



Global Expertise. Local Solutions.
Sustainable Democracy.

Elections in Armenia

February 18 Presidential Elections

Frequently Asked Questions

Europe and Asia

International Foundation for Electoral Systems

1850 K Street, NW | Fifth Floor | Washington, D.C. 20006 | www.IFES.org

February 12, 2013

Frequently Asked Questions

- When will Armenia’s presidential election take place? 1
- Why is this presidential election of special significance? 1
- What is the current political situation in Armenia? 2
- Who is eligible to be a candidate? 2
- Who are the current candidates? 3
- Where does funding for the election come from? 4
- Who will observe the elections? 4
- What bodies have legal and political authority in Armenia? 5
- What laws regulate presidential elections in Armenia? 6
- What are the rules on campaigning? 6
- What are the rules for campaign finance? 6
- What is the legal process for electoral dispute adjudication? 7
- How does voter registration operate? 8
- Who is eligible to vote? 8
- What are the main steps in the voting process? 9
- What are the basic rules for vote counting? 9
- Which ballots will be considered invalid? 10
- When will election results be released? 10
- What accommodations will be made for voters with disabilities? 10
- What is the state of the media in Armenia? 11
- Resources 12

Disclosure:

These FAQs reflect decisions made by the Armenian elections authorities as of February 11, 2013, to the best of our knowledge. This document does not represent any IFES policy or technical recommendations.

When will Armenia's presidential election take place?

The presidential election will be held on February 18, 2013. Presidential elections in Armenia take place every five years; they are conducted 50 days prior to the expiration of the current president's term.

The official campaign period began on January 21 and will end at midnight on February 16. The Electoral Code establishes a set of rules aimed at ensuring equal opportunities for all candidates. State and local self-government bodies are obliged to provide contestants with premises for campaign events, under equal conditions and free of charge. The Electoral Code also states that campaigning is not restricted outside the official campaign period, apart from the 24-hour silence period enforced prior to Election Day.¹

Why is this presidential election of special significance?

According to Chapter 3, Article 49 of the Constitution of the Republic of Armenia, the president shall be the head of the state, strive to uphold the constitution and ensure the regular functioning of the legislative, executive and judicial powers. In addition, the president is to be the guarantor of the independence, territorial integrity and security of Armenia.

In the 2008 presidential elections, then Prime Minister Serzh Sargsyan was elected Armenia's third president. Opposition political parties and the primary opposition candidate and former President Levon Ter-Petrossian claimed the 2008 polls were rigged in favor of Sargsyan, an ally of outgoing President Robert Kocharian.

Concerns were raised about the possibility of a biased media and a lack of separation between state and party function; a lack of public confidence; and unequal treatment of candidates. However, after official observations by the Organization for Security and Cooperation in Europe (OSCE) and the Council of Europe (CoE), the OSCE issued a generally positive assessment of the 2008 elections.

The day after the presidential election, more than 20,000 demonstrators filled Yerevan's Freedom Square to protest the official election results, which the protestors believed were fraudulent. The demonstrations were peaceful until the morning of March 1, 2008, when police and security forces attempted to disperse the demonstrations. This resulted in the government using force against demonstrators.

President Kocharian subsequently implemented a 20-day state of emergency in Yerevan; banning all demonstrations and unauthorized news broadcasts. By March 2, after the protests had been quelled, 10 people had been killed, 130 injured and countless more arrested. Those arrested included the campaign

¹ OSCE ODIHR [Election Observation Mission Interim Election Report No. 1](#), January 23, 2013, p. 5.

manager for former President Ter-Petrossian and three members of the National Assembly, whose immunities were lifted in order for the arrests to be made.

The widespread accusations of ballot stuffing and voter intimidation that followed the 2008 elections were just the most recent in a nation with a history of post-election unrest. Of the five Armenian presidential elections since the country's independence, only the first was free from accusations of fraud. All four parliamentary elections held since independence have been met with accusations of fraud by the opposition, domestic monitors and international election observers. Stakeholders, citizens, and observers will be looking to see whether the 2013 elections are credible and peaceful.

What is the current political situation in Armenia?

Republican Party-nominated incumbent Serzh Sargsyan is the heavy favorite to win the election and secure a second five-year term in office. When Sargsyan was elected for his first term in February 2008, charges of impropriety dogged the conduct of the election. The resulting street demonstrations and violent police crackdown shocked the Armenian public and damaged Sargsyan's legitimacy. Former President Levon Ter-Petrossian, Sargsyan's main challenger in 2008, was widely expected to run against him in the 2013 vote, but in December 2012, he surprisingly declared his intention not to run, citing his age (69) and other "technical reasons." The other major anticipated challenger, the billionaire head of the Prosperous Armenia Party, Gagik Tsarukian, also declined to run after a party conference in November. The resulting void of strong challengers has buoyed Sargsyan's already solid chances of re-election.

On January 31, 2013, opposition candidate Paruyr Hayrikian was shot by an unknown assailant while leaving his home. Hayrikian, a former dissident during Soviet rule, has been a vocal proponent of pursuing closer Armenian integration with Europe and shifting away from Russian influence. On February 7, two men were arrested and allegedly confessed to the attempted assassination, though their motives remain unclear. Although Hayrikian was released from the hospital, his condition worsened, and on February 10, he petitioned the Constitutional Court for a two-week delay of the election as a result of his inability to campaign due to "circumstances out of his control," a measure provided for in the Armenian Constitution. If Hayrikian were further unable to resume campaign activities at the end of two weeks, the election could have been delayed by another 40 days; however, on February 11, the candidate withdrew his petition, thus clearing the way for the election to take place as originally scheduled on February 18.

Other candidates have spent the early campaign period attracting attention through different means. Andrias Ghukasian has been staging a hunger strike in front of the National Academy of Sciences building in Yerevan since January 21, demanding that the Central Election Commission (CEC) annul the candidacy of President Serzh Sargsyan and calling for an international observer boycott of the elections. Aram Harutiunian, leader of the National Concord Party, also staged a hunger strike. Harutiunian had called on other candidates to quit the race in order to leave the incumbent without a challenger and render the election "illegitimate." On February 12, Harutiunian announced his withdrawal as a

presidential candidate, a move officially accepted by the CEC. It is possible, although unlikely, that Ghukasian could petition the court to delay the date of the election, though this would likely be rejected as his current impairment would be deemed self-inflicted and not qualify as “unavoidable, outside of his control.”

Aside from the hunger strikes and the assassination attempt on Hayrikian, the campaign has thus far been relatively quiet, although picking up as Election Day approaches. Candidate television and radio ads have been broadcast, and some street posters have appeared. Individual candidates have met voters in public places or delivered oratories to small groups of supporters; however, the campaigns thus far have not organized larger-scale events such as multicandidate debates or large rallies.

Who is eligible to be a candidate?

According to Article 50 of the 1999 constitution: “Every person having attained the age of 35, having been a citizen of the Republic of Armenia for the preceding 10 years, having permanently resided in the Republic for the preceding 10 years, and having the right to vote is eligible for the presidency.” The same person cannot be elected president for more than two consecutive terms.

For nomination, a presidential candidate is required to have at least 35,000 citizens sign the official papers supporting his or her nomination. Candidate registration must occur not more than 50 days prior and not less than 30 days prior to Election Day.

Presidential candidates must pay an electoral deposit to the CEC account, opened in the Central Bank of the Republic of Armenia, in the amount of 5,000 times the minimum salary (\$20,000 USD), established by Armenian law. If the candidate receives 5 percent or more of the votes, the sum of the electoral deposit is returned no more than 60 days after the final election results are released.

Who are the current candidates?

Eight candidates are registered for the Armenian presidential ballot:

Serzh Sargsyan is the third and current president of Armenia. He took office April 9, 2008, and is leader of the Republican Party, the ruling party of Armenia’s National Assembly. Following the election of Robert Kocharian as president of Armenia in 1998, Sargsyan served as Armenian interior minister, defense minister and prime minister.

Raffi Hovannisian is chairman of the opposition *Zharangutiun* (Heritage) Party, which he founded in 2002. Hovannisian served under President Ter-Petrossian from 1991 to 1993 as Armenia’s first post-independence foreign minister.

Hrant Bagratian, a member of the Pan-Armenian National Movement, served as prime minister under President Ter-Petrossian from February 1993 to November 1996.

Paruyr Hayrikian a founding member of the Union for National Self-Determination, spent a total of 11 years in Soviet prison camps and three in internal exile for his membership in a clandestine political organization and for publishing dissident literature underground. He returned to Armenia in November 1990 and participated in the 1991 presidential election, finishing second to Ter-Petrosian with 7.2 percent of the vote. In 1996, he withdrew his presidential candidacy in favor of former Prime Minister Vazgen Manukian; in the 1998 election he placed fifth, receiving 5.4 percent of the vote.

Arman Melikian served as Armenian ambassador to Kazakhstan before being named foreign minister of the unrecognized Nagorno-Karabakh Republic in 2004. He ran in the 2008 Armenian presidential election, placing eighth in a field of nine candidates, garnering just 0.27 percent of the vote.

Aram Harutiunian, chairman of the extra-parliamentary National Accord party, also ran for president in 2008, placing last with 0.18 percent of the vote.

Andreas Ghukasian is a political analyst/commentator who manages the Yerevan-based private radio station *Radio Hay*.

Vartan Sedrakian, a businessman and political newcomer, is an expert on myths and epic poetry.

On January 21, the CEC refused to register seven other, mostly little-known contenders, who failed to pay the cash deposit of 8 million drams (\$20,000 USD) required by the Electoral Code.

Where does funding for the election come from?

Expenses for the organization and conduct of elections, including the compilation of the voter lists and electoral commission activities, are covered by the state budget.

The CEC establishes the procedure for the distribution of financial resources among the three levels of election administration: central, territorial and precinct commissions. Chairmen of the electoral commissions manage the financial resources and are held responsible for the effective use of those financial resources according to the procedures established by the CEC.

Who will observe the elections?

As of January 21, the following domestic NGOs were slated to carry out election observation missions:

Organization	No. of Observers
Helsinki Citizens' Assembly Vanadzor Office	63
Democratic and Electoral Processes	2
Armenian Center for Democratic Education – Civitas	77
Martuni Women's Community Council	285
Capacity and Development for Civil Society	61

Harmony	470
Electoral Systems Center	60
Dilnet Service	71
It's your Choice	172
Unison	15

The following international organizations are carrying out election observation missions:

- International Expert Center for Electoral Systems (ICES)
- OSCE Office for Democratic Institutions and Human Rights (OSCE/ODIHR)
- Parliamentary Assembly of Council of Europe (PACE)
- Commonwealth of Independent States (CIS) Inter-Parliamentary Assembly
- Commonwealth of Independent States
- Diplomatic missions accredited in Armenia

What bodies have legal and political authority in Armenia?

The elections are administered by an election commission system composed of the CEC, 41 territorial election commissions (TECs) and 1,982 precinct election commissions (PECs); each PEC is overseen by a TEC.

Each election commission is composed of seven members and additional proxies, appointed by candidates, parties and blocs registered to compete in the election.

The members of the CEC are appointed for seven years. Because the current CEC was composed in August 2011, current members are serving staggered and shorter terms so that the commission's turnover does not occur all at once. TEC members are self-nominated citizens appointed by the CEC. No more than five members of the CEC and each TEC can be of the same gender.

For proportional elections, the CEC administers registration of candidate lists of political parties and blocs; for majoritarian elections, TECs administer registration of candidates within their electoral districts.

PECs administer voting and ballot counting. To be appointed as a PEC member, a citizen must pass a qualifying examination and hold a CEC qualification certificate. The overseeing TEC appoints two members to each PEC; each party and bloc represented in the National Assembly can appoint one of the remaining five PEC members.

The CEC and TEC chairpersons are elected by commission members from within their membership. The PEC chairpersons and deputies are distributed among the parties and blocs with representation in the National Assembly, in proportion to the number of seats they hold in the legislature.

What laws regulate presidential elections in Armenia?

Presidential elections are regulated by the following legislation:

- The Constitution of the Republic of Armenia
- Law on the Rules of Procedure of the National Assembly
- The Electoral Code of the Republic of Armenia
- The Law on Political Parties
- The Administrative Procedures Code
- Law on Fundamentals of Administration and Administrative Proceedings
- Law on the Constitutional Court
- Law on Freedom of Assemblies
- The Administrative Offenses Code
- The Criminal Code

What are the rules on campaigning?

Candidates nominated for the presidency have equal rights and responsibilities with regard to campaigning.

The candidates are guaranteed equal conditions for access to mass media by the Electoral Code. During the pre-election campaign, candidates and parties are banned from giving or promising – personally or through other means – money, food, bonds, or goods to citizens free of charge or on privileged terms; they are also forbidden to render or promise services.

The CEC determines the procedure for providing free airtime on the state radio and television stations for presidential candidates.

The state and local self-governing bodies allocate required territories to candidates and parties free of charge, for the purpose of meetings, rallies and assemblies organized for pre-election campaigning, according to the procedure established by the CEC. It is forbidden to allocate historic or cultural buildings and adjacent territories for such purposes. Candidates have the right to publish and disseminate posters, leaflets and other printed campaign materials on an equal basis.

What are the rules for campaign finance?

The new Electoral Code has strengthened campaign finance laws and modified campaign spending limits, including allowing each political party or bloc with an officially registered party list 60 minutes of free airtime on state television and 120 minutes on public radio. Parties can also buy up to an additional 120 minutes on public television and 180 minutes on public radio. There is no upper limit for the amount parties or blocs can spend on private television or radio broadcasting.

The schedule of free airtime was established by the CEC on January 15, the day after the end of candidate registration, as provided for by the Electoral Code. The National Commission for Television and Radio is obliged to oversee media compliance with legal provisions, including through its own media monitoring.

Candidates must open a special bank account for all campaign-related transactions and regularly report on their campaign finances. However, not all candidates opened an account or submitted their first campaign finance declarations. These omissions were not sanctioned by the CEC. The CEC has also passed a decision stating that renting a campaign office is not considered a campaign expenditure and, thus, does not have to be reported.²

What is the legal process for electoral dispute adjudication?

Decisions, actions and inactions of election commissions can be appealed to the superior election commissions while complaints against the CEC may be filed to the Administrative Court. The CEC may submit cases to the Administrative Court for de-registration of candidates for campaign and campaign financing violations. Decisions of the Administrative Court in electoral disputes are final. Complaints regarding voter lists are adjudicated by first-instance courts of general jurisdiction, with no right to appeal. In addition to assessing the constitutionality of legal provisions, the Constitutional Court adjudicates any complaints against the final election results.³

The election commissions and the Administrative Court, which was formed in January 2008, have overlapping jurisdictions when dealing with election-related complaints. Complaints and appeals regarding the actions or inactions of an election commission can be appealed to the appropriate overseeing election commission (i.e., complaints regarding a PEC are appealed to the overseeing TEC, and those regarding a TEC are directed to the CEC). All complaints regarding the CEC are under the jurisdiction of the Administrative Court.

Complaints regarding the voter list fall under the jurisdiction of the first-instance courts of the general jurisdiction. The decisions made by the courts on these matters are not subject to appeal.

The Administrative Offenses Code and Criminal Code were both amended in 2011, increasing fines and prison terms for electoral offenses and establishing additional election-related offenses.

Judges and election officials anticipate that, as a result of some residual contradictory legislation, there may be some uncertainty on Election Day regarding jurisdiction.

² OSCE ODIHR [Election Observation Mission Interim Election Report No. 2](#), February 7, 2013, p. 5.

³ OSCE ODIHR [Election Observation Mission Interim Election Report No. 1](#), January 23, 2013, p. 6.

How does voter registration operate?

Voter registration is passive in Armenia. The voter list is maintained by the Passport and Visa Department (PVD), a division of the Republic of Armenia Police. Voter registration information is sent to the PVD from local Department of Visas and Registration (OVIR) offices around the country after a person registers a new residence or domicile. The voter list was made available on the PVD's and the CEC's websites and at polling stations so citizens can confirm the accuracy of their information and/or request inclusion on the list.

According to the last report, there are 2,485,844 registered voters in Armenia; this is about 6.7 percent more than the number registered for the 2008 presidential elections. The registered voters are recorded on precinct voter lists, based upon the citizens' registered place of residence. Voters who are not a part of the voter list can apply to be included during the four days prior to Election Day, as well as on Election Day until the end of voting.

Citizens living within Armenia who do not have a registered residence can apply to the PVD to be included in a supplementary voter list based upon their current residence. This must be done at least seven days prior to Election Day. Voters who intend to vote in a community other than the one in which their residency is registered must go through the same process.

Special voter lists have been compiled for military units, pretrial detention centers, police and national security personnel stationed abroad, citizens serving in diplomatic and consular offices abroad, and legal entities registered in Armenia and located abroad. Aside from citizens that qualify under the previously mentioned categories, citizens living abroad for more than six months are not permitted to vote. Although large numbers of Armenian citizens reside abroad, in 2007 the National Assembly modified the constitution to disallow out-of-country voting.

A door-to-door project is currently underway, led by IFES in cooperation with the PVD, to encourage residents across Armenia to confirm and update, as needed, their voter registration status prior to Election Day.

Who is eligible to vote?

The Constitution of the Republic of Armenia affords citizens who have reached the age of 18 the right to universal, equal and direct suffrage by secret ballot. Exceptions to this, outlined in the constitution, are citizens found to be incompetent by a court decision, duly sentenced to prison or serving a sentence. Suffrage can also be restricted in the interests of national security; public order and crime prevention; and protection of public health, morality, constitutional rights, freedoms, honor and reputation.

What are the main steps in the voting process?

1. Immediately after a voter confirms his or her identity and signs in at the polling station, the member of the commission responsible for allocation of the ballots to the voters, hands the voter a ballot.
2. The member of the commission responsible for issuing ballots stamps the ballot.
3. The voter marks the ballot in the privacy of the voting booth or voting room. No person other than the voter is permitted to be in the voting booth or voting room while the voter is marking his or her ballot. The voter places the ballot into the appropriate envelope.
4. If the voter feels that he or she has marked the ballot in error, the voter can ask the chairman of the commission (or, in case of the chairman's absence, the deputy chairman) for a new ballot. The commission member allocating the new ballot will note this in front of the voter's name on the voter list. The spoiled ballot is promptly cancelled according to protocol.
5. Before the ballot is deposited into the ballot box, another member of the precinct election commission validates the ballot by stamping the envelope. The voter then deposits the ballot into the ballot box, in full view of election commission members and election observers.
6. The voter is not permitted to declare whom he or she is going to vote for or against or whom he or she has already voted for or against. Inquiring in any way whom a voter has voted for or against is prohibited.

What are the basic rules for vote counting?

At 8:00 p.m. on Election Day, the chairman of each precinct electoral commission must ban additional voters from the precinct center at 8:00 p.m. and allow the voters already at the precinct center to vote. Once this is complete, the chairman must close the ballot box slot and ask all those not entitled to attend the sessions of the precinct electoral commission to leave. The precinct electoral commission will then begin the vote counting process:

1. Unused ballots, ballots wrongly marked by a voter and returned ballots are counted and cancelled according to the procedure established by the CEC, and then sealed.
2. The total number of voters is counted based on ballots cast and then compared to the voter list.
3. The number of voters who received ballots, based on the signatures available in the voter list, is determined; afterward, the voter list is sealed.
4. The ballot box is opened, with votes counted by the commission members and recorded in the final protocol.

5. Unused ballots, spoiled ballots and invalid ballots are counted and recorded in the final protocol. These ballots are secured separately.

6. Once all totals are confirmed, each member of the polling commission signs multiple copies of the final protocol, which is sent with the sealed ballots to the TEC.

Based on the results received from the precinct electoral commissions, the territorial election commission summarizes the preliminary results of the elections in the region, the number of votes cast for each candidate in the region, the total turnout and any inaccuracies. This is then reported to the CEC.

Which ballots will be considered invalid?

A ballot will be considered invalid if it:

- Contains votes for more than one candidate (party)
- Contains a note supporting one candidate (party) and, at the same time, includes a marking in the “I’m against all” line
- Contains unnecessary written notes or remarks
- Is unmarked, unsealed or unsigned

When will election results be released?

After voting is complete in national elections and precinct election commissions report their results to the territorial electoral commissions, the TECs must report the current election results by precinct to the CEC at least every three hours.

Based on the preliminary results received from the TECs, the CEC must announce the preliminary results of elections – no later than 28 hours after completion of voting – as well as the number of votes cast for each candidate, the total number of voters and the amount of inaccuracies.

Within three hours after confirming the election results, the chairman of the CEC (or, upon the chairman’s request, one of the members of the commission) make a live report on the state television and radio stations to announce the final official results of the elections.

What accommodations will be made for voters with disabilities?

The CEC has played a key role in enfranchising persons with physical disabilities across Armenia by taking steps to allow them to access the polling stations and cast their own ballots.

Large magnifying devices will be available for voters with visual impairments, and tactile ballot guides will be available for blind voters. Ramps have been built to enable voters with wheelchairs to access polling stations.

What is the state of the media in Armenia?

Following the 2008 presidential elections, Armenian experts remarked on the absence of independent television channels and the strict loyalty to the regime among the channels that had survived. This situation is cited as having been the case since the closure of the A+ television station in 2002, which was widely seen as the last independent station.

There are 96 television channels, including six with nationwide coverage, 20 radio companies, some 90 print publications and numerous online media. Television is the most important source of information, especially outside of Yerevan. H1, the public television station, has nationwide reach and is considered one of the most influential media outlets. While print media struggle with limited circulation and declining impact, the readership of online media, including a number of politics-oriented portals, is growing.⁴

Coverage of the campaign has intensified since the start of the official campaign period via the evening news, interviews and advertisements. Most monitored broadcast media have mainly presented information about the candidates, while online and print media, as well as broadcast media *Yerkir Media* and *Radio Azatutyun*, have also offered some critical commentary and analysis. During the first two weeks of the official campaign, a number of monitored media regularly covered a wide range of contestants. At the same time, the media covered certain candidates more extensively, with Sargsyan and Hovannisian receiving most coverage. The coverage was predominantly events-oriented and focused on the candidates' different styles of running their campaigns, rather than featuring concrete political platforms or reflecting political discourse.⁵

⁴ OSCE ODIHR [Election Observation Mission Interim Election Report No. 1](#), January 23, 2013, p. 5.

⁵ OSCE ODIHR [Election Observation Mission Interim Election Report No. 2](#), February 7, 2013, p. 5.

Resources

- The Constitution of the Republic of Armenia, Chapter 3: President of Armenia:
www.parliament.am/parliament.php?id=constitution&lang=eng
- Electoral Code of the Republic of Armenia: www.elections.am
- Radio Free Europe Armenia: www.rferl.org
- OSCE-ODIHR Election Observation Mission Interim Report No. 1: www.osce.org/odihr/98886
- OSCE-ODIHR Election Observation Mission Interim Report No. 2:
www.osce.org/odihr/elections/99434