



**OSCE/ODIHR Election Observation Mission Armenia
Extraordinary Presidential Election, 16 March 1998
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**Preliminary Statement by the Election Observation Mission to the
Armenian Extraordinary Presidential Election
Second Round 30 March 1998**

(1 April 1998) On 14 February, at the invitation of the Government of the Republic of Armenia, the OSCE/ODIHR began its long term Election Observation Mission for the extraordinary presidential election. During the first round of voting on 16 March, the OSCE/ODIHR Election Observation Mission deployed over 200 international observers to all parts of Armenia, visiting over 800 polling stations. On 18 March, OSCE/ODIHR, in co-operation with the Council of Europe and the OSCE Parliamentary Assembly, issued a statement on that election which enumerated serious irregularities and areas for improvement.

As the second round election day approached, the OSCE/ODIHR Election Observation Mission deployed almost 140 international observers to all parts of Armenia. OSCE observers visited over 680 polling stations on election day, over 40% of all polling stations in Armenia. Following the close of the polls, they observed the counting of the votes. Observer teams then followed the results through numerous Community Electoral Commissions and most of the 11 Regional Electoral Commissions.

Overall, these elections are a step forward from the troubled 1996 elections toward a functioning democracy. However, in some areas, the elections fell short of the commitments Armenia has made to OSCE standards. These shortcomings do not cause us to question their outcome. The election day activities were conducted calmly and in accordance with the law in the vast majority of districts. However, there were irregularities. In several instances, there is sufficient indication of vote fraud to require further investigation and possible criminal charges.

- **Integrity of the vote and vote counting.** In some precincts in Yerevan there were large discrepancies between signatures and ballots cast; in others there were clearly

forged voter signatures; there are also substantiated instances of ballot box stuffing; and in several polling stations extraordinarily high turnout raises questions about the integrity of the process in those locations. Based on reports from our observers, it is fair to say that in polling stations where there was an exceptionally large turnout – particularly in comparison to the first round – the voter signature lists should be examined and appropriate legal action, including criminal charges, should be pursued if fraud can be proved.

- **Military Voting** – Between the first and second round of elections, the Ministry of Defence announced that the number of mobile ballot boxes would be reduced from 13 to 2. This is an important step toward dealing with an issue that has raised serious concerns due to the potential for fraud and abuse. It appears, however, that there was a third mobile ballot box in Gegharkunik. Officers were instructed with regard to their appropriate, and very limited, role and, with some exceptions, complied with regulations. In spite of the Gegharkunik problem, taken together, these actions resulted in a substantial improvement in the second round of elections.
- **Media coverage** – The access of candidates to the media in both rounds was significantly improved over 1996. All candidates were given opportunities to present themselves, underpinned by the provision of free and paid time in the state media. Statistical monitoring showed greater overall balance in the second round although state media continued to give greater attention to the incumbent. However, this was partially due to the different campaign strategies adopted by the two candidates. Despite welcome efforts by the media to develop debate on issues, the campaigns remained focused on personalities rather than policies. Nonetheless, the public had sufficient opportunity in both state and private media to view, hear, and read about both candidates.
- **Unauthorised personnel** – The presence of police, interior ministry, local authorities and other unauthorised personnel in polling stations was one of the most severe problems in the 1996 election. This was a central concern of OSCE/ODIHR because of the intimidating effect such a presence can have. While both the Prime Minister and the Minister of National Security and Internal Affairs made public statements on the issue of unauthorised personnel in polling stations, observers noted the same high level of unauthorised personnel in both the first and second rounds of the election although many of these were not affiliated with the security forces.
- **Posting of Protocols** Unlike past elections, the 1998 election saw precinct protocols posted according to law.
- **Foreign Voting** – Concerns raised because of proposals for numerous extra-territorial polling stations were resolved by CEC action limiting the creation of polling stations outside embassy and consular representations abroad. This move, which helped to ensure accountability in overseas voting, substantially ameliorated the concerns of the OSCE/ODIHR Election Observation Mission.

- **Use of State Resources** – In the 1996 election, the machinery of the state was used heavily on behalf of the incumbent candidate in a systematic and abusive way. 1998 stands in marked contrast to this history. While this election is commendable in this respect, further reforms are needed to ensure that instruments of state authority are not used to support incumbent candidates in future elections.
- **CEC/Election Administration** – In light of the compacted election schedule, both for the first and especially the second round, the Central Electoral Commission (CEC) performed professionally. The provision of election results in a smooth and timely manner contributes to greater trust in the electoral process. Unfortunately, many lower level commissions, particularly at the community level, did not always contribute to the efficient operation of the electoral process.

There are three particular areas for concern in the area of election administration:

- The complaints and appeals process, particularly in Yerevan. A large majority of first round complaints from voters and campaigns were dismissed without investigation allegedly because of lack of time. The next several weeks offers an opportunity to ensure a complete review of complaints related to the second round. Additionally, the removal by the acting president without clear justification of a procurator investigating election violations further weakens confidence in the complaints and appeals process.
- Replacement of electoral commission members was also acute in Yerevan. In a large number of precincts members of electoral commissions were replaced between the first and second rounds, sometimes with political motivation. Pluralistic, representative, stable electoral commissions should be ensured in the new electoral code.
- Observers noted that voter lists were inadequately prepared for the election. Due to large population movements, voter lists frequently included names of people who no longer live where they are registered and, conversely, do not include the names of many people who are newly resident in the area including refugees. Such inaccuracies provide opportunities for fraud and abuse opportunities which, in sporadic cases, were used. Establishment of a mechanism for ensuring accurate, current voter lists should be a priority for the government.

The OSCE/ODIHR Election Observation Mission will issue a final report regarding both rounds of this election within the next few weeks. In that report a series of recommendations will be prepared for submission to the Armenian government regarding possible solutions to issues raised by the Election Observation Mission.