the fact that both of the mentioned claims concerned the same issue, according to Article 39 of the RA law on the Constitutional Court, the mentioned claims were united and considered by the CC in the same session.

During the court session the state body in charge of concluding the election results, i.e. the RA Central Electoral Commission, was involved as respondent.

The RA Public Prosecutor's Office, the RA Police adjacent to the government, the RA National commission on TV and Radio were involved in the proceeding as secondary respondents in relation to issues connected with their duties. The Constitutional Court involved presidential candidate Serzh Sargsyan in the proceedings as a third person, basing on the application of Serzh Sargsyan dated 01.03.2008, who registered as presidential candidate during the presidential election of February 19 2008 and according to Article 74/5 of the RA law on the Constitutional Court. The head of the NA standing commission on state and legal issues D. Harutyunyan and lawyer K. Petrosyan were represented in the Constitutional Court as Serzh Sargsyan's representatives.

Lawyer P. Ohanyan, proxy A. Zeynalyan, lawyer V. Grigoryan participated in the session as representatives authorized by L. Ter-Petrosyan. R. Stepanyan and A. Ghazaryan were authorized to represent Tigran Karapetyan. According to Article 31/5 of the RA law on the Constitutional Court, members of the Constitutional Court H. Danielyan, F. Tokhyan, H. Nazaryan, V. Poghosyan were appointed reporters for the case.

The RA Constitutional Court, by a resolution dated 10.03.2008, left the decision 24-A of the RA Central Electoral Commission on Electing the president of the Republic, dated February 24 2008, in force. By evaluating the situation within the framework of the claim and comparing the facts and allegations of the parties, analyzing the materials, the existing legal regulations and their application practices, the Constitutional Court resolved that in the framework of the existing legal regulations, having the factual results, which have been received according to the requirements of the RA Electoral Code and as a result of concluding them in the powers established by that code, the RA CEC could not adopt another decision on the results of the February 19 presidential election.

The Court also resolved to send the documents concerning the changes to the final protocols of #01/28, 08/27, 17/02, 20/18, 23/41, 33/04, 33/21, 33/22, 37/03, 37/11, 37/44 polling stations, the decisions on refusing to re-calculate the votes in #30, 31 and 38 TECs, as well as the ballots, voting envelopes and recorded facts, which have been submitted by the claimants, to the RA General Prosecutor's Office for legal expertise and finding out the legality of the facts in the manner established by the law.

Institution of legal proceedings on law violations during the February 19 2008
presidential election
and application of sanctions against the culprits

The RA public prosecutors office has established an ad hoc commission in charge of preventing law violations during the presidential election, investigating them in a duly manner and giving legal estimations. By a separate legal proceeding investigation case it has treated all the notifications, announcements and publications concerning electoral violations.

During the pre-election campaign the public prosecutor's relative commission proceeded 52 notifications, announcements and media publications concerning the electoral processes, as a result of which it refused to launch cases concerning 29 of them, 19 out of which were suspended due to lack of criminal grounds, 13 out of them received written explanations and 12 out of them were proceeded and criminal cases were launched. 7 cases out of the mentioned 12 cases were hooliganism, 4 – damaging property deliberately, 1 – beating.

During the election and post-election period the applications concerning electoral violations mainly concerned application of the electoral right, the work of electoral commissions, duties of the persons involved in electoral processes or preventing voters from exercising their free will, falsifying elections or the results of elections.

11 criminal cases have been launched for hindering the exercise of the voting right, the works of electoral commissions, the rights of the citizens participating in elections or expression of voters' free will. 11 criminal cases have been launched for falsifying the results of elections, i.e. the information in protocols. 2 criminal cases were launched for voting instead of other persons, and one case – for false testimony against others. Accusation conclusions have been prepared concerning 11 criminal cases, and as of 10.03.2008 they had been sent to the court. There are accusation verdicts, people who have been arrested and imprisoned.

The public prosecutor's office has received information and materials concerning 9 polling stations from the RA CEC, as a result of which it was found out that there was inconsistency between the protocols on the results of elections submitted to the CEC and their corresponding excerpts. The concluding protocols of #9/18, 17/05, 20/04, 22/21, 22/22, 22/30, 24/18, 24/19, 38/62 polling stations and their corresponding excerpts were not consistent. Basing on such information criminal cases have been launched according to the provisions of Article 150 of the RA Criminal Code. Under the same article a criminal case has been launched in connection with stealing ballots during the vote count process in #13/10 polling station of 13 TEC.

The head of 9/31 PEC Ed. Aghajanyan has been sentenced to a 2-year imprisonment under Articles 150 and 64 of the RA Criminal Code for falsifying the election results.

The IYC believes that such a big number of criminal cases launched against the culprits and application of legal punishments is an unprecedented fact in the new history of Armenia.

The IYC hopes that the process of punishing the culprits and those who are violating the electoral law will consistently continue and the instituted legal proceedings, in case of serious grounds and justification, will result in strict verdicts in the manner established by the law, which will help to prevent electoral violations, overcome the barrier of unpunishability for electoral violations and recover the trust of the society toward electoral processes in the future.

Monitoring of the coverage of electoral procedures in Mass Media

Mass Media monitoring results of the February 19, 2008, Presidential elections in Armenia

IYC's press service has monitored the Armenian Mass Media coverage of the February 19 Presidential elections official campaign. Six broadcast and five print media outlets were monitored. The monitoring covers the period between January 21, and February 18, 2008.

The monitoring was based on the following standards:

- International documents on public expression of candidates' opinion during elections. ("Document of the Copenhagen conference on the human dimension of OSCE," "European Convention on Human Rights," "Code of Conduct" developed by a number of CIS countries and etc).
- "Guidebook on election coverage by means of electronic media in countries in transitional democracy period" of the International Center against Censorship."
- "Convention on the principles of elections and meeting coverage" adopted on May 10, 2007, during the assembly of the Armenian Mass Media and journalists.
- Comparative analysis of the RA Electoral Code provisions on pre-election campaign (Chapter 4, Articles 22, 23, Chapter 30, Articles 6, Chapter 22, Article 113) and the international law on free speech and the existing international standards.

The quantitative analysis of the electronic and print media has been conducted with absolute and comparative measurement (cm², seconds and percents). The qualitative analysis includes estimations, comparisons and conclusions.

Regulation of pre-election campaign in Mass Media according to the RA Electoral Code and the CEC decisions

The procedures of pre-election campaign of presidential elections are determined by Article 81, Section 16 of the RA EC, which constitutes that paid and free pre-election campaign on the Public Radio and Public Television on part of the candidates for the presidency is conducted according to the order established by the Central Election Commission. A candidate for the presidency has the right to use the free air time on Public TV of no more than 60 minutes, and on the Public Radio no more than 120 minutes. The candidate can use the paid air time on the Public TV no more than 120 minutes, on Public Radio no more than 180 minutes.

The procedures of providing free and paid air time and scheduling the time was defined by the CEC on January 21, 2008, by Decision # 14-A, according to which the air time on the Public TV was allocated starting from 5.15 p.m., from January 23 to February 10, two free minutes and up to six paid minutes per day, from February 11 to February 16 – three free minutes and up to six paid minutes per day, on February 18 – four free minutes and up to eight paid minutes per day. The candidates for the presidency made use of the Mass Media air time according to the order of priority determined by the RA CEC by lot.

Employees of Mass Media, according to the RA EC, are forbidden to apply the authorities delegated to them with the purpose of creating unequal conditions between the candidates, or influence the free will expression of citizens through displaying partiality.

The Public Mass Media has to ensure equal conditions for all the candidates participating in the elections, to present impartial information free of any estimation, thus maintaining equal and fair conditions.

Candidates have the right to use, on equal conditions, also the air time on other radio and television stations (regardless of their form of ownership), and those Media companies are also responsible to provide equal conditions for all competing parties and be unbiased in their news programs.

After defining the dates of the presidential elections in Armenia, within the dates determined by the EC, the price for paid air time per minute has been published by Mass Media on November 19, 2007. The Public TV defined the price for paid air at 80.000 AMD per minute, and the Public Radio - 20.000 AMD per minute. The private Media companies also defined their own prices for paid air. Thus, "Armenia" TV defined the price for paid air at 130.000 AMD per minute, "Kentron" and "H2" TVs – 180.000 AMD per minute, "Shant" TV Company – 120.000 AMD per minute, "Yerkir Media" – 100.000 AMD per minute.

A number of candidates for the presidency utilized paid air time on the Public TV or other TV stations partially. Within the pre-election period all candidates used 60 minutes free air time on the Public TV, as allocated by the law. Candidates for the presidency A. Baghdasaryan, A. Geghamyan, L. Ter-Petrosyan, V. Hovhannisyan, S. Sargsyan, T. Karapetyan used more air time than the other candidates. The first three candidates used paid air time allocated to them entirely. A. Harutyunyan and A. Melikyan did not use paid air time at all. (See graphic #12)

As a result of the monitoring, the following conclusions were made:

- The presidential elections, being very important in the social and political life of the Republic, have been widely covered by Mass Media.
- Although during the official campaign period the media companies monitored preserved the quantitative balance in campaign coverage, the same can not be said about the qualitative side of references to some candidates.
- Unlike the impartiality of coverage of the parliamentary elections in 2007, a significant part of the broadcast Media, the Public TV inclusively, during this election cycle was marred by partiality and positive or negative interpretation by the reporters.
- The expected proportionality of coverage on the part of the public Mass Media and required by the law was maintained neither by the electronic nor print public media companies. Not all the standpoints and opinions of the rival sides were adequately presented.
- The public, private and party media companies monitored have from initial review been impartial in their coverage, however, the context of editorial (author's) programs concerning some political powers contained advertisement (campaign) or anti-campaign nature.

Particularly:

In the Hayastani Hanrapetutyun (Republic of Armenia) daily (22.I to 17.II editions) the pre-election coverage of presidential candidate L. Ter-Petrosyan, the comments and articles regarding his activities made 18304cm² (20% of the total capacity of the articles related to the electoral procedures). 77 out of 122 interpretations concerning the abovementioned candidate were in negative, 44 – in neutral context.

As a comparison it should be mentioned that campaign coverage of presidential candidate S. Sargsyan made 27416cm² (30% of the total capacity of the articles related to electoral

procedures). Whereas, 70 out of 97 interpretations to S. Sargsyan were in a positive context, and only 26 of them were unbiased.

A similar policy of campaign coverage was implemented by “Haylur” news program on “H1” Public TV station. If “Haylur” covered campaigns of 6 candidates out of 9 mainly in neutral contexts, the neutrality was not preserved in reference to other 3 candidates – V. Hovhannisyanyan, S. Sargsyan, L. Ter-Petrosyan, whose campaign activities were covered with positive or negative contexts, comments, quotes from speeches, opinions, operation skills and etc. Particularly, within the period of January 21 to February 18, on the air of the “H1” main news programs presidential candidate S. Sargsyan’s pre-election campaign was covered in 119 minutes, with 51 references, 11 of which were of neutral, and 39 were in a positive contexts. An essential equal period was allocated for references to presidential candidate L. Ter-Petrosyan – 169 minutes, nonetheless, the majority of these references had negative backgrounds (only 32 out of 106 references were comparably neutral information).

The coverage of presidential candidate Vahan Hovhannisyanyan's campaign, which was less in quantity in comparison with the references to the abovementioned candidates (93 minutes), contained references to his activities, where 23 out of 36 references can be considered as campaign advertisement from the qualitative point of view. (See the detailed quantitative analysis of the entire media coverage monitoring in the table attached).

- Unlike the previous 2007 parliamentary elections, the forms of inadmissible anti-campaign activities and such methods in the Media were significantly increased, especially in public print and electronic Media. The news program on the Public TV did not abstain from manifestations of anti-campaign, which doesn't comply with the international standards of election coverage, as well.
- There was lack of TV debates and authors' programs during the presidential elections 2008. This did not provide the opportunity to fully reveal the standpoints and potential of the political powers and candidates platforms. This lack of televised debates limited the voters' chance to make an informed and conscious choice. The civic debate in Armenia is below the desired level. Some of the leading candidates turned down the invitations of different TV companies to attend the author's programs personally. Author's programs with participation of some candidates for the presidency or their surrogates were broadcast. Only in rare cases surrogates of the candidates debated on the air, which wasn't of a consistent nature and could not be a serious source of information for the voters. The absence of serious TV debates also reflects the lack of experience and proficiency on the part of journalists to organize television discussions. It is also reflective that the Media only becomes proactive to organize political debates in participation with different political powers during the periods of elections.
- IYC positively estimates the work of the public TV company periodically broadcast information to voters, including the coverage of each candidate's campaign on the air of “H1,” including the time that each candidate has been given and also the coverage of Serzh Sargsyan’s duties and activities in the prime-minister’s position.
- The information on the electoral procedures provided by the Media was fully sufficient to inform the electorate about the rival sides and give them an opportunity of choice.
- The provisions providing free air time were observed by the public Media companies. However, there were complaints on the part of some candidates regarding the inconvenience of scheduling of the air time.
- The free and paid air time for campaigning on the Public Television was somewhat useful for citizens to clarify their approaches towards the candidates.
- Broadcasting of educational videos regarding the new law of voter list correction and about the electoral procedures was very important in informing voters.

- “Yerkir Media” established new formats of talk shows and observed maximum impartiality and also differed with its positive journalistic professionalism and different programs covering the activities of candidates and their teammates, and also its independent stance to provide air hours for different political powers. Also “Shant” (“Herankar” political talk show) and “Kentron” (“Epikentron” author's program) private TV companies had an important role in informing voters about the candidates.

Coverage of the presidential election campaign in print media

Socio-political newspapers were chosen to be monitored. These publications are popular and those that people are most interested. IYC monitored one public and four “independent” print publications. Each paper had various political viewpoints, and widely covered the presidential elections with different manners of reporting, coverage, styles and the journalistic genres. Private newspapers widely covered the electoral procedures, campaigns, and presented the whole political spectrum more actively with their own news. These publications alerted the public to electoral code violations, used different journalistic genres, thus providing different sources of information and views to the voters.

In comparison with the previous parliamentary election coverage, the atmosphere of intolerance in several newspapers significantly increased, and there were cases of unacceptable personal insults. Also the state-owned (public) newspapers contained open and unpermissible polarization; the number of cases of anti-campaign and black PR was increased.

Official Media “Republic of Armenia” (“Hayastani Hanrapetutyun”)

Introduction - Daily newspaper (published 5 times a week). Founder – “Hanrapetutyun” LLC. The capacity has been changed during the monitored period (the capacity of 11 publications out of the published 21 – 4 print media). One additional publication was published during the monitored period (2/17/08).

Circulation – 6000 copies. Total capacity of articles – 295704cm². Election related materials - 92679 cm² (31.3% of the total capacity).

Being an official newspaper, the “Republic of Armenia” widely covered the presidential elections, and not only covered all the election-related news but also provided information on campaigns from its own sources, official sources, and other news services. It also published segments from their programs and published opinions of different specialists about the campaign and its participants. In comparison with the coverage made available during the previous parliamentary elections, where the neutrality of the coverage was mainly preserved, the principle of impartiality and neutrality required by the legislation was violated during the February 19, 2008, presidential elections. The neutrality was violated in the coverage and other references to three candidates – S. Sargsyan, L. Ter-Petrosyan and A. Baghdasaryan. Particularly, the “Republic of Armenia” covered S. Sargsyan in its publications for 97 times, 70 out of which were in positive and 26 in neutral contexts, which is 30 % of the total capacity of election-related materials (the coverage of the candidate's official activities was not viewed as election related coverage).

For comparison it is worth mentioning that the references to the candidate L. Ter-Petrosyan though more in number (122), made 20% of the total capacity of election related materials,

but were strongly different in their nature if compared to S. Sargsyan – more than 60% of the references was of a negative context.

Stressed negative references were registered in the campaign coverage of A. Baghdasaryan (18 out of 65). The coverage of the other 6 candidates, with small exceptions, were of neutral nature and in total comprised 18% of the total capacity of the articles related to electoral procedures. The campaign of S. Sargsyan was covered thoroughly, detailed, with unaltered quotes from the candidate's speech, with a positive context, often contained evident campaigning context (for example, the articles which cover the candidate's campaign in different marzes – "The President of Armenia should be elected through free and fair election", (1/23), "A prosperous Armenia will be established due to our work" (1/31), "In a short period of time we will be able to become a competitive country" (2/1), "I won't stay with hanging head in front of our people" (2/2), "There will be a professional team" (2/12) and other publications of 2/15, 2/16, 2/17). Extensive articles, which represented the same candidate under a positive light and privileges of his platform over that of the others', often contained evident advertisement context without any advertisement sign ("Comprehensive and realistic program targeted at the future" by V. Movsisyan (2/7), "In the realm of numbers and facts" by B. Mirzoyan (2/13), "Without any populist provisions" (2/14), "He is already the history" (2/16) and etc.).

Coverage of campaign of other candidates was perfunctory, not detailed, of just a brief informational nature or with stressed authors' comments and not always full-fledged. Coverage of anti-campaign nature, with negative context and sometimes inadmissible qualifications, which are against the journalistic ethics, and articles of separate authors published in the official newspaper were not small in number.

The following articles included negative references to L. Ter-Petrosyan – "Anti-campaign campaign" (1/23), "Gas bubbles of the ex-president", "Sorry today, a president tomorrow" (1/23), "I did not come to beg a vote" (1/25), "Leaders of the pre-election movement" (1/29), "Calm thoughts" (1/30), "Song of songs" (1/1), "Keep the memory awake" and "People do not enter the same river for the second time" by R. Davoyan(2/15), three articles by journalist A. Serobyan – "Levon doesn't have chances", "I don't want, but I have to", "King of meetings" (2/12), and 4 separate and articles of the same author (2/17).

Coverage of A. Baghdasaryan's campaigns included purposeful negative references as well ("Leaders of the pre-election movement" (1/29), "King of meetings" (2/12), "In the race of meetings" and "Because of the change of actors the theatre was not changed" (2/5), and other publications.

The Hayastani Hanrapetutyun (Republic of Armenia) daily made an attempt to present program provisions of different candidates in separate articles, however, it was done partially and with mechanical quotes, without deep comparative analysis. Common analysis of the process of the campaign and the attempts to assess them and make some generalizations were unorganized, perfunctory and as a result, were often made into campaign or anti-campaign publications.

(See Graphic #1)

Independent Media "Aravot"

Introduction – daily newspaper (published 5 times per week). Founder "Aravot daily" LLC. The capacity has changed during the monitored period – 15 publications out of the 21 ones - 2

print media, 1 – 3 print media, 5 – 3 print media. One additional publication was published during the monitored period.

The circulation has been changed during the period of monitoring – 10 editions with 4600 copies, 4 editions with 5350 copies. Total capacity of materials – 198432cm². Election-related materials - 102687 cm² (52% of the total capacity).

“Aravot” comprehensively depicted the whole spectrum of elections in its pages with its diversity, campaign events, election related events, opinions of the rival sides, platforms, references to correspondence debates, the attempt to give general estimations to the electoral culture in the Armenian society, presentation of mutually exclusive ideologists at the same time and in the same place.

In its own coverage of election campaign the newspaper mainly preserved neutrality, as far as the journalists presented the events in a lively manner, avoiding rigid, official information, grounding on their own observations, references to the candidates were not always of a neutral nature.

Campaigns of candidates S. Sargsyan and L. Ter-Petrosyan were covered by the newspaper most of all (respectively, 36% and 54% of the total capacity of election related materials). However, the number of references in the newspaper to the other candidates was not small either – A. Baghdasaryan (99 references with mostly neutral contexts), V. Hovhannisyan (93 references, 70 out of which of a neutral nature), V, Manukyan (52 mainly positive references), The majority of negative references mainly refers to S. Sargsyan (132 out of 250 references), and L. Ter-Petrosyan (59 out of 228 references). The positive references to the same candidates makes the majority of references as well (43 and 64 respectively). Negative references to the rest of the candidates make a small number all together (totally 15 references).

This testifies, that the media outlet managed to preserve qualitative proportionality of coverage and correctness to some extent, providing the surrogates and supporters of the main competitors with the possibility to represent themselves in the newspaper freely, giving them the right to respond and publishing its own interviews or materials of ideologists of different candidates.

Journalist Anna Israyelyan’s coverage stands apart with their steadiness and correctness. The newspaper avoided personal, insulting qualifications and application of Black PR. “Aravot” often published articles regarding different concerns with in the electoral procedures, electoral violations and their dangers (for example, “They are already getting prepared to distribute money”, “Voters-for the salary” (1/23), “Campaign also via cinema” (1/24), “They threaten by “the millennium challenge”, “The office windows were broken” (1/26), “Mosaic of electoral violations” (1/31), “The archbishop campaigned as well”, “Bring vote, be released from taxes”, “Were beaten and taken to the rally” (1/1), “People from other communities are brought to the rallies” (1/5), “S. Melikyan will give bribes” (2/9), “The military violates the law” (2/12), “Campaign without obstacles”, “Falsification mechanisms are known” (2/13), “Fallen notifications” (2/15), “The main falsification mechanism is the additional voter lists (2/17) and a number of other publications).

The leading articles of “Aravot” included assessments to the daily events, analysis of electoral culture of the Armenian society and estimations of electoral developments and qualities of the election campaign, and the level of voters’ awareness and conclusions.

"Aravot" has published articles presenting comparative analysis of program provisions of different candidates, which aimed at informing voters about opinions and platforms of the rival sides. However, these articles were small in number and could not provide an overall source of information (for example, "Taxes, customs will be decreased, the budget will be increased twice" (1/26), "The motivation power of the economy" (2/5).

In general, in the references to the presidential elections "Aravot" daily was consistent in campaign coverage and operated with journalistic professionalism, it made a free platform for political forces, persons, intellectuals of different opinions, providing diverse, live and urgent news.

(See Graphic #2)

"Armenian Times" ("Haykakan Zhamanak")

Introduction – Daily (Published 5 times a week). Founder - "Dareskizb" LLC. Circulation – 6140-9560 copies. 21 publications monitored. Total capacity - 1376050cm². Election-related materials - 80489cm² (41,7% of the total capacity).

The Daily paid major attention to the campaign coverage and openly represented the standpoints of L. Ter-Petrosyan, thus being his media representative (the Editor-in-Chief of this newspaper was in the pre-election headquarter of L. Ter-Petrosyan and was actively participating in the rival). This publication was distinguished by stressing anti-governmental attitudes, abundant coverage, as well as strong critical analysis and predictions. Both the opposition and the pro-government factions were covered in its publications. The articles concerning state officials and pro-governmental powers contained open critics and were of a strong negative nature: activities of H. Abrahamyan, S. Sargsyan, R. Kocharyan and A. Geghamyan were criticized in particular. The political field was presented in the newspaper mainly in a bipolar way. Any information was presented from the view point and attitudes of an intolerant opposition.

The Daily contained many articles targeted at revealing inner political activities, where the newspaper had a strict oppositional attitude. The Daily made its own comments about the incidents which took place during the meetings with voters in Talin and Ararat. The newspaper kept both opposition and the pro-government representatives at the center of attention. The authorities, especially RPA and its leader Serzh Sargsyan, were widely criticized by the paper. Other candidates were criticized as well. During the last campaign week, the sharp criticism was addressed at A. Baghdasaryan, the Chairman of "Legal State" party ("Carrying crosses" (2/15), "Scenarios are the same" (2/16), "Serzhik and the clients" (2/17), whereas the information about him was of had been neutral and positive before that.

As for the opposition such as the powers supporting L. Ter-Petrosyan, "Republic" party, New Times party, "Heritage" party, they were introduced in the paper with a positive context. All the monitored publications contained announcements concerning the rallies of powers supporting L. Ter-Petrosyan. All the announcements concerning electoral violations were circumstantially covered.

"Armenian Times" referred to S. Sargsyan in polarized negative contexts, presenting him in extensive articles in all the publications ("Has confessed" (1/25), "To officiate or to resign?" (1/26), "Cool rally" (1/29), "God-fearing Serzh and slyness" (1/29), "Sergeant hysteria" and etc.).

All the candidates were presented in negative contexts, with the exception of L. Ter-Petrosyan, who was presented in absolute positive contexts. In fact, the positive information about L. Ter-Petrosyan was combined with anti-campaign information about S. Sargsyan.

Attitudes of representatives of political powers supporting L. Ter-Petrosyan were mainly presented in the newspaper through interviews. The newspaper did not refrain from publishing unchecked information and presenting one-sided coverage. A special series of articles was dedicated to the criticism of S. Sargsyan's activities ("Club of lonely hearts of Sergeant Sarkisov", 2/14): S. Sargsyan's political activity was also indirectly criticized in the articles of cultural and social natures ("The ecclesiastics preach for the presidential candidate", 2/1, "H1 needs stars, HayTV will give them" 1/23). (See Graphic #3)

"True right"
("Iskakan Iravunk")

Introduction – Published twice a week. The circulation during the period of monitoring was 11000 copies. Eight publications have been monitored. Total capacity - 89856cm². Capacity of election related materials - 26847cm² (29.8% of the total capacity).

Proportionality and impartiality of covering pre-election campaign was preserved by this newspaper. The newspaper sharply criticised the powers supporting L. Ter-Petrosyan, V. Manukyan and the political powers which support him (V. Manukyan-H. Khachatryan anti-identification", "The UCR is getting prepared for a convention"). A significant number of critical articles referred to the ARF candidate V. Hovhannisyan. Campaign coverage of LP candidate A. Baghdasaryan and RPA candidate S. Sargsyan was covered positively and neutrally.

Ratings of the candidates were presented according to different social-poll results, emphasizing S. Sargsyan's political privileges over his opponents in particular.

Ironic and negatively colored references concerning the pre-election activities of V. Manukyan and L. Ter-Petrosyan were published under the title "Real Gossip". The information published under that title seemed to be not verified.

Observations of the electoral processes, certain announcements and standpoints of V. Manukyan, ARF representatives, politicians supporting L. Ter-Petrosyan were covered under the title "Real surprise."

The paper covered in detail the pre-election meetings of all candidates in different marzes and communities. The incidents of Talin and Ararat were widely covered and comments and analysis of different political powers were presented in the newspaper. The interviews were mainly made with the RPA ("There is no apple at the battle", "They remember who and why for required L. Ter-Petrosyan to leave", "Some chose the way of groundless criticism", "Woe be to the country which president resigns on the demand of a minister") and LP representatives ("If Baghdasaryan joins Ter-Petrosyan, he will lose serious votes", "Ter-Petrosyan doesn't even have the right to apologize").

The newspaper has referred to the announcements and standpoints of T. Karapetyan, A. Melikyan and A. Harutyunyan mainly with neutral contexts. A series of articles ("The magnificence and misery of the pre-election platforms") was dedicated to the analysis and commentary of political platforms of the candidates. These articles covered the provisions of

political programs of all the candidates targeted at the development of different fields. Many references with negative context and political satire addressed at L. Ter-Petrosyan, A. Geghamyan and V. Manukyan were published in an article entitled as “Corner of Panzani” on the last page of the newspaper.

In general, most of the references concerned the campaign of L. Ter-Petrosyan (118 positive and 7 neutral). The political activities of S. Sargsyan were presented more positively. (See Graphic #4)

“168 Hours”
“168 Zham”

Introduction – Published 3 times a week. Founder “168 Hours” LLC. Circulation - 5000 copies. 12 editions monitored. Total capacity 126480cm². Election-related materials - 32881cm². (26% of the total capacity).

“168 Hours” newspaper highlighted the pre-election developments of the presidential election. It wasn’t guided by the soul of destructive criticism, thus letting the readers make respective assessments themselves. However, it was not absolutely neutral: negative contexts were observed in the coverage of pre-election activities of L. Ter-Petrosyan. At the same time, political viewpoints of the latter were presented in the newspaper.

There were references to the opinions of all the candidates. Attitudes of all the candidates toward solutions to different social problems were impartially presented in the newspaper. At the same time, there were certain negative contexts in the articles covering political activities of A. Geghamyan, V. Hovhannisyan, V. Manukyan. The newspaper referred to the press releases of different politicians, presenting them objectively and without negative commentary. The articles mainly covered inner political and pre-election developments and were of analytical nature. They also carried elements of criticism. It also introduced the rating of separate political parties according to different social polls, at the same time casting doubt on the reliability of some of those social polls.

The newspaper covered different information concerning inner and outer policy as well. The newspaper covered A. Geghamyan-A. Sargsyan conflict situation, thereby preserving impartiality. The paper discussed in details the announcements of R. Hovhannisyan, A. Baghdasaryan and their teammates. Rallies and meeting of L. Ter-Petrosyan were mainly covered neutrally. The newspaper analysed the peculiarities of the pre-election campaign, interviewed both representatives of oppositional and pro-governmental powers about pre-election developments.

Interviews with some candidates, facts about their family life and work were introduced in extensive articles (A. Geghamyan, A. Baghdasaryan and others). This newspaper also contained articles criticizing both the opposition and the government. It is worth mentioning that biased attitudes were brought to minimum in the newspaper. The level of intolerance was low in the critical articles.

(See Graphic #5)

Broadcast Media

IYC monitored the main news programs and author's programs of socio-political topics on the air of six TV channels widely broadcast in the country.

Public Television (H1) "Haylur" news program

IYC monitored mainly the news programs at 9p.m., which duration varies from 30 minutes to one hour.

Unlike its activities during the parliamentary elections of 2007, "Haylur" did not preserve its neutrality during the coverage of the presidential election in Armenia, although, from the quantitative side, the coverage time was proportionally distributed between the candidates. Particularly, within the coverage of the election campaign L. Ter-Petrosyan's name was referenced most of all – 106 times, during about 170 minutes. Even the references to S. Sargsyan (51 references during 120 minutes), as well as to A. Baghdasaryan (57 references during 102 minutes) and V. Hovhannisyan (36 references during 93 minutes) were fewer than the references to L. Ter-Petrosyan and the time provided to them. References to the rest of the candidates altogether made 60% of the total capacity of election related materials, and were neutral, with small exceptions.

The neutrality was not preserved in the references to four candidates. If one third of the references to S. Sargsyan and V. Hovhannisyan was of a neutral nature, and the coverage of their election campaigns often turned into campaigning video materials, then some part of the references to A. Baghdasaryan (10 out of 57) and a significant part of the references to L. Ter-Petrosyan (74 out of 106) were covered with negative contexts, commentaries, opinions, and separate speeches of the campaign participants and other candidates, different experts, politicians and officials, as well as fragments with negative coloring, other operator's skills were applied, which can be assessed as an obvious anti-campaign conducted by "Haylur". Sometimes "Haylur" even used campaign coverage of other candidates in order to carry out anti-campaign against mainly these two candidates. The broadcasts of "Haylur" on 1/24, 1/26, 1/27, 1/28, 1/30, 2/3, 2/6, 2/7, 2/8, 2/11, 2/12, 2/13 were in such nature as well. (See Graphic #6)

Other programs

Apart from the news program, the Public TV was passive in referring to electoral procedures and candidates with its own programs, thus limiting with "Europolis" author's program and limited programs of "5-th wheel" debate club broadcasted once a week. In this view the Public Television was very passive and neutral in informing voters.

The daily broadcast of the official campaign on the H1 air is stipulated by the EC and CEC decisions, thus it can't be viewed as the H1's own program.

"Europolis"

During the official campaign the special programs of "Europolis" hosted the candidates for the presidency, with the exception of L. Ter-Petrosyan. The latter refused to participate in the program reasoning that he was busy during the campaign, also setting a condition to participate only in a TV debate with S. Sargsyan.

Though there were two hosts on all the programs, certain inexperience in interviewing the candidates was sensed, the conversation between the two sides was not lively and flexible. Sometimes the questions were asked in such a way that instead of thoroughly revealing the candidates' programs, the conversation was being focused on carrying anti-campaign against another candidate.

Specifically, in an extensive part of the interview with the candidate V. Manukyan on February 2, as a response to the resolute questions of the host, the candidate expressed his negative attitude towards one of the candidates; that exact part was broadcast during "Haylur" main news program.

Candidate for the presidency A. Melikyan rebuked the hosts for needless interference during the live broadcast on January 22, interrupting the host and insisting on letting him make his own thoughts by himself.

"5-th wheel" debate club

Separate programs of the "5th wheel" concerning the electoral procedures were dedicated to the problems of disproportionality and misbalance of campaign coverage in Mass Media, making the electoral procedures available to the disabled, as well as to the details of implementing monitoring missions. Subject matter experts and NGO representatives were hosted in the program. The IYC Chairman H. Hambardzumyan participated in the program twice during the monitored period and presented the IYC's standpoints and policies regarding the issues discussed. Candidates and platforms were not introduced in the program. Other urgent issues concerning the electoral procedures, which needed separate coverage, were raised such as access of the disabled to polling stations and other relative issues.

"Shant" TV Company

The campaign activities were actively covered by "Horizon" news program. "Herankar" talk show hosted candidates for the presidency and their teammates.

"Horizon" analytical news program

The main news programs starting at 10p.m. (duration - about 30min.) were monitored. The total duration of election related references during the official campaign was 9.5 hours.

According to the intensiveness of the candidates' campaigns, "Horizon" covered all of their activities carried out within the official campaign, preserving the quantitative proportionality of the references to the possible extent.

The author's contexts were significantly neutral, there were no skills applied with obvious campaign and anti-campaign purposes, they did not include journalistic commentaries, application of Black PR, etc. However, 33 references to L. Ter-Petrosyan and 6 references to A. Baghdasaryan should be assessed as negative. 28 out of 40 references to S. Sargsyan were presented in a positive context. References to other candidates were mainly neutral.

The reports covering the campaign were sufficiently comprehensive, without distortions and additional, unessential details. In this election period the active operation of the program was inclined to represent the competing powers in comparatively equal conditions, and the quantitative measurements prove this fact.

(See Graphic #7)

"Herankar" talk show

During the monitored period 20 programs (the duration of each was about 30 minutes) of "Herankar" concerned the presidential election. Apart from T. Karapetyan, all the candidates were more than once presented in this program in person or through their teammates. A. Baghdasaryan was represented once (1/7), A. Geghamyan – three times (2/1, 2/5, 2/14), A. Harutyunyan - twice (1/29, 2/6), V. Manukyan - twice (1/22, 2/13), A. Melikyan - twice (1/25, 2/8) and S. Sargsyan – four times (1/24, 2/4, 2/12, 2/16). The program on February 11 was dedicated to the assessment of freedom of Mass Media in Armenia with the participation of international experts.

Questions asked by Nver Mnatsakanyan, the host of the program, were very balanced, aimed at revealing the candidates' attitudes towards different issues, clarifying their standpoints on developments of different fields, he preserved neutrality and provided the guests with the opportunity to completely express their standpoints.

"ALM" TV Company

The broadcasts of ALM private TV Company were partially served as means to carry out election campaign of the owner of ALM Holding and candidate for the presidency T. Karapetyan.

"Oretsor" news program

The "Oretsor" basic programs starting at 10p.m. (average duration 30 minutes) have been monitored.

Campaign activities of not all of the candidates were covered. V. Manukyan was basically not covered, the following candidates were covered least of all – A. Geghamyan (5 times, within 0,8 minutes), A. Harutyunyan (9 times, within 9.3 minutes). Most of the negative references referred to L. Ter-Petrosyan (19 out of 34). Meanwhile, campaigns of T. Karapetyan, S. Sargsyan, A. Baghdasaryan and V. Hovhannisyan were covered with positive contexts and often carried obvious campaign-advertisement nature. S. Sargsyan's campaign covered within 123 minutes – it even outnumbers the time provided to T. Karapetyan's campaign coverage (57 minutes).
(See Graphic #8)

"At Heghine's" host show

Different cultural, political leaders, doctors and intelligentsia representatives from other fields were hosted by this program. The program quite often hosted the owner of ALM Holding, candidate for the presidency T. Karapetyan. These programs were of emphasized advertisement nature. The program hosted other candidates as well – V. Hovhannisyan, A. Baghdasaryan, Kh. Sukiasyan (representative of L. Ter-Petrosyan).

Discussions of political procedures within the program did not carry sharp or critical character. The program did not have a fixed air time and could continue on or be interrupted due to the circumstances. The majority of questions asked to the guests did not touch political topics and electoral procedures.

“Yerkir Media” TV Company

Among all the monitored Media companies “Yerkir Media” is the most active one, which provided broad coverage, is guided by the purpose to really inform the voters and broadcasts diverse programs to achieve this goal.

Being the official news media of a political power, ARF, which has its own candidate for the presidency, it presented the rival sides in both news programs and author’s programs to the possible extent. It abstained from inadmissible forms of anti-campaign, mainly preserved neutrality (with the exception of the references to V. Hovhannisyan, the ARF candidate).

The author’s programs were multi-genre, Apart from simple interviews they also included debates. The TV Company succeeded in organizing debates with participation of certain candidates or their teammates, which contributed to the voters’ awareness raising and their orientation.

“Yerkirn aysor” news program

IYC has monitored “Yerkirn aysor” main news program aired at 8:30 p.m. (duration of each program - 30 minutes). The program covered nearly all the activities of all the candidates carried out within the official campaign. Despite the inclination to preserve the neutrality of the coverage, it was not preserved mainly in the references to L. Ter-Petrosyan (29 out of 52 references were negative). V. Hovhannisyan’s campaign was covered with positive contexts in particular. 36 out of 46 references were positive. The majority of coverages (36% of election related materials) was dedicated to the references to V. Hovhannisyan as well. (See Graphic #9)

“Yerkri Teman” (The subject of the country)

The program hosted not only candidates or their representatives, but also people, who tried to give estimations to the campaign in general, compare the program provisions of the rival sides from the possible neutral positions, discuss social-political issues in the underlying theme of elections, rather than their political preferences.

Particularly, on February 5, economist Andranik Tevanyan compared and assessed the candidates’ programs targeted at the development of economy and improvement of the political system in Armenia. On January 23, H. Arakelyan, Chairman of the Democratic Liberal Party, which doesn't support any of the competing sides, gave estimations to the campaign and political culture. In the programs of 2/22 and 2/7 new projects of “Yerkir Media” were presented in the underlying theme of elections, and the issue of the role of NGOs in different aspects in the electoral procedures was discussed. In the rest 15 broadcasts of the program A. Geghamyan's representative participated once (1/29), representatives of A. Baghdasaryan (1/25, 2/15) and S. Sargsyan each participated twice, ideological supporters of V. Manukyan – for three times (1/24, 1/31, 2/12), and the ARF officials, who represented V. Hovhannisyan's programs and carried out campaign in his favor, participated the most – for seven times (1/21, 1/28, 2/1, 2/6, 2/8, 2/13, 2/15).

“Kizaket”

During the monitored period the weekly broadcastings of this program were dedicated to electoral topics. On February 2, a number of representatives of local monitoring groups discussed issues of their missions in the “Kizaket” studio.

On February 9, the topic of the program was the analysis of causes and effects of candidates' avoiding of direct and indirect TV debates during the campaign, which was discussed by leading journalists and experts.

The program of February 16 was partially a campaigning one, as far as the movement for tolerance by the initiative of women and the purposes of the rally were represented by the ARF representatives A. Petrosyan and V. Margaryan.

"Yerman Ket" (Boiling Point)

With the active participation of representatives of candidates for the presidency, experts from different fields, representatives of NGO's and the youth, as well as journalists there was an active debating in the programs of the debate club on such important issues, as monopolies in the field of economy, the need to create competitive conditions, urgent ecological problems, defense of interests of consumers, basic problems of the youth, etc.

Through questions and answers by the auditorium the program provided equal opportunity to both candidate representatives and their opponents to express themselves. The debate participants had the opportunity to freely express their standpoints, make estimations and suggestions, seek for the causes, reveal the contradictions of the law and the reality. It was a lively and indirect way of revealing the candidates' attitudes and a productive means of providing the voter with the opportunity to orient in the pre-election period.

"Press Club"

In broadcastings of the "Press Club" on 1/26, 2/2, 2/8 and 2/9 there were debates about election related topics such as preserving ethical norms in campaign coverages, keeping the balance of references to the campaign in the Mass Media, the need for culture of political dialogue and holding debates among the candidates, references of the foreign Media to the Armenian elections, the level of objectivity of the estimations and their influence on voters' psychology. Independent experts, representatives of leading print and broadcast media and NGOs debated about these topics in the program.

"Mer qvearkutyunits araj" (Before our vote)

The broadcasts of the program on 1/3 and 2/16 were dedicated to the following issues – cultural traditions established in Armenia and the defective phenomena in them, mechanisms of electoral falsifications and their prevention, analysis of the causes of voters' mistrust for the institute of elections, reasons of the change of ordinary voters' psychology and selling their votes as well as the seats in the election commissions.

As during the previous elections, voters were told in an understandable manner about the viciousness of bribe-giving.

"Tirakh" (Target)

The topic of the broadcast of "Tirakh" program on February 5 was "The politics and the youth". Two wings of the auditorium, non-partisan youth representatives of the ARF youth organization, debated during the program about the level of young people's engagement in politics, its expediency, scope of interests, importance of their own voice, the admissible extent of involvement in the electoral procedures and etc.

"A question to the future president of the country"

During five broadcasts of the program the auditorium in the studio, which was made up of young and first-time voters, was provided with the opportunity to address direct questions to the presidential candidate. Explanations of the candidates about questions concerning different fields included sufficient information for informing and orienting voters.

The ample scope of questions gave the candidates the opportunity to state their platform provisions as comprehensive as possible. The questions were reasonable, serious, literally formed, and diverse. The program may be assessed as a free platform for the rival sides, and six candidates made use of it – A. Baghdasaryan, T. Karapetyan, V. Hovhannisyan, V. Manukyan, A. Harutyunyan and A. Melikyan.

"Hraparak" (Square)

Broadcasts of "Hraparak" directly or partially concerned elections. If the topic did not concern elections directly, the guests touched the topic of elections during discussions of different political issues or social phenomena. Discussions of topics such as "Freedom – banned fruit", preserving equality, equality of rights, participation of the disabled in the social life, resulted in raising election related problems. Those issues were raised by NGO representatives, scientists, journalists, politicians, businessmen during the program.

"Yerkri demke" (The face of the Country)

"Yerkri demke" debate club originally intended to hold direct debate among the presidential candidates, but this was managed just partially. Either representatives of the candidates invited to the program, or not all the candidates invited for that day came to the debate club. However, on the last two days of the campaign it managed to hold a sharp debate with a more full complement with the participation of almost all the candidates. But due to the scantiness of the airing time the debates did not include all the scope of questions, which interested voters most of all.

"Kentron" TV Company

The news program "Kentron" succeeded in preserving the neutrality of coverage and the author's programs were open for different political powers during the monitoring period.

"Epikentron" news program

This news program was aired seven times a week. The basic broadcasts at 9 p.m. were monitored (approximate duration - 30 minutes). The time duration provided for covering electoral processes was 415 minutes.

The information broadcast was mainly neutral. It consistently covered the process of campaigns of all the candidates, as well as press releases of international and local monitoring organizations. Although the election campaign was mainly covered in neutral contexts, however, it didn't maintain the proportionality of coverage of S. Sargsyan's and L. Ter-Petrosyan's campaign activities.

S. Sargsyan's pre-election meetings with voters were covered in extensive broadcasts of a positive nature. A number of professional methods was applied to present the rallies in a

more favorable way. Campaigns of V. Hovhannisyanyan, A. Geghamyan, V. Manukyan were covered in positive contexts.

It is worth mentioning that “Epikentron” news program, in fact, started presentation of the campaign with the campaign coverage of S. Sargsyan. In general, 21% of the total information was provided to campaign coverage of S. Sargsyan, which significantly exceeds the time allocated to the campaign coverage of other candidates.

A. Harutyunyan's campaign was covered least of all – 4.6% of the total capacity. The campaign of L. Ter-Petrosyan was partially presented in negative contexts, as well as critical speeches and estimation on part of other candidates addressed to the aforementioned candidate were broadcast. In general, L. Ter-Petrosyan's campaign was mentioned most of all – 46 times, 26 out of which were with negative contexts.

Pre-election meetings, press-conferences, debates and discussions of the candidates were covered in neutral contexts, and with equal air time proportion. It also presented the results of different social polls and monitoring carried out by different organizations.
(See Graphic #10)

“Urvagits” talk show

Twenty-one broadcasts were monitored (approximate duration - 30 minutes each).

During the official campaign period (1/22-2/17) the broadcast was aimed at representing political programs of different candidates. During the first week the program hosted candidates for the presidency, whereas their representatives and heads of headquarters were hosted during the following broadcasts of the program. During the mentioned period “Urvagits” hosted both the candidates and their representatives.

The programs were conducted in an environment of a sharp debate. The host was not acting only as the host, but also as a debating party. Particularly, the interviews with T. Karapetyan (1/22) and A. Arzumanyan (1/28) were of a sharp conflict nature, and as a result, personal insults were addressed to the host of the program. Besides the opportunity provided to the program participants to present their program provisions, the host frequently asked questions to discover the viewpoints of the guests.

In general, the program provided all the candidates and their representatives with the opportunity to freely express their attitudes towards the basic problems and the political procedures in the country. The main axis of the program was the analysis of inner political situation, electoral developments and platform provisions of the presidential candidates. The host frequently tried to find parallels among political attitudes and platform provisions of different candidates, emphasizing the advantageous or disadvantageous sides.

“H2” TV station “Lraber” news program

This show has seven broadcasts a day. The main news programs starting at 10p.m. have been monitored (approximate duration - 30 minutes). It provided 398 minutes to the coverage of electoral process.

The show provided mainly neutral information. Campaigns of all the candidates were covered consistently, press releases of international and local monitoring organizations were covered

as well. In the period before 2/10/2008 the campaign was covered mainly neutrally and proportionally, later it was changed to some extent. The time allocated to the coverage of S. Sargsyan's campaign increased immensely.

S. Sargsyan's pre-election meetings, press releases of his teammates were covered in extensive programs in a positive context. A number of professional methods was applied to present the rallies in a more favorable way. Campaigns of V. Hovhannisyan, A. Geghamyan, V. Manukyan were covered in positive contexts. Campaigns of T. Karapetyan, A. Melikyan and A. Harutyunyan were covered mainly in neutral contexts. Fragments of critical speeches addressed at the former-government on part of the aforementioned candidates were presented.

It is also worth mentioning that "Lraber" news program, in fact, started presentation of the campaign with the campaign coverage of S. Sargsyan. In general, 21.7% of the total information was provided to campaign coverage of S. Sargsyan, which significantly exceeds the time allocated to the campaign coverage of other candidates.

A. Harutyunyan's campaign was covered least of all – 4% of the total capacity. The campaign of L. Ter-Petrosyan was partially presented in negative contexts, as well as critical speeches and estimation on part of other candidates addressed to the aforementioned candidate were broadcast. In general, L. Ter-Petrosyan's campaign was mentioned most of all – 71 times, 49 out of which were with negative contexts. The negative coverage of this candidate's campaign was motivated by the use of both visual and verbal skills.

Pre-election meetings, press-conferences, debates and discussions of the candidates were covered in neutral contexts and with equal air time proportion. Results of different social polls and monitoring carried out by different organizations were presented during the program as well.

(See Graphic #11)

Conclusion

The shortcomings and drawbacks observed by IYC during the February 19 presidential election in Armenia, as well as the violations and inaccuracies in certain polling stations on the Election Day, were partially a consequence of an insufficient level of electoral culture. The shortcomings were also partially a consequence of the fact that during the past elections violations have not been punished by the full requirement of the law even though legislation specifies serious penalties against electoral violations.

Despite public assurances during the pre-election period on behalf of the rival sides involved in elections, high ranking officials, in particular, seemed to be unable to ensure that the elections were held in compliance with democratic standards. Election shortcomings and violations were observed, which are serious challenges to our society and decrease the level of voters' trust to the electoral procedures.

Although elections were supposed overcome the political antagonism and strengthen the basis of the state order, the electoral procedures themselves and the lack of following procedures created an even sharper political and social antagonism; the scope of opportunities for diversity of opinions, cooperation, civil dialogue became even narrower in an atmosphere of intolerance. The public mistrust to the electoral system and electoral process increased.

The path to solution of basic electoral problems, according to the IYC estimation, is the fundamental improvement of the electoral system which will eliminate possibilities for electoral violations. The system of appealing electoral procedures needs to be amended qualitatively, because the RA EC doesn't clearly stipulate the legal options for appeal.

The electoral legislation needs to be improved as well in order to fully comply with the general democratic standards. Real equal conditions should be established by the law for the candidates to compete in fair and equal conditions. Such mechanisms should be worked out and applied in order to provide full independence and balance within electoral commissions.

Serious electoral code improvements combined with sincere political will of governing bodies is required to respond to the challenges, which were observed, and to develop public trust toward elections. Only in such case it will be possible to conduct free and fair elections in compliance with international democratic standards and the demand of the society.

Recommendations

1. Determine by the RA EC a new procedure for electoral commission formation for the purpose of ensuring balanced power distribution (increase the number of electoral commission members, including representatives of the political powers having gained an essential percentage but not overcome the barrier of 5(7) %, and revise the procedure of including officials from the judicial system in commissions).
2. Establish a provision in the EC concerning the procedure of maintaining proportionality of power distribution among the electoral commission management (chairman, deputy-chairman, secretary), including the CEC managing positions.
3. Implement additional training programs for electoral commissions and set stricter standards for assessing (for accreditation) their knowledge.
4. Create flexible mechanisms in the EC, which will enable parties within certain time limits replace their members in electoral commissions to provide maximum neutrality and representation of their interests there, which will prevent their places from being secretly sold.
5. Increase the number of electoral commission members to 11 or 13.
6. When increasing the number of electoral commission members revoke the last sentence in Paragraph 2 of Article 53, otherwise the principle of drawing a lot is violated.
7. Based on the Electoral Code regulate the activities of the political powers during those several months before the official campaign period, which are considered as a non-official election campaign period:
 - a) In particular, Article 11 of the Law on TV and Radio regulating the broadcast during the pre-election campaign period by providing objectivity and equality, should be applied in a duly manner. The requirement for ensuring equal conditions for all the political powers covered by news programs, talk shows and political programs on public and other TV stations (regardless of the form of their ownership) should be constituted in a separate provision of the RA EC.
 - b) Clearly determine the services and goods considered as electoral bribery, as well as the period and conditions to be considered.
 - c) Clearly determine by law whether contributions made to groups of people, organizations (communities, medical centers, universities) are considered electoral bribes.
8. Clearly determine in the EC which services are considered as electoral bribe during the pre-election campaign period. By the EC provisions prohibit the competing parties to make any kind of "charity" during the official campaign period, and determine that as an exception such charity may be done only through real benevolent organizations without discovering any names, which don't have anything in common with the candidates or political parties (blocs of parties) in terms of politics, and in addition, determine that in the case of discovering the "benefactors" an official decision shall be made to revoke the registration of the given candidates and parties (bloc of parties).
9. For the purpose of implementing needed monitoring of campaign funding establish requirements in the law that an independent finance monitoring group should be created. This group would be established for the purpose of observing the law requirements on financial expenditure during official campaign and ensuring equal conditions for all competing parties. An independent monitoring group should be able to exercise the right to present the results of their research to the CEC by the end of the official campaign period. Establish in the law that the CEC shall make corresponding decisions based on the findings of the independent monitoring group, including to the extent of revoking the right of the candidates and parties (bloc of parties) to participate in the elections in case they exceed the expenditure fund limits established by the law.

10. Clearly state in the EC all the cases when candidates can not cover, host or "be invited" to his\her own TV programs using them for campaign purposes, thus making unequal conditions for the rival sides.
11. By amending the EC clearly separate political activities from pre-election campaign. In all phases of elections, prevent any possibility for mixing political and business interests.
12. For the purpose of preventing any cases of open or hidden biased coverage of electoral processes by Mass Media, impose strict punishments in the Electoral Code connected with creating unequal conditions for parties (candidates) on the part of public and also other Media companies regardless of their form of ownership.
13. Submit all registered cases and facts concerning hidden political advertising, disproportionate coverage of electoral campaigns and actions contradicting the principles of journalists' ethics for the consideration of the television and radio national commission with a request to impose administrative and other punishments for violations. For that purpose establish additional law provisions.
14. For the purpose of providing an opportunity for all candidates (parties) to conduct active television campaign on equal basis and express themselves to voters, establish new prices for political advertisements acceptable for all competing parties.
15. Establish a better procedure for voiding the old ballots and allocating new ballots to voters in case of open vote.
16. For the purpose of excluding cases of double or multiple voting, determine a requirement in the EC concerning finger inking.
17. Clearly determine in the EC the procedure regarding busing voters to polling stations with the intention of stopping the practice of transporting people to polling stations meanwhile campaigning in vehicles and distributing electoral bribes or voter intimidation.
18. Grant PEC Chairmen (Deputy Chairmen) the right by the EC to make orders and oblige the Police to disperse the gatherings of unauthorized people near polling stations. Legal punishments should be imposed on those violating the law.
19. Forbid polling stations being located in premises inadequate for organizing electoral processes.
20. Impose legal punishments and penalties on those people, who fail to meet their responsibilities provided by the EC in order to create the necessary conditions in all polling stations for the disabled to have access and the ability to vote.
21. Provide monitors with the right, defined by the EC, to make photographic observations not only during the vote counting process, but also during the entire voting process.
22. Clearly divide and clarify the rights and responsibilities of monitors by stating exactly what rights they have and don't have. Remove Paragraph 2 of Article 30 or clarify it.
23. Provide proxies, and in separate cases also monitors, with a right defined in the EC to check the voters' identity documents.
24. Amend Article 56/4 of the Electoral Code for the purpose of not allowing the disabled persons who are not able to mark ballots themselves invite PEC representatives to voting booths.
25. Strictly prohibit PECs to correct or change the protocols filled by TECs wrongly or partially.
In such cases fill in the protocols and dispute the results of elections in such polling stations via court appeal.
26. Establish in the EC that the protocols made by PECs concerning the results of the elections shall be visibly attached at places available to voters and remain there at least for 7 days.
27. Determine a provision in the RA EC on recovering and replacing final voter lists in case of being damaged (torn), thus making them available to voters.
28. After elections attach voter lists of voters (copy with signatures) participated in elections in precinct centers and keep them attached for 7 days.

29. Alter the EC provision on vote counting, according to which the PEC head takes out the vote envelopes and ballots one by one from the ballot box. This process takes too much time and there is a need to define another procedure, in which that process (classification of ballots) may be implemented by all PEC members equally.
30. Determine in the EC new deadlines for submitting applications for vote re-count.
31. Improve the existing computer system of summarizing and announcing the vote results making it technically possible for the TECs to inform the CEC about the results just after the vote count process, which will exclude any further falsifications in protocols. Any differences between the data and information announced by PECs and TECs shall be a ground to institute legal proceedings.
32. Determine in the EC that the existence of an election alternative under majoritarian system is obligatory.
33. Define the minimum barrier for party blocs to be elected in the parliament at 5%.
34. Determine certain standards to establish provisions which will enable the RA citizens living abroad to exercise their suffrage provided by the Constitution.
35. Determine in the EC a requirement to use monochromatic writing pens.
36. Fully edit the EC Paragraph 2 of Article 16 to state all the materials, equipment and services that polling stations should have on site.
37. Establish a provision in the EC providing an opportunity to change the color of the stamp inc if required by some of the persons at the session (members and proxies).
38. Clarify the Article 78/1 of the RA EC.
39. Establish in the EC the requirement of Article 53/1 of the RA Constitution. Particularly, determine what period the presidential election covers.
40. Entirely remove the first sentence of the RA EC Article 48/5 "If it is not possible... etc." Also, remove the second and the third sentences of the same article entirely.

It's Your Choice is a nonpartisan NGO and the largest domestic election monitor in Armenia with 4,000 volunteers, and offices and chapters in all marzes and 12 communities of Yerevan. IYC's mission is to promote transparent elections and democratic processes in Armenia, establishment of true self-governance and accountability of government to voters; encourage citizen participation in community governance; and provide objective, reliable and timely information to Armenian voters about electoral processes.