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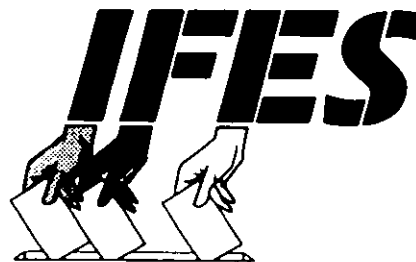
**ARMENIA:
The 1995 Parliamentary Elections**

**MATERIALS PREPARED BY
THE ON-SITE IFES TEAM**

August 1, 1995

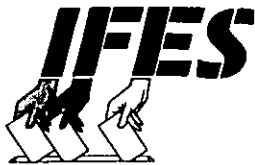
IFES TEAM MEMBERS:

**Scott R. Lansell, Program Officer, Europe & Asia
Linda Edgeworth, Election Administration Specialist**



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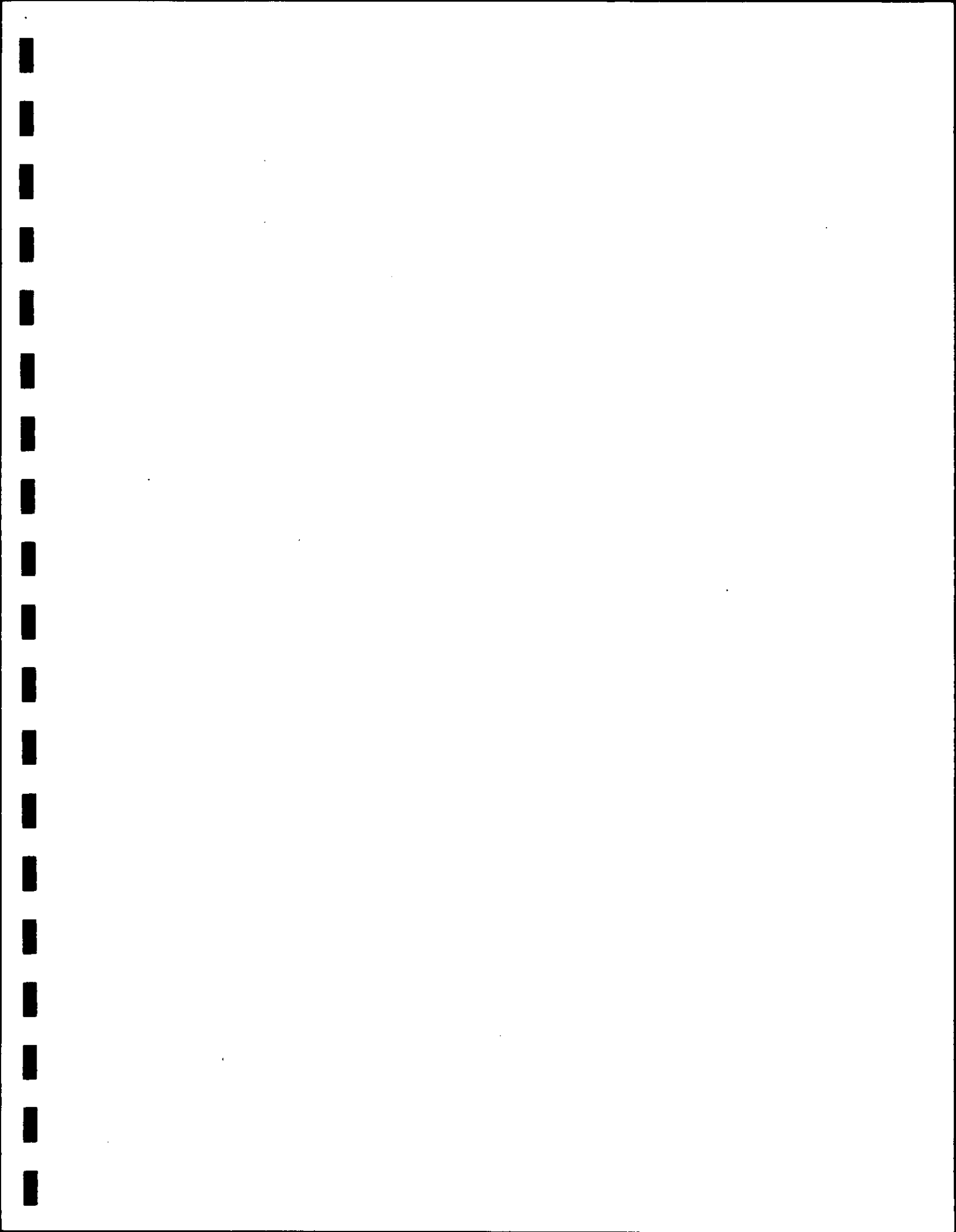
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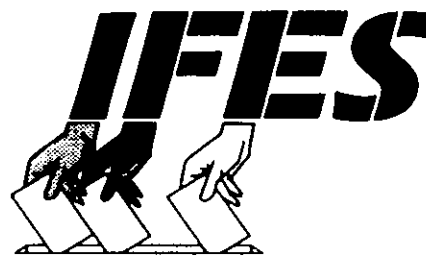
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ARMENIA WEEKLY REPORT SUMMARY



The International Foundation for Electoral Systems

Armenia Weekly Reports - Chronologically

June 12, 1995

Linda Edgeworth and Scott Lansell recently reported back from Yerevan with initial findings and planned programmatic activities while preparing for the July 5 Parliamentary Elections and Constitutional Referendum. The IFES team began its assistance by preparing material for the Ministry of Television and Radio at their request. IFES suggested how the Ministry could properly educate itself on the key role it plays in the campaign season. The team suggested that consistent editorial rulings on campaign advertizement content and fair scheduling be a priority of the Ministry's. Although dependent on the CEC for guidelines on candidate and party mass media airings, IFES shared ideas which may assist the Ministry in protecting itself from becoming a flash-point in the election period from candidates, parties and international observers. IFES will be sharing our suggestions with the Ministry, CEC, TACIS, and the United Nations observation teams which are also following free media access.

The IFES team met with CEC Commissioner Manassian where several areas of assistance

to the CEC were introduced. Technical support may include the production of a poll worker manual and information development for more than 100 international observers.

Later in the week, Lansell and Edgeworth traveled to Gumri, Armenia's second largest city, hotbed of political unrest, and the principle city devastated in the 1988 earthquake. Meetings included political party station proxies, polling station commissioners, and an exclusive meeting with a district election commission. Questions primarily focussed on city-specific political issues, election day administration, and training procedures yet-unscheduled by the CEC for poll workers. The obvious need for poll worker training material is now being developed by the team in Yerevan. □

June 19, 1995

Poll Worker Training Manual

IFES Election Administration Specialist Ms. Linda Edgeworth continues to meet with CEC representatives ironing out details on the IFES-initiated poll worker training and reference manual. The CEC has supported IFES' efforts to produce a draft for their review and we hope to formalize an understanding with the CEC to commit to

distributing the manual to the 150 district election offices for final delivery to the more than 1600 polling stations.

Voter Education

Ms. Edgeworth is also assisting the local media organization *Noyan Tapan* (Noah's Ark) in its efforts to coordinate an Armenian Press Club. This Club plans to organize televised election roundtables in the weeks prior to the elections. *Noyan Tapan* also embraced IFES' suggestion to publish a series of "Special Election Editions" to cover issues related to the Parliamentary elections and the Constitutional Referendum of July 5. IFES suggested that each political party be asked to present its stance on a predetermined set of questions in order to best reach the general voting population on issues of importance.

Election Observation

In close coordination with the United Nations observation mission, IFES plans to produce several documents for the international monitoring teams beginning to arrive in the country. These materials may include general overviews of the process of election administration and specific areas which deserve attention on election day.

June 26, 1995

Election Observations

Program Officer Scott Lansell will depart for Yerevan prior to the Armenia's first multi-party Parliamentary elections on July 5.

Mr. Lansell will work with IFES' on-site election administration specialist to assist with final preparations, distribution, and press relations affiliated with the IFES-developed poll worker training reference manual which is to be sent to the more than 1500 polling stations nationwide. With the assistance of the Armenian CEC, these manuals will provide urgently needed information as it pertains to a new election law which is based upon a new seat allocation system and problems related to the significant number of displaced, departed, or immigrant populations throughout Armenia. IFES sees this election's administration as an opportunity to provide quick-fix material and information-based assistance in preparations for longer-term technical and voter information assistance in the Presidential elections scheduled for the summer of 1996.

A 600-person public opinion poll was conducted by Armenian State Television and Radio Ministry from May 25-31. Poll results were reported by *Lragir*, a local news service on two questions relevant to the July 5 elections. Of the participants asked whether they would participate in the election, 68% stated responded "yes", 8% responded with a definite "no", and 21% were undecided or did not answer. Questioned whether they would support the Constitution included in this election as a referendum, 51% stated they did not have an opinion due to lack of information or comprehension of the draft document, 32% said they would support the referendum, and 17% responded that they would not vote for the Constitution.

IFES continues its efforts to reach the general population with information pertaining to the lack of information and comprehension of the draft Constitution by supporting party and candidate outreach mediums through independent media organizations in Armenia.

The on-going political and economic crisis that envelopes Armenia add to the complexity of improving the process of democratization in this politically charged nation.□

July 3, 1995

During the weeks immediately preceding the July 5, 1995 elections in Armenia, an on-site IFES field staff focussed its attention on three major projects designed to nurture voter awareness, enhance the competence of election officials, and prepare international observers to perform their assessment of the election process from an informed platform. As latecomers to the Armenia program, IFES made every effort to ensure that its programs did not duplicate or serve at cross purposes with other USAID sponsored programs underway. IFES first identified the scope and focus of the projects being undertaken by *NDI*, *TACIS*, *UN* and *OSCE*, in addition to analyzing the status of planning and preparation by the Central Election Committee (CEC) for the upcoming elections. IFES then tailored its programs to fill gaps left vacant by other USAID funded programs. Based on this strategy, IFES accomplished the following projects.

Voter Education

It became immediately apparent that the need for voter education was paramount in a setting which had precluded meaningful debate on critical issues such as the Constitutional Referendum and the platforms of competing political parties. There was also a dearth of fundamental information about voting procedures promoted in a "user friendly" format. In order to fill this void, IFES sought to nurture a new concept never attempted before in the restrictive media environment which characterizes the status of a free press in Armenia. Working through *Noyan Tapan*, Armenia's only independent news service, IFES developed a forum in which voters could become familiar with the programs of political parties in an unbiased, yet comparative and informational format.

Providing technical assistance and publication support, IFES facilitated the publication of three special election editions of a newspaper in which all political parties had the opportunity to respond to six specially designed questions significant to public interest. For the first time voters had the opportunity to see the positions of political parties on issues of political, economic and social importance presented side-by-side, under equal conditions. Each edition also carried a feature titled "What Every Voter Needs to Know" which provided simple explanations of voting procedures and requirements, descriptions of the various ballot types, and instructions about how ballots were to be marked. IFES was also arranged to utilize an informational poster designed by *NDI* which was published

in two of the special editions. The poster, which identified steps voters would go through at the polls, had been declined by the CEC as a poster for polling sites.

All in all, 30,000 copies of these editions were published and disseminated throughout Armenia; ten of thirteen parties participated; and *Noyan Tapan's* staff and the parties immediately recognized the impact of such a presentation. The validity of this type of forum inspired several of the parties to ask if they might be able to purchase extra copies of these papers for their own distribution.

Publication of Legal Analysis and Guidelines for International Observers

In working with the *UN/OSCE Coordinating Unit*, it became apparent that existing plans did not include preparation of educational materials for observer delegations who would be involved in observing the elections. IFES prepared a comprehensive instructional overview of the Armenian election process which also provided suggestions for observer inquiries and investigations. Guidelines were published in English and Russian versions for 120 foreign delegates. The guide books became a significant part of the observer packets disseminated by *UN/OSCE* at the pre-briefing seminar held prior to election day.

Poll Worker Training Manual

In its analysis of the preparation and planning for the elections, IFES determined that a serious deficiency existed which could jeopardize the efficient and accountable

conduct of the election. IFES learned that the CEC had no plans to conduct formalized training of poll workers, and that no training materials were being prepared. To overcome this deficiency, IFES took on the challenge of writing a Poll Worker Manual for consideration by the CEC. The objective was twofold: 1) to see the Manual in use for the July 5 elections; and 2) to develop a comprehensive draft manual which would prompt serious consideration and inspire a new attitude about the importance of developing formalized and uniform procedures for implementation in the future.

The Manual gave step-by-step procedures based on the tenets of the two separate laws which would govern the elections. In addition, the draft focussed on administrative and procedural questions which are not definitively addressed in the laws, and which required regulatory decisions of the CEC. Prior to IFES's presentation of the draft, the CEC had consistently claimed that all answers were adequately "...covered in the Law." They simply were insufficiently experienced or prepared to comprehend the types of issues which required authoritative solutions if uniform and consistent implementation were to be ensured.

Ultimately, time precluded the Manual from being published for these elections. However, through intensive work with members of the CEC, a new awareness was nurtured and recognition of the need for formalized administrative procedures was fostered. Combined with the critical observations which will be forthcoming from the international observers, the draft Manual

will provide a sound foundation for future development. Three hundred copies of a finalized book entitled "Translating Law in to Process" which encompasses the draft Manual will be distributed to new parliamentarians, local NGO's, political parties and activists. IFES has received a letter from the Chairman of the CEC acknowledging the work that has been done on this project, and indicating a willingness to engage in an ongoing cooperative association.□

July 10, 1995

Since the return of the IFES on-site team in Armenia during the recent Parliamentary Elections and Constitutional Referendum, IFES has been in contact with the Armenian press agency *Noyan Tapan*. IFES worked closely with *Noyan Tapan* for six weeks prior to the elections amplify the general message to the population that participation and knowledge of the issues on the ballot are critical to an intelligent vote. After contacting the 13 parties that had made the 10,000 signature requirement, IFES and *Noyan Tapan* collaborated to produce three Special Election Editions which were distributed to more than 30,000 readers throughout the country.

Parties Participating & Initial Results

According to the Armenian Central Election Commission (CEC), *Hanrapetutian*, the pro-government bloc, was leading in preliminary election returns. The Constitutional Referendum, also on the ballot on July 5, was reported by the CEC to have been approved. According to the CEC, 1,217,531 of

2,189,804 registered voters participated in the elections (68%). Of that 68%, 828,370 cast ballots "for" the Referendum. This number represented only 37.8% of the total number of eligible voters - 3.8% higher than required.

The following parties received the necessary 5% minimum threshold to be eligible to win proportionally represented seats:

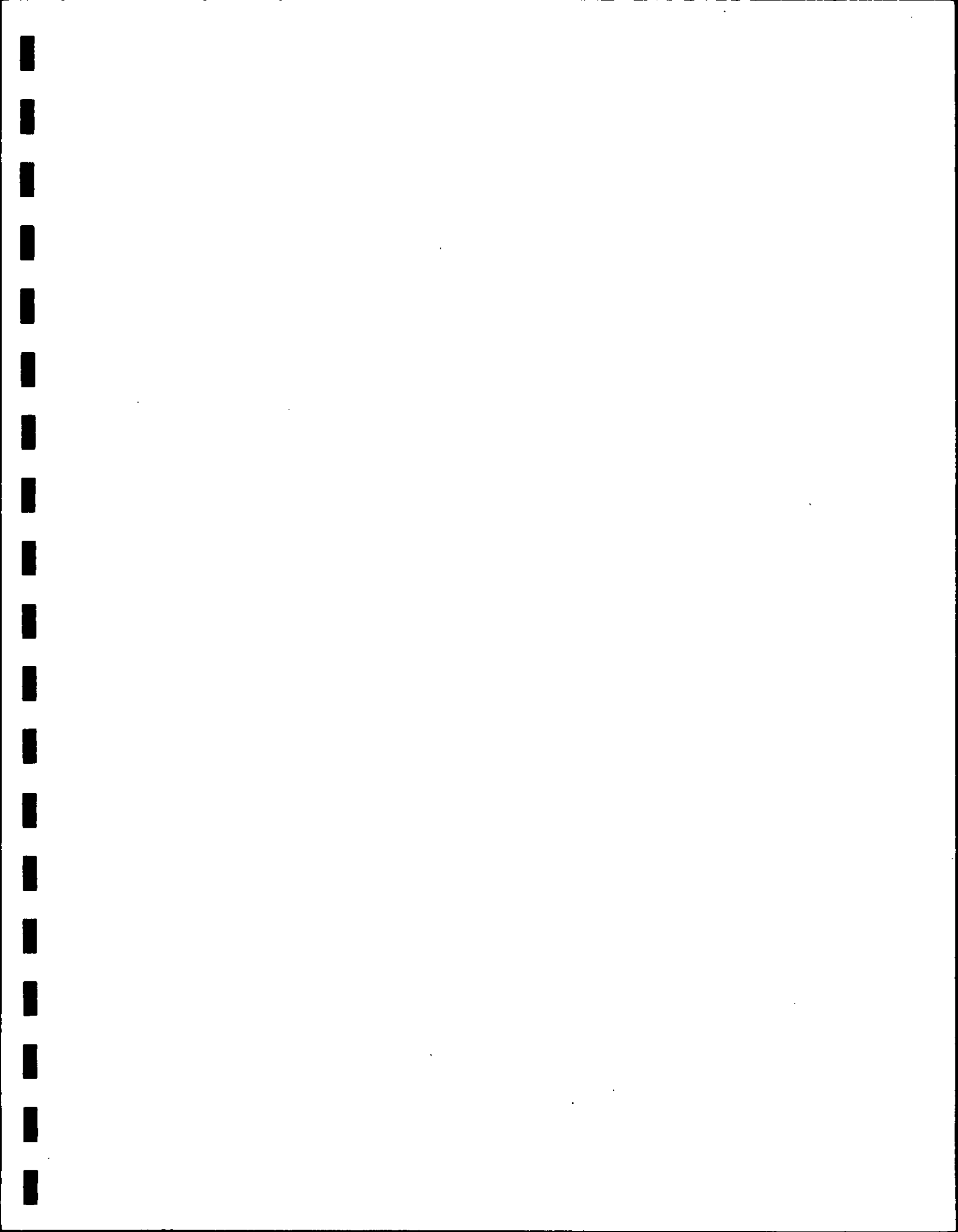
Party/Bloc	% of vote	Seats of 40 total
Republican bloc	42.7 %	20
Shamiram (women's party)	16.9 %	8
Communist Party	12.1 %	6
Armenian Democratic Union	7.5 %	3
The National Democratic Union	5.6 %	3

Initial reports have stated that as many as 25% (nearly 400,000) of the ballots submitted by voters were deemed invalid by polling station level officials. In the polling stations observed by Linda Edgeworth and IFES Program Officer Scott Lansell, usually high invalid ballot counts were noted - conceivably due to:

- Inconsistent ballot marking instructions for voters and poll workers;
- Needlessly strict interpretation of markings on the part of poll workers during the counting process; and

- National-Democratic Union - 57,996 (7.5%);
- Union of Self-Determination - 42,987 (5.6%);
- National State - 8,397 (1.1%);
- *Arakelutyun* (Mission) - 10,426 (1.35%);
- National Organization - 6,706 (.87%);
- Union “*Kamk*” (Will) and the Party Armenian Dashnaktsutyun - 15,424 (2%);
- Agrarian-Democratic Union - 12,143 (1.57%);

- Scientific-Industrial and Civil Union - 9,940 (1.3%);
- Democratic Party of Armenia - 13,784 (1.8%);
- Communist Party of Armenia - 93,353 (12.1%);
- Liberal-Democratic Party of Armenia - 19,437 (2.5%);
- “*Hanrapetutyun*” bloc - 329,300 (42.66%); and
- “*Shamiram*” - 130,252 (16.9%).



REPUBLIC OF ARMENIA

GENERAL OVERVIEW
AND
ELECTION OBSERVATION GUIDELINES
FOR INTERNATIONAL OBSERVERS

5 July 1995
Election of Deputies to the National Assembly
and
Referendum Election on the Adoption of the Constitution



Compliments of the International Foundation for Electoral Systems
1101 15 St. N.W., Third Floor, Washington D.C., 20005; (202) 828-8507

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USE OF THIS GUIDE

This guide has been prepared to provide you general information about the election process in Armenia. It also provides a brief description of some of the procedures which will be followed by officials on election day. Finally, it offers you some general suggestions about the kinds of questions or points of examination you may wish to pursue as you conduct your observations.

I. GENERAL STANDARDS FOR OBSERVER ACTIVITIES

The presence of observers serves multiple purposes:

To provide openness and transparency for the public, candidates, and political public organizations and raise confidence in the process.

Deter those who would engage in improper practices or fraud.

Reduce opportunities for frivolous or misguided allegations of impropriety.

Assist election officials by assessing the process and offering recommendations for future improvements.

The objective of neutral observation is to monitor election activities and to identify irregular practices that jeopardize or hinder the fair and orderly conduct of the elections. This is particularly important if such irregularities appear to be deliberate, pervasive or part of an organized scheme.

Adherence to a few general standards will ensure that monitoring efforts are meaningful.

1. Be vigilant and take detailed notes regarding positive aspects of the process as well as notes describing questionable or irregular voting or counting practices. Include information as to the place and time as well identifying witness, if possible.
2. Recognize that some mistakes may be made by election officials because of inexperience or unfamiliarity with the new law, rather than because of any deliberate intention to compromise the integrity of the process. Do not treat every mistake or variation in established procedure as deliberate cheating. When these kinds of mistakes come to the attention of the Chairmen, they are usually prepared to correct the problem immediately.
3. Observers should never disrupt or interfere with the voting, counting or other phases of the election process. Ask questions, express concerns, render objective opinions when asked, but do not instruct, give orders or attempt to countermand decisions of the election officials. Comments should generally be addressed to the election commission chairman.

4. If serious problems are encountered at a particular polling site, bring those situations to the attention of the local superior Election Committee. OSCE/UN Coordinators have provided you a list of contact persons of the District Election Committees. You can also contact the Regional Offices of the OSCE/UN Unit in Yerevan. (See separate list of telephone numbers.)

Consider returning to the polling site later in the day if serious concerns about irregularities justify another look or increased observer presence.

5. On election day, you should refrain from contacts with the mass media. If approached by journalists, you should limit your remarks to information about the purpose and activities of the observation mission and to what you really do while in the field. Refrain from providing opinions to news media as to the general fairness or honesty of the election based on your individual experience. Observers will have an opportunity immediately after the election to share information and report their cumulative conclusions.

II. GENERAL OVERVIEW OF THIS ELECTION

Elections will be held throughout the Republic on July 5, 1995 for the purpose of election Deputies to the National Assembly, and for the purposes of voting on a referendum in which the voters will decide whether or not the Constitution of the Republic of Armenia will be adopted.

1. There will be three ballots on which voters will cast their votes:

Referendum Ballot Regarding Adoption or Rejection of the Constitution

Candidate Ballot on the Majoritarian System

Political Public Organization or Bloc Ballot on the Proportional System

2. Two laws will be governing the conduct of these elections:

The Law on the Election of Deputies to the National Assembly newly adopted April 4, 1995

The Law on Conduct of Referendum, adopted in 1991, as amended in May 1995.

Procedures for the Referendum Election vary slightly from those governing the candidate and proportional elections. Those differences are noted throughout this guide.

System of Representation

Majoritarian System: For this election the Republic of Armenia has been divided into 150 single mandate election districts. From each election district one Deputy will be elected to the National Assembly. For a candidate to be

	<p>elected in his/her district, the candidate must receive a majority of the votes cast in the district as long as the total votes received is at least 25% of the total votes cast. If no candidate receives a sufficient number of votes, a second round of elections will be held based on a decision of the Central Election Committee. (Article 37)</p> <p><u>Proportional System:</u> In addition to the election of a single candidate from each district, 40 additional candidates will be elected based on a system of proportional representation. In this part of the election, the Republic as a whole is one large multi-mandate district. On this ballot voters will not vote for specific candidates. Rather, voters will vote for the political public organization or bloc which they prefer. Each political public organization or bloc identified on the ballot has presented a list of candidates whom they have selected to fill any seats their organization may ultimately win in this part of the election. Only three candidates from their full lists are identified on the ballot.</p> <p>The number of seats in the National Assembly won by each political public organization or bloc is determined based on the percentage of the total votes they receive based on votes cast on the Proportional System Ballot. They are eligible to win seats as long as their organization of bloc receives at least 5 % of these votes. Their share of the 40 seats will be calculated by the Central Election Committee based on a mathematical formula defined in the law. (Article 39)</p>
Referendum on the Constitution	<p>The draft Constitution put up for Referendum is considered accepted by a simple majority as long as the votes in favor equal at least 1/3 of the number of voters on the voter list. (Draft Constitution of the Republic of Armenia, Chapter 8, Article 113)</p>
Administration	<p>Elections are administered by a hierarchy of appointed electoral committees supported by an administrative staff at the Central Election Committee, and by local executive authorities at the district levels. (Article 5)</p> <p>At the top of the hierarchy is the Central Election Committee (CEC) made up of at least 7 members. Candidates for membership on the CEC are proposed by Deputies of the Supreme Council. Members are then registered by the Chairman and Secretary of the Supreme Council or their replacements. If registration is not accomplished by the deadline established in the law, the President registers the members from among those originally nominated by the Deputies. The Chairman of the CEC is confirmed by the Supreme Council based on a nomination by the President chosen from among the registered members. If the Supreme Council fails to confirm the President's nominee, the Chairman is selected by the Supreme Council during a special session. Upon their failure to</p>

	<p>select the Chairman, he is unilaterally selected by the President. (Article 8 and 9)</p> <p>The CEC is responsible for oversight of the process throughout the Republic and establishing general policies under which elections will be administered. They also directly register and supervise ballot preparation for the political public organizations participating in the Proportional System Election. (Article 13)</p> <p><u>District Election Committees</u> (DEC) are formed for each of the 150 electoral districts and are comprised of at least 7 members. Many DEC's have as many as 26 members. Members may be nominated by public political organizations who have applied to participate in the elections by the proportional system. Their appointment is determined by the CEC. Chairmen of DEC's are elected from within their own membership. However, if they fail to elect their chairman, the CEC appoints the chairman. If the CEC fails to make a selection, the CEC Chairman appoints the district chairman.</p> <p>The DEC administers elections at the constituency level, registering majoritarian ballot candidates and organizing equal campaign activities, establishing polling sites and supervising poll workers. (Articles 8, 10 and 14)</p> <p><u>Precinct Election Committees</u> (PEC) are the poll workers who serve at the precincts. There are approximately 10 Precinct Committees in each election district. Each precinct may serve 100 to 3,000 voters. The PEC's are responsible for processing of voters on election day and counting and tabulating the votes at the close of the polls. Nominations for membership may be submitted to the PEC's by the political public organizations participating in the proportional system election. The selection of PEC chairmen follow a similar process as for chairmen of higher level committees with a final decision being made by the Chairman of the DEC if the Precinct committee fails to make its own choice. (Articles 8, 11 and 15)</p> <p>A special CEC regulation allows precincts to be established in military installations and medical institutions.</p> <p>Once appointed to a Precinct Election Committee, members nominated by a political public organization lose their membership if their organization subsequently fails to be registered to participate in the election.</p>
Who May Participate in the Elections	<p>To vote in these elections, a voter must have reached the age of 18 <u>prior</u> to election day. Although they may not vote in the Majoritarian or Proportional elections, a voter whose 18th birthday is <u>on</u> election day, may vote in the Referendum. In addition, a voter must have resided in the Republic of Armenia for at least one year prior to the day of the elections. (Article 3, Law on Election of Deputies to National Assembly, and Article 3, Law on Conduct of Referendum)</p>

	<p>The following persons are NOT entitled to vote in these elections.</p> <p>Persons declared incompetent by a court of law.</p> <p>Persons in confinement by a legal court verdict.</p> <p>Persons wanted in a criminal investigation.</p> <p>Persons detained under criminal charges who have been denied registration by a decision of the Central Election Committee.</p> <p>To be elected a voter must have:</p> <p>Reached the age of 25.</p> <p>Permanently resided in the Republic or Armenia for at least three years prior to the day of the election. (Article 3)</p> <p>Special provisions of law allow a detained person to be a candidate when certain conditions are met.</p>
<p>Registration of Political-Public Organizations</p>	<p>Political Public Organizations (Parties) are registered under similar laws associated with the registration of other public organizations such as cultural clubs, youth groups, etc. They apply for registration with the Ministry of Justice by whom their activities and organization are also monitored for continuing compliance with the law. Political Public Organizations operate under their Charter which must be submitted at the time of application for registration. An organization found to be committing violations or operating outside the scope of their charter can be suspended for up to six months. Subsequent offenses can result in more severe penalties.</p> <p>A registered public political organization does not automatically qualify to participate in the proportional system of election. To participate as a party or as a bloc or coalition of parties, the political public organization must apply by means of a petition under the rules established for the nomination of candidates.</p>
<p>Nomination of Candidates</p>	<p>Any candidate seeking election as a Deputy to the National Assembly is entitled to run in one District in the Majoritarian System and also on party list in the Proportional System. Should the candidate prevail in both races, he accepts the district seat and his mandate is passed to the next candidate listed on the Party List. In the event the candidate must advance to a second round of elections in the Majoritarian race, the issue of his election in the Proportional System is resolved after the second round has taken place.</p>

Majoritarian System: Candidates seeking election in an election district are nominated by petition signed by eligible voters. The nomination rules are the same for independent candidates and candidates affiliated with registered political public organizations. The petitions circulated by representatives of the candidates must contain the signatures of 500 to 700 voters within the election district in which the candidate seeks office. Petitions are inspected by the District Election Committee. If the inspection reveals that the number of invalid or falsified signatures exceeds 50, the petition is rejected even if the remaining signatures equal the lower limit of 500. Candidates must also submit an acknowledgement of their willingness to be a candidate, documents certifying his residency, and a deposit determined by a Regulation of the CEC. The deposit is refunded if the candidate earns at least 5% of the votes.

Proportional System: Political Public Organizations or Blocs nominate their lists of candidates. The list is supported by submission of a petition containing the signatures of at least 10,000 valid voter signatures. The petition and the list of candidates is submitted to the Central Election Commission who inspects the documents and registers the candidates. Even if the threshold is met, a petition containing more than 300 invalid or falsified signatures is rejected. The required documents and deposit must be paid for each candidate on the list. There are no limits established in the law as to how many candidates may appear on a list. For this election individual Proportional Lists include very few to as many as 222 candidates. Altogether, 570 candidates have been presented on the Party Lists. Proportional seats won are distributed among the candidates on the list in descending order based on their sequential position on the list.

Nomination of Detained Persons: Rules for nominating a person who is detained pending resolution of their cases by court decision are almost the same. However, in these cases the Central Election Committee takes a decision as to his registration only after receiving a written conclusion of the Prosecutor's Office regarding the substantiated nature of the person's case which has been requested by the candidate. To allow time for this requirement, detained candidates submit their nomination documents 10 days in advance of the normal nomination deadline. (Articles 20 and 21)

**Preparation of
the Voters
Lists**

Registration of voters is accomplished by designated offices of the local authorities, primarily those offices responsible for maintaining residency records. Lists are provided to the District Committees who distribute them to the Precinct officials 15 days before the election (June 20, 1995.) It is not clear whether precinct officials accomplished a door to door canvas to verify the lists. The lists are also available for public scrutiny and precinct officials are authorized to make adjustments as necessary. (Article 18-19, Law on Election of Deputies, Article 17, Law on Referendum)

Special Voter Services	<p>Under the Law on Conduct of Referendum, voters who are ill or otherwise incapacitated may have REFERENDUM BALLOTS brought to them at home so that they can vote in this election. Polling sites are equipped with small, mobile ballot boxes which are used for his purpose. A supplemental voter list is maintained of the voters who vote at home.</p> <p><u>This service IS NOT available to voters for voting in the Majoritarian or Proportional Election.</u></p> <p>A voter who determines that he will be away on election day may vote in the REFERENDUM ELECTION at his precinct up to 15 days before election day. A ballot voted in advance is kept by officials in a sealed envelop which is deposited into the regular ballot box prior to the beginning of regular voting on election day.</p> <p><u>This service is NOT available to voters for voting in the Majoritarian or Proportional Election.</u></p> <p>On election day a voter who is unable to vote without assistance is entitled to select another person to enter the secrecy booth with him to help him cast his ballot. The voter can choose anyone except members of the Precinct Election Committee or a proxy of a candidate or political public organization.</p>
III. OPENING THE POLLS	
Polling Hours	<p>Regular polling hours are from 08:00 to 20:00. However, under special circumstances the Central Election Committee can initiate changes in the hours and locations and the precincts. PEC members are encouraged to be at the polling site at least 1 hour before the polls officially open for voting. (Article 29, Law on Election of Deputies, Supplement and Amendments to Law on Referendum)</p>
Opening the Polls	<p>Before the polls open for voting a number of tasks are to be completed. Foreign observers as well as representatives of public organizations (local NGO's,) the media, candidates, and political public organizations are entitled to be present to watch pre-poll procedures. The committee takes a decision regarding which members will be assigned to confirm the authenticity of the ballots with their signature. If a member of the committee insists that he want to sign the ballots, he is granted that opportunity, without a vote of the committee.</p> <p>The Chairman of the Committee opens the ballot box and displays that it is empty to the members of the committee and other persons entitled to be present. The Ballot Box is sealed with sealing wax. The same procedure should be followed for the mobile ballot box and a special box which will be used to contain the coupons from the Certificates of the Right to Vote issued to each voter who participates in the election. (Articles 7, 24 and 30, Law on Election of Deputies, Article 16, Law on Referendum)</p>

The Chairman should display the number of ballots voted in advance and deposit them into the ballot box inside their sealed envelopes.

It is not clear whether the members will physically count the ballots received in front of the observers before opening the polls. Nor is it certain they will announce the number received or the number of voters on the voter list.

SUGGESTIONS FOR OBSERVERS:

1. Begin your observations even before you arrive at the polling site. Survey the neighborhood for evidence of campaigning or suspicious activity nearby. Take note of any vehicles seemingly transporting an unusual number of voters to the polling site or seeming to come from one particular place.
2. Note the location, accessibility and sufficiency of the polling site. Observe indications of disorganization such as unusually long lines of people milling around. Also note the presence of police or other security officials.
3. Campaigning is prohibited on election day. (Article 25) However, it is possible that biographical posters and other material may be posted. If so, check to see if each candidate and party is equally represented and take note of materials related to the Referendum which might be posted.
4. Upon arrival, identify yourself, show your credentials and ask to speak with the Chairman of the Committee. With the least possible disruption, try to talk with other members of the committee as well as with other observers or representatives of the candidates or political public organizations who may be present. Look for peculiar signs of tension or dissention.
5. Confirm that all persons working as election officials and issuing ballots are duly appointed members. Notice whether groups of people appear to be lingering with no apparent purpose or authority.
6. Ask which candidate's representatives are present or if there are observers representing public political organizations. Note which candidates or organizations are not represented.
7. Ask which political public organizations appearing on the ballot are represented on the committee itself. Note which are not.
8. Take notice of the layout and organization of the polling site, including division of duties among committee members, placement of work stations, secrecy booths, and the ballot box.

Does the layout promote reasonable flow of traffic, efficiency and security?

Does the layout and placement of voting booths safeguard secrecy of the vote?

Is the ballot box in plain view of the committee and observers?

Does the layout promote transparency and allow observers to view the process easily?

IV. THE BALLOTS

Number of Ballots	Each polling station will receive a number of ballots of each of the 3 types equal to the number of voters whose names appear on the voter list.
Form of Ballots	<p><u>Majoritarian Ballot:</u> Candidates are listed in alphabetical order and information their party membership, if any, employment and job description are also listed.</p> <p><u>Proportional Ballot:</u> The law does not indicate the order in which the political public organizations will be listed. In addition to the name of the organization or abridged name if the entity is a bloc, the ballot lists the first and last names of the first three candidates on the organization's list. (Article 26, Law on Election of Deputies)</p> <p><u>Referendum Ballot:</u> The text of the question is posed on the ballot and voters are given the option of voting "YES" or "NO." (Article 29, Law on Referendum)</p>
Method of Marking a Ballot	<p><u>Majoritarian Ballot:</u> The voter marks the Majoritarian Ballot by crossing out the names of the candidates he rejects leaving his choice exposed. If there is only one candidate on the ballot the voter has the choice to "AGREE" or to "DISAGREE" with acceptance of the candidate. The voter marks out the response he rejects leaving his favored response exposed.</p> <p><u>Proportional Ballot:</u> The voter marks the Proportional Ballot by crossing out the names of all political public organizations or blocs he rejects leaving his preferred choice exposed. (Article 31, Law on Election of Deputies)</p> <p><u>Referendum Ballot:</u> The ballot offers the choice to "YES" or to "NO" with regard to the adoption of the Constitution. The voter marks out the response he rejects leaving his favored response exposed. (Article 30, Law on Referendum)</p>
Security	Ballots for the Referendum are available 15 days in advance of the elections. Majoritarian and Proportional Ballots are received at the precinct immediately prior to, or on the morning of election day. Ballots are to be stored in a secured and locked location. Ballots are not sequentially numbered and do not have a stub or counterfoil. However, to validate its authenticity as an official ballot, each ballot is to be signed by pre-determined members of the commission and stamped with the official precinct seal. It is not clear whether the signatures and the stamp are to be affixed only to those ballots officially issued to voters, or if all ballots will be so marked. Nor is it clear as to when the signing and stamping of the ballots will take place.

	<p>Officials are required to sign a receipt for the number of ballots they receive and all ballots must be accounted for on a separate protocol for each type of ballot.</p>
<p>SUGGESTIONS FOR OBSERVERS:</p> <ol style="list-style-type: none"> 1. Observe the handling and method by which ballots for each type of ballot are issued to voters. Does the official personally hand it to the voter or does the voter take it from the stack himself? Can others take ballots from the tables? 2. Note whether the ballots on the tables are kept in secure, tidy piles and neatly sorted by ballot type. 3. Inquire of the Chairman when the ballots and other voting materials were received and under what security arrangements the voting materials were kept secured. 4. Observe the process whereby each ballot is properly signed by the official(s) and stamped with the precinct seal. Ask if all ballots were all pre-signed prior to the opening of the polls, or before election day. 5. Ask if all ballots including unused ballots are signed and stamped with the official precinct seal. 	
<p>V. PROCESSING THE VOTERS</p>	
<p>Registration of Voters</p>	<p>Upon entering the polling station, the voter must present his or her identification documents. The ID will usually be a passport, however, temporary passport, or other document featuring the person's photo and address is acceptable. The voter's name is located on the voter list and the voter is asked to place his signature in the space provided. Without identification, the voter is not allowed to vote. (Article 31, Law on Election of Deputies, Article 30, Law on Referendum)</p> <p>For each voter, officials have a pre-prepared Certificate of the Right to vote. The Certificate has two parts, one of which will be retained by the precinct. The voter is asked to sign the Certificate which is also signed by the officials. There are no provisions for this Certificate in the Law on Referendum. Therefore, the Certificate might not be used for voters voting in advance or at home, whose 18th birthdays are on election day, or voters who only wish to vote in the Referendum at the polls. (Article 31, Law on Election of Deputies)</p> <p>If a voter has the proper identification and meets eligibility requirements but is not found on the list, the officials have the authority to add the person to the list. A Certificate is made out and the voter is allowed to vote.</p> <p>Voters are not allowed to vote on behalf of family members. Each voter must appear in person.</p>

Issuance of the Ballot	<p>The voter takes the Certificate of the Right to Vote and advances to Stage 2. Upon presentation of the Certificate, the official affixes his signature, tears off the part of the Certificate which is to be retained and deposits it into a sealed box. The voter is then handed one of each type of ballot (unless his 18th birthday is on election day and he is only eligible for the Referendum ballot,) and is directed to the secrecy booth to vote in private. (Article 31, Law on Election of Deputies)</p> <p>Each ballot must contain the signature(s) of the authorized officials, and the stamp of the precinct. (Articles 30 and 33, Law on Election of Deputies)</p>
Secrecy of Vote	<p>The voter enters the secrecy booth and marks the ballot in private. Only one person may be present inside the secrecy booth at a time, unless the person is handicapped or otherwise unable to mark the ballots without assistance. Voters needing assistance may request help from anyone they choose except an election official, or the representative of a candidate or political public organization. After voting, the voter is encouraged to bring his folded or otherwise covered ballots out of the booth and to deposit them into the ballot box which is to be maintained in plain view.</p>
Spoiled Ballots	<p>If a voter damages or mismarks his ballot, he should be able to return the spoiled ballot to the committee and request a new ballot. However, there is no guidance in the law on how this situation is to be handled. It has been suggested that the spoiled ballot will be immediately segregated with other spoiled ballots papers, and that the voter will be given a replacement. The law calls for the number of spoiled ballots to be recorded on the protocol during the counting process.</p>
Voting at Home <u>Only for Referendum</u>	<p>Voters who are ill, incapacitated or otherwise unable to come to the polls on election day, may request to have ballots and a portable ballot box brought to them on election day so they can vote at home. These voters are only entitled to vote in the REFERENDUM election and are precluded from participating in the candidate and proportional elections. The names of these voters can be provided by in-person voters on election day. Others may have been identified in advance, if the Precinct Election Committee accomplished a door to door canvas to verify the voter lists. At home voters should be listed on a supplemental list, and a notation should be made by their names on the regular voter list.</p> <p>At some point on election day, 2-3 members of the committee will be assigned to go to these voters' homes. At that time, they will count the number of voters to be visited, and are supposed to count out only an equal number of ballots. The ballots, the portable ballot box, supplemental voter list and the voters' Certificates of the Right to Vote Forms. Upon arrival of the voter's home, they should complete the same steps as would be required for voters at the polling site.</p>

Door to Door Solicitation	In many post-Soviet countries it used to be the practice that members of the committee would also visit the homes of any voter who had not shown up at the polls with ballots and request them to vote. However, there are no such provisions in law. No ballots should be taken from the polling site except Referendum Ballots officially used to assist authorized voters at home.
<p>SUGGESTIONS FOR OBSERVERS:</p> <ol style="list-style-type: none"> 1. Ask about the total number of voters appearing on regular voter list and the number of additions which have been made on election day. Also ask the number of voters on the supplemental list of voters voting at home, and how many voters voted in advance. Determine if there seem to be an unusually high number of voters on the special lists in relation to the number on the master list. 2. Ask if the committee completed a door to door canvass to verify the accuracy of the lists they were provided. Ask to examine the various lists and note how many names have been signed in or have notations. 3. Observe the manner in which voters are given instructions and determine if there is any evidence of undue pressure or partisanship implied on the part of election officials. 4. Inquire if anyone has attempted to vote on behalf of family members not present and if they were allowed to do so. 5. Ask if anyone has been turned away because their name did not appear on the list or because they did not have proper identification. Ask how such situations were handled. 6. Note whether secrecy of voting has been adequately ensured. Can the ballot box be plainly seen by officials and all authorized observers and candidate representatives? 7. Ask the Chairman if there have been any problems, disturbances irregularities or complaints regarding the voting. Inquire as to how such problems were resolved. 8. If confidentiality is possible, try to ask representatives of the candidates if they have been generally satisfied with the processing of voters at the polling site and the performance of the Committee. Be aware of any unusual tension which might exist. 9. Determine if officials have, or intend to take ballots door to door to solicit voting. 	
VI. VOTE TABULATION	
Time of Counting	Ballots are counted at the polling sites by the Precinct Election Committee immediately after the closing of the polls at 20:00. All voters who are present and have not yet voted are allowed to vote. (Article 29, Law on Election of Deputies)

	<p>Authorized representatives of the candidates and political public organizations, as well as foreign and domestic observers and the media are entitled to be present for the count.</p>
Preparation	<p>Before counting begins the committee prepares a separate protocol for each type of ballot. On each protocol, the committee records the number of that type of ballot originally received, and the numbers of spoiled ballots, unused ballots, total voters on the list(s), voters who actually participated and signed the list, and the number of the Certificates of the Right to Vote which remain unused. It is not clear as to whether the number of advanced ballots and voters who voted at home in the Referendum election are enumerated separately on the protocol.</p> <p>The committee is supposed to "cancel" the unused ballots in a manner which ensures they cannot be used fraudulently. The committee also makes a note in the registry that the ballot box has remained sealed throughout the voting day.</p> <p>When these steps have been completed for each protocol, the ballot box may be opened and the counting may begin. (Article 34, Law on Election of Deputies)</p>
Counting the Votes	<p>Voters mark their ballots by crossing out the choices they reject. On each type of ballot, the choice remaining exposed receives the vote. The process of the count begins with the sorting of the three types of ballots, each of which is printed on a different colored paper.</p> <p>The laws are silent as to the exact manner in which the ballots will be handled for the purpose of determining the results of the vote. However, previous practice seems to have called for the ballots to be sorted again with a separate pile being created for each candidate or choice appearing on the ballot. Each ballot is inspected to determine the voter's choice and the ballot is placed on the appropriate pile. When the sorting has been completed, officials count the number of ballots in each stack and ultimately record that number on the protocol next to the candidate's name or the referendum choice. In the case of the Referendum Election, the number of votes AGAINST as well as the votes FOR the measure are entered on the protocol.</p> <p>Ballots which are determined to be INVALID are not counted. Under the law, a ballot is considered INVALID if:</p> <ul style="list-style-type: none"> does not conform to the approved specimen; does not bear the official stamp of the precinct; does not bear the signatures of the authorized officials;

	<p>has more than one choice exposed; or,</p> <p>bears extra inscriptions.</p> <p>If there are controversies regarding any aspect of the counting process or the validity of the ballot, decisions are to be made by a vote of the committee. (Article 33, Law on Election of Deputies)</p>
Recording the Vote	<p>The committee summarizes the results on the protocols for each type of ballot. Commission members responsible for counting the votes of a particular candidate sign their names next to the recorded number of votes for that candidate. The same procedure is followed for the Proportional Ballot and the Ballots for the Referendum. In each case, the total number of INVALID ballots is also recorded. If any team member has a special opinion about the process or the results, he makes a notation across from his signature and submits his opinion in writing. A refusal of a member to sign the protocol is recorded by the committee and attached to the protocol. Protocols are each signed by all members of the committee and the protocols are stamped with the official precinct seal. The chairman is required to announce the results to the committee members and observers who are present. (Article 32, 34 and 35, Law on Election of Deputies)</p>
Transfer of Materials to the District Election Committee	<p>As soon as the counting of ballots has been completed and the protocols have been finalized, all materials are to be packaged and immediately transported to the District Election Committee where results are summarized for the District at Large. In addition to the ballots, voter lists, protocols, registry and other documents, the sealed box containing the Certificates of the Right to Vote is also transported. It is the District Election Committee who is responsible to count the number of Certificates which it contains as an additional accountability measure. There is no indication that copies of any of the protocols are maintained at the Precinct level. (Article 35, Law on Election of Deputies)</p>
<p>SUGGESTIONS FOR OBSERVERS:</p> <ol style="list-style-type: none"> 1. Plan to arrive at the polling site shortly before 20:00. It is likely that for security purposes access to the polling site after closure of the polls may be restricted. But, authorized observers are entitled to observe the count. 2. Observe whether representatives of the candidates and political public organizations are present and ask if any have been restricted from observing. Make note of any "special rules" established by the committee being applied to observers or representatives, especially if they tend to hinder reasonable transparency. 3. Check to see that counting is only being performed by committee members and that no other individuals are "assisting." 4. Note how the unused ballots are "cancelled," defaced or destroyed after being counted. 	

5. Carefully observe the method and standards for identifying INVALID ballots and whether such ballots are appropriately segregated.
6. Observe whether protocols are completed in ink or in pencil.
7. Observe whether the ballots are handled, stacked, or sorted in a methodical way which provides ease of counting, and a fundamental basis of order and reasonable security.
8. Note how disputes among committee members or complaints raised by candidate or political public organization representatives are resolved.
9. Attempt to maintain a record of the results, and make note of any discrepancies that seem unusual or unreasonable. Compare the number of voted ballots accounted for and the number of voters who signed the voter lists.
10. Make note of how long it takes the committee to complete the count.
11. Ask the Chairman how ballots, voting materials, voter lists, etc. are being transported at the completion of their work, and how they will be secured in transit. Ask how many officials will accompany them and check to see if opposing forces are represented.
12. If feasible, try to accompany them to the District Election Committee and observe the manner in which District Officials carry out their duties.

Observe how materials are logged in or signed for upon delivery.

Observe how boxes containing Certificates of the Right to Vote are opened and counted.

Ask how matters are handled if discrepancies or errors are found by District Officials.

Observe whether or not District Officials make corrections or adjustments on the Precinct documents. Observe whether original figures submitted by the Precinct are obliterated or maintained as corrections or adjustments are made. Observe the manner in which the accuracy of summarized results are verified.

Ask how results will be published, by precinct or districtwide.

Note if representatives of the candidates or political public organizations are present or if any have been prevented from being present.

VII. OBSERVATIONS REGARDING REGISTRATION OF CANDIDATES

Nominating Petitions

District Election Committee have a great deal of responsibility over the administration of elections at the constituency level. Among their major tasks is the registration of candidates and facilitation of certain

campaign activities. They assist in arrangement of public locations of campaign events and with the cooperation of local media arrange for equal broadcast time and newspaper space for the candidates.

The registration of candidates is commonly one of the most controversial aspects of the pre-election period. The law requires that District Committees review nominating petitions and make rulings as to their validity. The law is silent as to the actual process which is to be followed in verifying the authenticity of the signatures contained in the petitions. Therefore, it is likely that DEC's have had to develop their own approaches to the task. If a DEC finds deficiencies in the nomination documents, or if the DEC determines that an excessive number of signatures are invalid, the candidate's nomination is rejected.

The Central Election Committee is responsible to fulfill this responsibility for political public organization petitions relative to the Proportional Ballot.

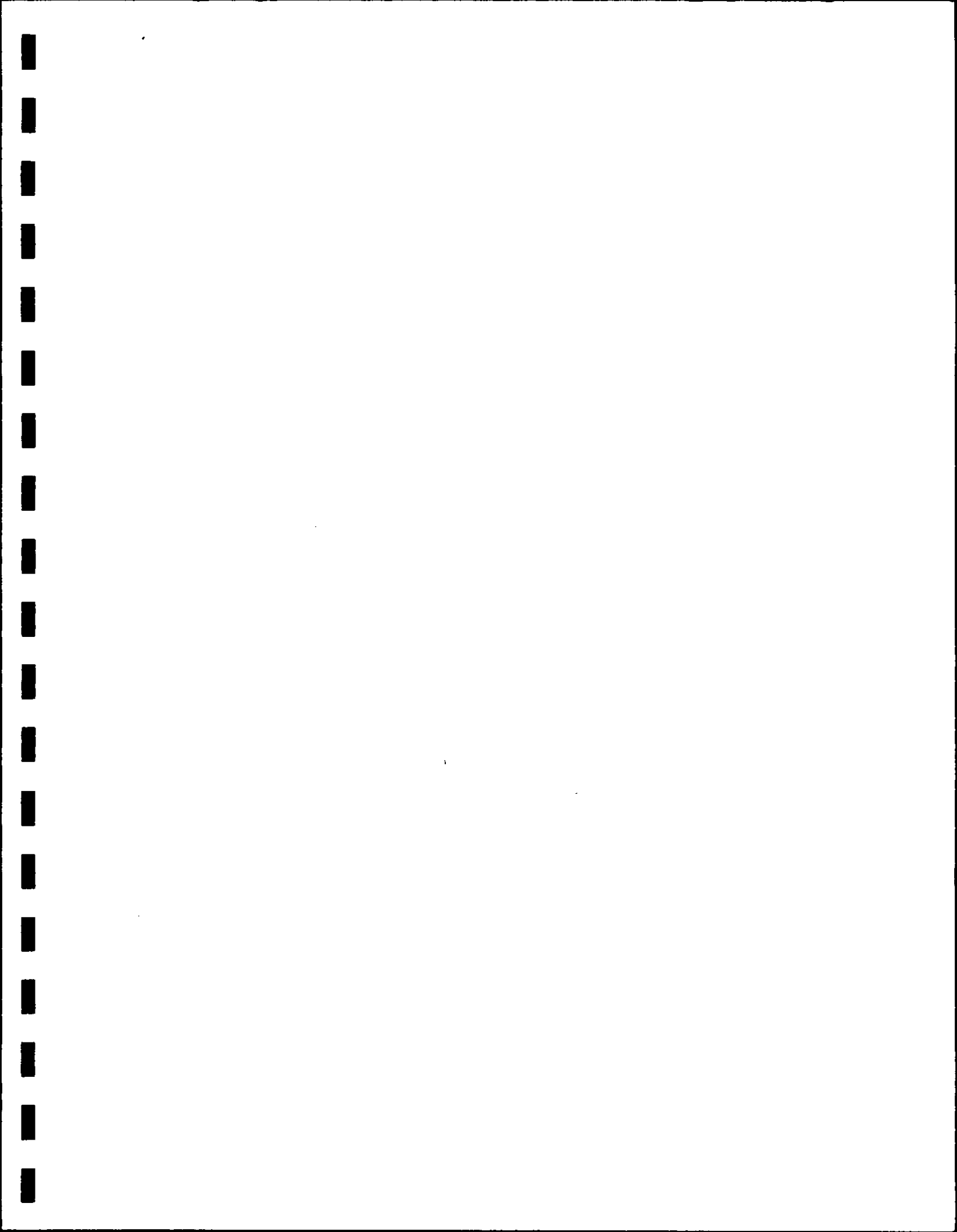
Candidates who have been rejected may appeal decisions to the Central Election Committee and ultimately to the court. As of 23 June, a number of candidates and political public organizations had been rejected, and appeals were still being considered. During the appeal, rejected candidates are precluded from campaigning. (Article 20, Law on Election of Deputies)

SUGGESTIONS TO OBSERVERS:

1. Find time to visit the District Election Committee in the constituency where you will be observing. Try to coordinate your efforts so that one team is delegated to visit the District Committee. If possible, plan to make this visit before election day.
2. Ask the District Committee about the procedures they used in reviewing documents submitted by nominated candidates. Inquire as to the manner in which they reviewed signatures and evaluated their validity.
3. If there were candidates who were rejected, ask for a description of the grounds on which the decision was made.
4. Ask how many nominations were submitted and how many were rejected. Ask about the affiliations of the candidates who were accepted and those who were rejected.
5. Ask to see samples of both registered and rejected petitions. Determine if similar markings or notations appear on the petitions of both registered and rejected candidates. Note any obvious differences in the manner in which petitions appear to have been scrutinized.

VIII. WRAP UP AND REPORTING OBSERVATIONS

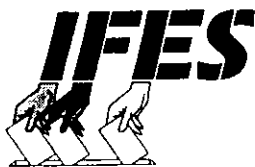
We hope that these materials will be helpful to you as you observe these important elections. But our work does not end on election day. It is important that we consolidate and formalize our findings if we are to leave something meaningful behind. We hope that you will help us in that endeavor by returning copies of your observation forms and notations to the OSCE/UN Coordinating Unit so that they can be assimilated for a comprehensive report of cumulative findings. Thank you for participating in this important mission.



TRANSLATING LAW INTO PROCESS

REPUBLIC OF ARMENIA

**5 JULY 1995
ELECTION OF DEPUTIES TO THE NATIONAL ASSEMBLY
AND
REFERENDUM ON THE CONSTITUTION**



International Foundation for Electoral Systems

1101 15th Street, N.W. • Third Floor • Washington, D.C. 20005

**PART I
INTRODUCTION**

**PART II
SAMPLE POLL WORKER GUIDEBOOK**

**PART III
GENERAL COMMENTS AND EXPLANATIONS**

PART I. INTRODUCTION

This booklet reflects the work done by the International Foundation for Electoral Systems in cooperation with the Central Election Committee in the weeks immediately preceding the 7 July 1995 elections. The goal was to try to prepare an official guide book which would provide detailed instructions for Precinct Election Committees as they carried out their official duties prior to the election and on election day.

In attempting such a project, every effort was made to define procedures which adhered to specific provisions of the laws governing these elections. Procedures were also proposed which would serve to fulfill the spirit of the law.

Why This Project Was Undertaken

Two difficulties became evident as we attempted to develop detailed procedures.

- * Although the election of deputies and the referendum on the Constitution were being held simultaneously, they were governed by two separate laws which contradicted one another on various issues.
- * Both laws impose certain procedural requirements, but are then silent on how they are to be carried out. In some instances, the laws only imply that certain procedures are required. Omissions or shortcomings in the laws made it necessary to create or envision procedures which would fulfill its implied intent.

These difficulties were faced by Election Officials at all levels. As a result, a number of regulations had to be adopted by the Central Election Committee. It had become necessary for District and Precinct Committees to absorb information from many sources and to assimilate the instructions into workable procedures. The purpose of the proposed guidebook would have been to formalize procedural details into a single, concise, step by step instruction manual which would answer the many questions which were likely to arise.

Another primary purpose was to assist the Central Election Committee in formalizing the process in such a way as to ensure "UNIFORM IMPLEMENTATION" which is required under the Central Election Committee's mandate in Article 13 of the Law on the Election of Deputies to the National Assembly. Under this provision the Central Election Committee is authorized to define procedures necessary to ensure consistency and uniformity in the way the law is carried out.

Format for the Guide Book

As the sample guidebook was being drafted, IFES attempted to fill in the gaps with step by step procedures which would conform with the mandates of the law, but also with its general tone. Any number of options might have been possible. However, IFES attempted to propose procedural details that would also enhance the democratic character of the law, improve efficiency, and ensure accountability.

For example, throughout the sample readers will recognize steps which are proposed to enhance openness required by Article 7. Readers will note proposed instructions regarding announcements which should be made by Committee Chairman for the benefit of observers and representatives of the candidates and public political organizations. Suggestions are made regarding assignment of teams to work stations which reflect a cross section of members representing public political organizations. Other suggestions serve to improve accountability such as instructions about security measures to safeguard the ballots, the handling of ballots, and promote greater accuracy during the counting process.

As drafted, the sample guidebook includes:

- * recommended steps to be followed by Precinct Committees;
- * suggestions and reminders to aid officials in remembering important details;
- * references to articles of law which prevail;
- * shaded boxes in which key questions are posed which remain unresolved.

The Sample Guide Book as a Working Tool

At the end of the day, there was simply not sufficient time to go over each suggestion posed in the guide book and to edit the booklet thoroughly in time for distribution for these elections. However, perhaps it can find use as a working tool for lawmakers and officials as they continue to seek ways to improve the election process.

For this purpose, IFES presents the preliminary draft in the next section of this booklet. At the end of the sample guide book section which follows are some general comments which explain some of the issues noted in the shaded boxes within the text.

Readers of the sample manual included here will recognize that the issues presented do not cover all the details which will need attention. However, they are offered to fuel discussion, and to stimulate the consideration of officials as they continue to build on the successes, and indeed, the problems which were encountered in these past elections.

Perhaps this initial example guide book will also stimulate interest in developing formalized guidelines for other participants in the process as well. Such efforts might include development of a guide book for District Committees with special attention to rules for evaluating nominating petitions and determining the legitimacy of signatures submitted by aspiring candidates. They might also focus attention on a need for a hand book for candidates and political public organizations in order that they too can be better prepared to follow the dictates of law and strengthen their overall participation in an orderly process.

We hope that this sample hand book will prove beneficial and helpful as election officials, parliamentarians and other participants continue their work on developing an even stronger election process. IFES looks forward to continuing our association in the spirit of cooperation and support which has already marked our work with all of the officials and election participants with whom we've met. We also want to express our gratitude for the generous hospitality of the people of Armenia who have made our first visit so rewarding.

S A M P L E

**GUIDE OF ELECTION DAY PROCEDURES
FOR
PRECINCT ELECTION COMMITTEES**

5 July 1995

**Elections of Deputies to the Armenian National Assembly
And
Referendum Election on Adoption of the Constitution**

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USE OF THIS GUIDE

This Guide has been prepared to provide instructions regarding procedures that the Precinct Election Committee should follow on election day and to answer questions about how your basic duties to be carried out. It would be impossible to anticipate every question or situation which may arise. However, every effort has been made to provide fundamental instructions which should cover most of them.

This Guide is to be regarded as a supplement. While it attempts to explain procedural details, it is not meant to replace or supersede the law itself or the published Decisions of the Central Election Committee. The Armenian Republic Law on the Election of Deputies to the National Assembly, and the Law on Conduct of Referendum provide the legal guidance for conducting the elections. All officials are bound by the provisions of these laws. Read them thoroughly.

This Guide has three basic features to assist you in understanding your duties.

- [] Descriptions of Steps that are to be followed.
- ! Important reminders and suggestions that will make your job easier (or to provide openness or ensure accountability.)
- () References to the Articles of Law which provide the basis for the instruction. Unless otherwise noted, Articles referenced in () refer to the Law on the Election of Deputies to the National Assembly.

If you have any questions or if an instruction is not clear to you, contact your District Election Commission.

I. ABOUT THIS ELECTION

1. GENERAL OVERVIEW

Elections will be held throughout the Republic on July 5, 1995 for the purpose of election Deputies to the National Assembly, and for the purposes of voting on a referendum in which the voters will decide whether or not the Constitution of the Republic of Armenia will be adopted.

There will be three ballots on which voters will cast their votes:

[1.1] Referendum Ballot Regarding the Constitution

[1.2] Candidate Ballot on the Majoritarian System

[1.3] Political Public Organization or Bloc Ballot on the Proportional System

2. SYSTEM OF REPRESENTATION IN THE NATIONAL ASSEMBLY

Proportional System: In addition to the election of a single candidate from each district, 40 additional candidates will be elected based on a system of proportional representation. In this part of the election, the Republic as a whole is one large multi-mandate district. On this ballot voters will not vote for specific candidates. Rather, voters will vote for the political public organization or bloc which they prefer. Each political public organization or bloc identified on the ballot has presented a list of candidates whom they have selected to fill any seats their organization may ultimately win in this part of the election. Only three candidates from their full lists are identified on the ballot.

Majoritarian System: For this election the Republic of Armenia has been divided into 150 single mandate election districts. From each election district one Deputy will be elected to the National Assembly. For a candidate to be elected in his/hers her district, the candidate must receive a majority of the votes cast in the district as long as the total votes received is at least 25 % of the total votes cast. If no candidate receives a sufficient number of votes, a second round of elections will be held based on a decision of the Central Election Committee. (Article 37)

The number of seats in the National Assembly won by each political public organization or bloc is determined based on the percentage of the total votes they receive based on votes cast on the Proportional System Ballot. They are eligible to win seats as long as their organization or bloc receives at least 5 % of these votes. Their share of the 40 seats will be calculated by the Central Election Committee based on a mathematical formula defined in the law. (Article 39)

3. REFERENDUM ON THE CONSTITUTION

The draft Constitution is passed by a simple majority of the votes cast as long as at least 1/3 of the voters on the voter list vote in favor of its passage. (Draft Constitution of the Republic of Armenia, Chapter 8. Article 113.)

4. THE RIGHT TO VOTE

To vote in this election, a voter must have:

[4.1] Reached the age of 18.

! To vote in the election of Deputies to the National Assembly, a voter must have reached the age of 18 PRIOR to Election Day.

! For the elections on the Proportional and Majoritarian ballots, the person must have reached the age of 18 by 4 June 1995. If their 18th birthday is election day, they may not vote on these ballots.

! For the Referendum Election, a person who turns 18 on election day is allowed to receive and vote on this ballot.

[4.2] Resided in the Republic of Armenia for at least one year prior to the day of the elections.

[4.3] The following persons are NOT entitled to vote in these elections.

Persons declared incompetent by a court of law.

Persons in confinement by a legal court verdict.

Persons wanted in a criminal investigation.

Persons detained under criminal charges
who have been denied registration by a
decision of the Central Election
Committee or the Supreme Court.
(Article 3)

II. THE ROLE OF PRECINCT ELECTION COMMITTEES

As a Precinct Election Committee member you have been charged with a very important responsibility in the election process. Of all officials involved in the elections, you will have the most personal contact with the voters. They will look to you as they exercise their right to vote on election day. The manner with which you carry out your duties will determine the degree to which voters will have confidence in the process.

Remember that your role is to serve all voters equally. Although you have been appointed to the committee as a representative of a political public organization, on election day your primary duty is to serve the citizens of the Republic of Armenia. Your personal views and political opinions should be put aside except for inside the secrecy booth when you cast your own vote.

It is a sacred trust. Every decision and action taken by your committee must be characterized by these important standards.

- * Integrity
- * Neutrality
- * Openness
- * Accuracy

1. DUTIES OF PRECINCT ELECTION COMMITTEES (Article 15)

Your Committee is charged with a number of duties and responsibilities under the law.

- [1.1] To ensure that voters have the opportunity to view the list of voters provided by the local self administrative authorities at least 15 days prior to the election. (Articles 15 and 19)

! If a voter reports that someone in their household is ill, add the incapacitated person's name to the supplemental list of voters who will vote at home.

- [1.2] Make additions or corrections in the voter lists as necessary or reject complaints about the accuracy of the list made by citizens, candidates or their proxies.

- [1.3] Post the biographies and pre-election programs

of all candidates or political public organizations or blocs (including their list of candidates) on an equal basis.

- [1.4] Inform the voters about the location of the polling place, the day of the elections and the working hours of the Precinct Election Committee.
- [1.5] Prepare the building or room to be used for the polling, the secrecy booths, ballot boxes and other furnishings or materials which will be used on election day.
- [1.6] Process voters and issue ballots on election day.
- [1.7] Count the ballots and summarize the results at the close of the polls.

2. WORKING ORGANIZATION OF THE COMMITTEE

Certain rules apply to the manner in which the Precinct Election Commission is to carry out its work and take decisions (Article 16.)

- [2.1] Work of the committee is organized by the Chairman or the Deputy Chairman ensuring equal conditions for the presence of all members and authorized parties.
- [2.2] All members have the right to have access to documents and to inspect issues under the jurisdiction of the committee.
- [2.3] The committee determines the schedule of its regular sessions.
- [2.4] Extraordinary sessions may be convened at the discretion of the Chairman or based on a written demand by at least 1/3 of the committee members. Extraordinary sessions take priority over regular sessions.
- [2.5] A quorum exists if more than 1/2 of the total number of members is present.

- [2.6] Decisions of the committee are taken by an open ballot among its members. More than 1/2 of the total members of the committee must participate for the results of the voting to be considered valid. A decision is passed if more than 1/2 the participants vote in favor.

! In special cases, a secret ballot may be taken based on a decision of the committee.

- [2.7] The Precinct Election Committee is required to respond and submit materials, written correspondence, memorandums related to issues of interest to superior committees when requested.
- [2.8] Decisions of the committee can be appealed to superior committee. If decisions of committees contradict one another, the decision of the superior committee prevails.

III. PRESENCE OF OBSERVERS

In order to ensure openness in the conduct of this election, the laws contain provisions which allow a number of individuals to be present during at working sessions of the election committees, during the registration of the candidates, the sealing of the ballot boxes, during the voting and at the counting and summarization of votes.

1. PURPOSE OF HAVING OBSERVERS

The presence of observers serves multiple purposes. Observers can be true allies to election officials. By their presence and through their observations they can:

- [1.1] Provide openness and transparency for the public, candidates, and political public organizations and raise confidence in the process.
- [1.2] Deter those who would engage in improper practices or fraud.
- [1.3] Reduce opportunities for frivolous or misguided allegations of impropriety.
- [1.4] Assist election officials by assessing the process and offering recommendations for future improvements.

2. AUTHORIZED OBSERVERS

- [2.1] International Observers (Article 7, Article 16, Law on Referendum, Decision of the Central Election Committee)

- [2.1.1] International Observers will be accredited by the Central Election Committee and will have special badges authorizing their presence. Their interpreters and other assistants are not required to have a badge.

- [2.2] Representatives of the Media (Article 7, and Article 16 of the Law on Referendum)

- [2.2.1] Representatives of the press, radio

and television media should have identification issued by their employers.

[2.3] Representatives of Public Organizations
(Article 16, Law on Referendum)

[2.3.1] Public Organizations wishing to have observers at the polling sites must apply to the Central Election Committee. Representative of Public Organizations should present documents or certificates endorsed by their organizations and a copy of the document by which the organization was granted permission from the Central Election Committee.

[2.3.2] Ask your District Election Commission to advise you as to the public organizations and the number of their representative who may be present at the polling station. (Article 16, Law on Conduct of Referendum.)
???

[2.4] Observers and Proxies of the Candidates:
Observers and Proxies of the candidates must have proper documents endorsed by their candidates. Their list of observers and proxies should be submitted to the District Election Committee at least 3 days prior to election day. Ask your District Election Commission to advise you about the observers and proxies of the candidates who will be present at the polling station.

*! For each precinct, each candidate may assign 3 representatives to each polling site, however, no more than 2 may be present at the polling station at one time.
(Article 7)*

[2.5] Representatives of the Political Public Organizations or Blocs Participating in the Election on the Proportional System:

Representatives must have proper documents endorsed by their organization or bloc. Their list of observers should be presented to the District Election Commission at least 3 days prior to election day. Ask your District Election Commission to advise you about the representatives who may be present at the polling station.

! For each precinct, each Political Public Organization or Bloc may assign 3 representatives to each polling site, however, no more than 2 may be present at the polling station at one time. (Article 7)

3. RIGHTS AND OBLIGATION OF OBSERVERS

Authorized observers are entitled to:

- [3.1] Attend sessions of the Precinct Election Committee.
- [3.2] Be present to inspect the ballot boxes before the polls open, witness the voting throughout the day, be present for the counting of the ballots and preparation of the summary of results.
- [3.3] Ask questions of the committee members and inspect the voter list, election documents and other materials used in the election.
- [3.4] Take photographs or video of the proceedings as long as they do not disrupt the orderly conduct of election activity.
- [3.5] Quietly draw problems or matters of importance to the attention to the Chairman or member of the committee.

- [3.6] Have documents and writing materials and may take notes regarding their observations.
- [3.7] Politely and quietly speak to voters regarding procedural matters and may ask to inspect their identification and watch them sign the voter list.
- [3.8] Quietly speak to other observers or representative of the candidates or political public organizations as long it does not disturb the voters.
- [3.9] Move quietly about the polling place in order to observe the procedures being followed by officials and voters, although they may not enter a secrecy booth with a voter.
- [3.10] Appeal to a superior committee if they have reason to believe that errors are occurring at the polling site which are not being corrected by the Chairman.

OBSERVERS ARE NOT ENTITLED TO:

- [3.11] Handle the ballots.
- [3.12] Express a personal view about any candidate, political public organization, bloc or issue appearing on the ballot.
- [3.13] Enter a secrecy booth with a voter.
- [3.14] Ask a voter to divulge his/her preference on the ballots.
- [3.15] Attempt to influence the voter's choice.
- [3.16] Disrupt the voting process.
- [3.17] Disturb the ballot box.
- [3.17] Interfere with the decisions taken by the committee.

4. RESPONDING TO OBSERVERS' CONCERNS

- [4.1] Make sure that observers have a clear, unhampered view of all activities throughout the conduct of all election day procedures.
- [4.2] Treat observers courteously and answer their questions promptly and accurately.
- [4.3] Make appropriate announcements when special circumstances arise, or to openly share information of interest to the observers. Throughout this Guide reference is made to the kinds of announcements which should be made publicly.
- [4.4] Be responsive to complaints brought to your attention by an observer. Confer with the chairman and determine if the complaint is justified and make any adjustments or corrections which may be appropriate.
 - [4.4.1] If you believe the complaint is not justified, explain why to the observer.
 - [4.4.2] Be prepared to cite the law or regulations to justify your finding.
 - [4.4.3] If necessary, contact your District Election Committee for advice.
 - [4.4.4] In the event the observer is still not satisfied refer him or her to the superior committee.
- [4.5] Regarding more serious complaints, make notations in your registry and record the manner in which the problem was resolved.

IV. BEFORE ELECTION DAY

As Precinct Election Committee members there are a number of tasks you should do before election day.

1. GETTING READY:

- [1.1] Read the Law on the Election of Deputies to the National Assembly and the Law on Referendum.

! In the Law on Election of Deputies to the National Assembly, pay special attention to:

Article 15 Powers of Precinct Election Committees

Article 16 Organization of the Work of Electoral Committees

Article 17 Exposure of Citizens to the List of Voters

Article 24 Proxies

Chapter 7 PREPARATION AND IMPLEMENTATION OF VOTING

Chapter 8 SUMMARIZING THE RESULTS OF THE ELECTION

! In the Law on Referendum, pay special attention to:

Article 16 Publicity in Preparing and Conducting Referendum

Article 27 Voting in Advance

Article 30 Voting at Home

Article 31 Counting Referendum Ballots

- [1.2] Read the Regulations issued by the Central Election Committee.

! If you do not have a copy of these documents contact your District Election Committee and ask for copies.

- [1.3] Attend all meetings called by your District Election Commission.
- [1.4] Attend all meetings called by the Chairman of your Precinct Election Commission.
- [1.5] As a group, study the instructions in this Guidebook.
- [1.6] Discuss individual working assignments for election day. Discuss your plan as to how you will actually handle the counting of ballots.

2. INSPECTING YOUR POLLING STATION:

- [2.1] Inspect your polling place before election day to make sure that there is sufficient space to handle the placement of adequate tables and chairs for committees members, secrecy booths, chairs for the observers and representatives of the political public organizations, and the smooth traffic of voters.

! If you feel that there are inadequacies advise the Chairman of your District Election Committee or make suitable arrangements with the authorized person in your building to correct the deficiencies.

- [2.2] Check to see if there is a phone that you will be able to use on election day to call in to your District Electoral Commission. Arrange to have access to the room where the phone is, if it is in a room that is usually locked. Make sure the District Committee has the number of that phone in case they need to reach you on election day.

[2.3] Check with your District Election Committee to determine who you are to contact should you need advice or guidance on election day, or if you should need security assistance. Write down their phone numbers.

[2.4] Make sure appropriate signs are posted outside the building identifying the Precinct by number, and that, if necessary direction signs are posted inside the building to help voters find the room where voting will take place.

3. PRE-ELECTION RESPONSIBILITIES REGARDING THE VOTER LIST:

[3.1] Make sure that you have received the Voter List for your precinct at least 15 days prior to the election. Contact your District Committee if you have not received it. (Article 19)

[3.2] Verify that you have also received the blank Certificates of the Right to Vote for every voter on the list. (Article 27.)

[3.3] Prepare a Certificate of the Right to vote for every voter identified on the voter list.

! Make sure that the Certificates of the Right to Vote are organized in the same order as the voters' names appear on the Voter List so that they will be easy to find on Election Day.

A. Are Precinct Officials supposed to verify the list of voters through a door to door canvass of their precinct? Some officials told IFES they do this exercise. This would also serve to help officials determine who is ill or elderly and cannot come to the polls on election day. Officials could then make appropriate notations in the Voter Lists and make up the supplemental voter lists to use when they take ballots to people's homes on election day. Through this process, they would also be able to make

[3.4] Make the voter list available for review by citizens, candidates for deputies or their proxies. (Article 19)

[3.5] If a citizen, candidate for deputy or his/her proxy complains that there is an inaccuracy, review the complaint, determine if a correction is appropriate and make the adjustment.

! Make a notation on the voter list (or in the registry) as to the reason or justification for the correction.

! If you find that you must reject the complaint and that no correction or adjustment to the voter list is to be made, you must provide the person submitting the complaint a written explanation of your decision within 2 days. If the complaint was made on the eve of the election, your written explanation must be given to the applicant immediately. (Article 19.)

[3.6] If a voter advises you about someone who is ill and cannot come to the polls, add that person's name to the supplemental voter list of voters who will vote at home.

! Make a notation on the voter list next to that person's name that they will vote at home.

[3.7] Count the number of voters whose names appear on the Voter List for your Precinct including any adjustments you have had to make during the public scrutiny period.

! Report the adjusted figure to your District Committee so that they can be sure you receive the correct number of ballots.

4. ADVANCE VOTING IN THE REFERENDUM

Beginning 15 days before the election, a voter who learns he will not be able to vote at the polls on election day, may vote in advance at the Precinct. (Article 27, Law on Conduct of Referendum)

! There is no provision in the Law on Election of Deputies to the National Assembly to allow voting in advance for majoritarian candidates or in the proportional system election.

[4.1] Make sure you have received Referendum Ballots at least 15 days in Advance of the election. If you do not receive them contact your District Election Committee.

[4.1.1] As soon as you receive the ballots count them and sign the receipt.

[4.1.2] Make arrangements for storing the ballots in a secure an locked location.

! Make a note in your registry as to the date you received your Referendum ballots, the quantity you received, and the manner in which they are stored.

[4.2] When a voter comes to vote in advance, verify his identification.

[4.3] Find his name on the voter list and have him sign his name in the space provided.

[4.4] Have the voter sign the Certificate of the Right to Vote.

[4.5] Sign the Certificate of the Right to Vote in the space provided for the official's signature. Retain the Certificate for further processing on election day.

[4.6] Sign the ballot and ensure that the ballot is stamped with the official seal of the precinct.

- [4.7] Issue the ballot to the voter and give the voter an envelope in which to seal the ballot once he has voted.
- [4.8] Allow the voter to vote in private.
- [4.9] When the voter has voted and sealed his ballot in the envelope, stamp the envelope with the official seal of the precinct, and sign the envelope.
- [4.10] Store the envelope with unused Referendum Ballots until Election Day.

5. SUPPLIES AND COMMODITIES:

- [5.1] Confirm that you have all the required materials you will need to carry out your duties on election day:

- ___ Secrecy Booths
- ___ Ballot Box
- ___ Mobile Ballot Box for Voters Voting at Home
- ___ Sealable Box for Maintaining the Certificates of the Right to Vote
- ___ Registry in which you will maintain a record of election day activity
- ___ Pens in sufficient quantity to accommodate the members of the committee and the voters.
- ___ Forms and Protocols
 - ___ Protocol for Reporting Election Results on the Proportional System
 - ___ Protocol for Reporting Election Results on the Majoritarian System
 - ___ Protocol for Reporting Election Results on the Referendum
 - ___ Certificates of the Right to Vote

- ___ Precinct Stamp
- ___ Writing Paper
- ___ Sealing Wax
- ___ Envelopes or Wrapping Materials in
Which to Transport Materials and Ballots
to the District Committee
- ___ Candles or Lanterns in the Event of a
Power Outage
- ___ Matches
- ___ Scissors
- ___ String or Tape
- ___ Envelopes for Ballots Cast in Advance

6. RECEIVING YOUR BALLOTS

- [6.1] Confirm instructions from your District Election Committee as to when you are to pick up or receive your ballots.
- [6.2] Arrange for at least 2 members of your committee to be present when receiving and transporting your ballots.
- [6.3] When you receive your ballots, count them immediately and determine if there is a sufficient number to serve the voters on your Voters' List.
 - [6.3.1] Count the number of Proportional Ballots being assigned to you.
 - [6.3.2] Count the number of Majoritarian System Ballots being assigned to you.
- [6.4] Sign the receipt form acknowledging the quantity of ballots you have received for each type of ballot.
- [6.5] Make a note in your registry as to the date, time and quantity of ballots you have received for each type of ballot. (Article 28)
- [6.6] Make arrangements for storing them in a secure

and locked location with the Referendum Ballots
you have already received.

*! Make a note in your registry as to the
method by which you have ensured their
safety and security.*

V. BEFORE VOTING BEGINS ON ELECTION DAY

Regular polling hours are from 0800 to 2000. (Article 29 and Supplement and Amendments to the Law on Referendum)

1. ARRANGING YOUR POLLING STATION:

- [1.1] Assemble at your polling station at least one hour before voting is due to begin.
- [1.2] Arrange the tables and chairs for committee members in a way that ensures efficient operation and smooth traffic for voters. Ideally, the voters should enter through one door and exit out another. Traffic should go in one direction.
 - [1.2.1] Arrange a large enough table for Stage 1 for the registration of voters and the issuance of the Certificates of the Right to Vote.

! If you have a very large list of voters you may want to divide the list into manageable increments with their corresponding Certificates of Right To Vote Forms. If so, arrange the number of tables required, and place signs on each table to help voters know which table to go to.

- [1.2.2] Arrange a large enough table for Stage 2 where voters will be issued their ballots. Remember, there will be 3 types of ballots so more room may be required.

! Make sure there is proper space available to ensure that ballots can be maintained in an orderly manner. They should not be stacked where voters or others can take them for themselves. They should be maintained in a way that

ensures that only the official has clear access to them. (Article 31)

[1.2.3] Arrange for a secured space INSIDE the voting room for the safe storage of excess ballots until they are ready to be used. They should be kept out of reach of voters, observers or others who are not authorized to handle them but maintained where authorized observers can observe them.

[1.3] Arrange the tables and chairs for authorized observers in a manner in which they are afforded full view of voting activity throughout the day.

[1.4] Arrange the placement of the secrecy booths so that the privacy of voters is guaranteed as they mark their ballots. (Article 30.)

[1.5] Position the Ballot Box so that it is always in plain view of the majority of those persons who are authorized to be present at the precinct. (Article 30.)

[1.6] Post any instructional posters or notices authorized by the Central Election Committee.

2. BEFORE VOTING BEGINS

Before voting begins at 0800, there are a number of tasks that must be completed. Many are to take place in the presence of committee members and authorized observers.

3. WHO MAY BE PRESENT

[3.1] All members of the Precinct Election Committee.

[3.2] Representatives of the candidates and political public organizations authorized by the District

Election Committee and holding an official Certificate. (Article 7 and Article 24)

! Each candidate and political public organization may have up to 3 representatives. However, no more than 2 may be present inside the polling place at one time. (Article 24)

[3.2.1] Inspect the Certificate of each representative of a candidate or political public organization.

! It is a good idea to note the names of authorized representatives and their candidate or political public organization in the registry.

[3.3] International Observers holding proper accreditation issued by the Central Election Committee and their interpreters. (Article 7 and Regulation of the Central Election Commission.)

! Interpreters and others assisting the International Observers are not required to have accreditation documents. (Decision of the Central Election Committee)

[3.4] Representatives of the mass media. (Article 7)

[3.5] Observers representing Public Organizations listed on the correspondence from the District Commission (Article 16, Law on Referendum)

4. ASSIGNMENT OF DUTIES:

[4.1] Determine which committee members will be assigned to do which tasks.

! Ensure that members work in teams of 2 or 3 at each work station. Each team should include a cross section of representatives of different political public organizations to provide greater transparency and self-monitoring.

! Make sure that arrangements are made so that members may be replaced during necessary rest or meal breaks.

! It is a good idea to assign members of the committee to maintain watch over the Ballot Box to ensure that voters personally deposit their ballots and that the Ballot Box is not disturbed by anyone present in the polling station.

- [4.2] As a committee, take a decision regarding which members will be assigned to confirm the authenticity of the ballots with their signature. (Article 30.)

! If a member of the committee insists that he/she signs the ballot, he/she is granted that opportunity, without a vote of the committee. Note the decision in the registry. (Article 30.)

- [4.3] Identify a team of officials who will be assigned to take ballots and assist voters who will be voting at home.

! Ensure that the team servicing voters at home includes unaffiliated members as well as members representing a cross-section of political public organizations.

5. TRANSPARENCY BEFORE THE OBSERVERS

- [5.1] The Chairman of the Committee opens the

box and displays that it is empty to the members of the committee and other persons entitled to be present. (Article 30.)

[5.2] Seal the Ballot Box with sealing wax so that it cannot be opened until the appropriate time after the polls close when counting is to begin. (Article 30.)

[5.2.1] Repeat the same procedure for the Box in which the Certificates of Right to Vote are to be sealed.

[5.2.2] Repeat the same procedure for the Mobile Ballot Box which will be used to serve voters voting at home.

! Make note of these activities in the registry.

! Make sure that all 3 boxes remain in full view of the committee members and the observers throughout the voting day.

[5.3] Count and publicly announce the number of voters on the Voter List, and the number of ballots received to the observers. Their organizations may have instructed them to ask for this information as part of their observation duties.

B. Place the envelopes containing the voted Advance Ballots in the Sealed Ballot Box.

VI. VOTING BEGINS

The polls should officially be opened at 0800. Each voter should be processed in the same manner. All requirements must be applied uniformly and consistently.

Periodically throughout the polling check the secrecy booths to make sure there is no campaign literature left behind by a voter. (Article 25)

Throughout the polling day make sure that a pen is available in each secrecy booth.

Periodically check the polling booths to make sure that no voters have left unused ballots behind.

1. ROUTINE PROCESSING OF VOTERS

[1.1] STAGE 1: Registration of the Voter

[1.1.1] Verify the voter's identity by inspecting his/her identification document. (Article 31)

[1.1.1.1] Identification must be presented in the form of the voter's passport, temporary passport, or other official document featuring the voter's photograph and his/her residence. (Article 31, Decision of the Central Election Committee.)

[1.1.2] Find the voter's name on the voter list and require the voter to place his signature in the space provided across from his name on the list. (Article 31.)

[1.1.3] Issue the Certificate of the Right to Vote to the voter and make sure the voter signs both sides of the Certificate. (Article 31)

C. The registration official signs the left side of the Certificate.

[1.1.4] Direct the voter to Stage 2.

[1.2] **STAGE 2: Issuance of the Ballots**

[1.2.1] Make sure that each ballot is signed by the authorized official before it is issued to a voter. (Article 30 and Article 33)

[1.2.2] Make sure that each ballot has been stamped with the official Precinct seal. (Article 33)

! Ballots which are not properly signed by the authorized official and sealed will be considered invalid and not counted. (Article 33)

D. Exactly when will the precinct seal and the official signature(s) be affixed to the ballot? At the time it is issued? In advance of the polls opening? In small stacks just prior to being given to the official responsible for issuing them?

[1.2.3] Ask the voter to present his Certificate of the Right to Vote. (Article 31.)

[1.2.4] The official issuing the ballot signs the right side of the voter's Certificate of the Right to Vote. (Article 31.)

[1.2.5] Separate the coupon from the Certificate and drop the coupon into the sealed Box designated for that purpose, retaining the other half of the Certificate for the Precinct Records. (Article 31)

E. What happens to the other half of the Certificate of the Right to Vote?

- [1.2.6] Issue the ballots to the voter making sure that he/she gets only one of each type of ballot.

! Hand the ballots to the voter personally. Do not allow voters to take them off the stacks themselves. Make sure that the voter receives only one of each ballot. (Article 31)

- [1.2.7] Remind the voter to fold the ballots before leaving the secrecy booth. (Article 31.)

- [1.2.8] Direct the voter to the secrecy booth to mark his/her ballots in private and then to deposit the voted ballots into the ballot box before leaving the polling station. (Article 31)

! Remind the voter that there only to be one person in the secrecy booth at a time. Watch to see that voters do not attempt to go into the booth together. (Article 31)

2. POSSIBLE EXCEPTIONS TO THE ROUTINE

- [2.1] Voter does not have proper identification.

- [2.1.1] The voter is not permitted to vote. (Article 31)

- [2.2] Voter's name is not on the Voter List.

authorized resident of the district:

[2.2.1.1] add the voter's name and information onto the Voter List

[2.2.1.2] prepare a Certificate of the Right to Vote

[2.2.1.3] allow the voter to vote in the normal manner (Article 3).

[2.2.2] If the voter has identification which shows an address outside the district, direct the voter to his proper district. (Article 18)

[2.2.3] If the voter's documentation shows that he has not resided in the district for 6 months, advise the voter that he must return to his former precinct to vote. (Article 18)

[2.3] Voter's name is on the Voter List but there is no Certificate of the Right to Vote for the voter.

[2.3.1] Prepare a Certificate and allow the voter to vote in the normal manner. (Article 3 and Article 18)

[2.4] A voter presents passports for members of his/her family and wants to vote on their behalf.

[2.4.1] Refuse the voter's request. Each voter has the right to only one vote in the Majoritarian Ballot and one vote in the Proportional System. (Article 3)

[2.5] A voter spoils, tears or mismarks a ballot and asks for a replacement.

[2.5.1] Retrieve the spoiled ballot from the voter

[2.5.2] Segregate the spoiled ballot so that it

voter

[2.5.2] Segregate the spoiled ballot so that it can be accounted for during the process of counting.

[2.5.3] Issue the voter a replacement ballot.

[2.6] A voter is handicapped or otherwise incapable of voting without assistance.

[2.6.1] Allow the voter to select another person to enter the secrecy booth with him to help him cast his ballot.
(Article 31)

! The person can choose anyone except members of the Precinct Election Committee or a proxy of a candidate or political public organization.

F. Is any notation made in the register regarding the voter's voter need for assistance and the name of the person selected to assist?

[2.7] A voter's 18th birthday is on Election Day

[2.7.1] Upon presentation of the voter's identification, add the voter's name to the supplemental list. Make a notation that the voter's birthday is on Election Day.

[2.7.2] Prepare a Certificate of the Right to Vote for the voter adding a note about his birth date.

[2.7.3] Send the vote to Stage 2. Issue only the Referendum Ballot and direct the

3. PROVIDING ASSISTANCE TO VOTERS

[3.1] DO:

[3.1.1] Answer questions and give instructions about voting procedures.

[3.1.2] Explain to voters the manner in which they are to mark their ballots (Article 31)

[3.1.2.1] Majoritarian Ballot: The voter expresses his preference by marking out the last names of candidates he rejects, only leaving exposed last name of the candidate he chooses.

If there is only one candidate on the ballot, the voter is given a choice as to whether he agrees with the choice or rejects it. He expresses his preference by leaving his choice exposed, and marking out the opposite response.

[3.1.2.2] Proportional Ballot: The voter expresses his preference by marking out the names of all political public organizations or blocs he rejects, leaving exposed only that political public organization or bloc he chooses.

[3.1.2.2] Referendum Ballot: The referendum ballot allows the voter to express his agreement or his disagreement with issue being proposed. He express his vote by leaving his choice exposed and marking out the opposite response.

[3.1.3] Make every effort to preserve the secrecy of each voter's vote.

[3.2] DO NOT

- [3.2.1] Express a personal view on the referendum.
- [3.2.2] Express any view in favor or against a candidate or political public organization.
- [3.2.3] Advise the voter or make any recommendation as to the choices the voter should make as he casts his vote.
- [3.2.4] Mark a ballot for a voter.
- [3.2.5] Allow a voter to mark a ballot outside the secrecy booth.
- [3.2.6] Allow a representative of a candidate or political public organization or an authorized observer to accompany a voter into the secrecy booth.

4. **SERVICING VOTERS WHO MUST VOTE AT HOME.**

Voters who are ill or elderly and unable to come to the polling place are entitled to vote on the Referendum. (Article 30, Law on Referendum)

Voters voting at home ARE NOT eligible to vote in the Majoritarian or Proportional elections. (The Law on Election of Deputies offers no provision for voting at home.)

! No other ballots are to be removed from the polling place for any other reason. Solicitation of votes or visits to voters' homes simply because they have not appeared at the polling place IS NOT ALLOWED.

- [4.1] At a time decided upon by the committee, the

team selected to serve voters at home should prepare the materials needed.

! In order to offer adequate transparency to the observers, the chairman should announce that preparations are underway to service voters who must vote at home. Allow observers to watch the preparations.

- [4.2] Count the number of at-home voters on the supplemental list and announce the number to the observers.
- [4.3] In view of the observers, count a number of Referendum Ballots equal to the number of voters on the supplemental list.
 - [4.3.1] Make sure the ballots are signed by the authorized officials and stamped with the official seal.
- [4.4] Announce the names of the team members who will be taking the ballots, Certificates of the Right to Vote, supplemental voter lists and the Mobile Ballot Box sealed in the presence of the observers before the opening of the polls, to serve voters voting at home.
- [4.5] Team members serving voters at home should comply with the same rules that apply to voters voting at the polling site.
 - [4.5.1] Inspect the voter's identification.
 - [4.5.2] Have the voter sign the supplemental voter list.

G. Have the voter sign both sides of the Certificate of the Right to Vote. Officials must sign both sides of the Certificate of the Right to Vote. Remember to bring the entire Certificate back to the precinct with you.

[4.5.3] Hand the Referendum Ballot to the voter.

[4.5.4] Allow the voter to vote in private so that his vote remains secret.

[5.2.5] Have the voter fold the ballot and deposit it in the Mobile Ballot Box.

[4.6] Announce your return from assisting voters at home.

[4.6.1] Count and announce the number of voters on the supplemental list who actually voted.

[4.6.2] Count and announce the number of unused ballots that you have brought back to the polling station.

[4.5.3] Return the sealed Mobile Ballot Box to its position where it can remain in view of the observers and committee members.

G(a). For each voter who voted at home, tear the coupon from the Certificate. Drop it into the special box. Retain the other half for the precinct records.

VII. CLOSING THE POLLS AND COUNTING THE VOTES

1. CLOSING THE POLLS

Regular polling hours end at 20:00. (Article 29, and Supplement and Amendments to the Law on Referendum)

- [1.1] At 20:00 announce that the polls have closed.
(Article 31, Law on Referendum)
- [1.2] Close and secure the doors. Any voter who is present at that time who has not yet voted shall be allowed to vote. Don't forget that authorized observers who come late are allowed come in to observe the count.

2. BEFORE THE BALLOT BOX IS OPENED

If the Committee appears confused or disorganized, observers will have reason to doubt your competence. Act with authority.

- [2.1] As appropriate, rearrange the tables and chairs in a manner which will allow efficient handling of the ballot box and counting of the ballots.

! Make sure that observers will have a clear and unhampered view of the counting activity.

- [2.2] The Chairman should make an announcement describing the procedures which will be followed before activities begin.

! This is the moment that the candidates and authorized observers have been waiting for. Keeping them fully informed of the steps you will be taking will help to eliminate confusion and raise confidence.

! If circumstances require the committee to alter its plan, announce the change to the observers.

[2.3] Make a note in the registry that the ballot box, the mobile ballot box and the box containing the coupons from the Certificates of the Right to Vote were sealed before voting began and remained sealed until the polls closed. (Article 32)

[2.4] The counting and recording of information about the results is to be done separately for each of the 3 types of ballot. (Article 32).

[2.5] Be aware that procedures for the Referendum Ballots vary slightly from those for the Majoritarian and Proportional Ballots.

[2.6] There is a separate protocol to be completed for:

The Proportional Ballot
The Majoritarian Ballot.
The Referendum Ballot.

[2.7] For the Proportional and Majoritarian Ballots complete the following steps before the ballot box is opened (Article 34):

[2.7.1] Enter the numbers of Proportional and Majoritarian ballots originally received by the precinct on the separate protocols.

[2.7.2] Count the number of unused ballots and the number of ballots which were spoiled by voters for each type of ballot and make the appropriate entries on the separate protocols.

[2.7.2.1] Cancel the unused and spoiled ballots for each type of ballot to rule out future use, in a manner determined by the

H. How are the unused ballots cancelled? Tearing them? Drawing lines across them? Cutting a corner off of them?

- [2.7.3] On each protocol, enter the total number of voters on the voter list including the number of any additions which had to be made on election day.
- [2.7.4] Count and enter the number of voters who signed the voter list and participated in the election on each protocol.
- [2.7.5] Count and enter the number of Certificates of the Right to Vote which remain unused and enter it on the appropriate protocols.
- [2.7.6] Make the appropriate entries on the protocol for the Referendum.

I. Is there a place to count the precinct portions of the Certificates of the Right to vote forms and enter the number on the protocols? Is there a place to enter the number of voters on the supplemental lists for voters voting at home on the protocol? Is there a place to enter the number of voters who voted in advanced or the number of advanced ballots which remain in the sealed envelopes?

3. OPENING THE BALLOT BOX (Article 34)

- [3.1] In plain view of the observers, open the ballot box.

- [3.2] Sort the ballots by type. Each type of ballot is printed on a different color paper so sorting should be easy.
- [3.3] Count the total number of Proportional Ballots which were found in the ballot box and enter the number on the Protocol.
- [3.4] Count the total number of Proportional Ballots which were found in the ballot box and enter the number on the Protocol.
- [3.5] Count the total number of Referendum Ballots which were found in the ballot box and enter the number on the Protocol. Remember to include the ballots voted in advance, and to open the mobile ballot box so you can also include the number of ballot voted by people at home

J. Is there a process for counting the number of sealed envelopes containing ballots cast in advance? If there are envelopes for advanced ballots in the ballot box, when are they opened. Or, are they mixed and counted with the other Referendum Ballots? Are they counted and recorded separately? At what point is the Mobile Ballot Box opened for counting the ballots cast by voters at home?

4. COUNTING THE VOTES AND RECORDING THE RESULTS (Article 34 and Article 31 in the Law on Referendum)

Observers are entitled to view every aspect of the process. They are free to move about the polling place while counting is being accomplished as long as they do not disrupt or interfere with the work of the officials

! While observers may ask to watch and ask questions about committee decisions, they should not be allowed to handle the ballots.

- [4.1.1] Prepare signs and place them along the tables for each candidate appearing on the ballot leaving enough space between them to ensure that stacks of ballots do not get mixed. Also make a sign for a space reserved for Invalid ballots.

! The signs should be placed in the same order as candidates appear on the ballot.

- [4.1.2] Assign a team of at least 2 to 3 members who will be responsible to inspect each ballot and determine the candidate for whom the ballot was cast or if the ballot is Invalid.

- [4.1.3] Assign a team of at least 2 members to be responsible for receiving, handling and counting the ballots cast for each candidate on the ballot.

! During the process, committee members are not permitted to make any markings on the ballots. They should not have any writing instrument during the actual counting of ballots.

- [4.1.4] Assign a team of at least 2 members to be responsible for receiving, inspecting and confirming determinations regarding the invalid ballots.

- [4.2] Count the votes and record the results.

- [4.2.1] Once the ballots have been sorted,

inspect each ballot which has been placed on the stack for each candidate to ensure that no errors have been made in determining for whom the vote was cast. If an error is discovered, the ballot should be delivered to the stack for the correct candidate receiving the vote. .

- [4.2.2] Count the number of ballots cast for their candidate and makes a notation of the result on a piece of paper.
- [4.2.3] As a safeguard to ensure correctness of the counting, trade places so that the ballots are recounted. The results of the second count should be compared with the first result. If there is a discrepancy, the ballots should be recounted.
- [4.2.4] When you are satisfied that the count is accurate, the result should be reported to the Chairperson. The result is entered onto the Protocol next to the name of the candidate.
- [4.2.5] The Chairman announces the results of the counting out loud to all those present. (Article 32)

! Observers are entitled to write down the results of the votes for their own record. (Article 24 and Article 16, Law on Referendum)

! It is also a good idea for the Chairman to prepare a copy of the results to keep for he or her own records until election results are officially registered and published.

- [4.2.6] All members of the committee participating in the activities throughout the day sign the Protocol. (Article 32)

! If any member has a special opinion about the process or the results, he makes a notation across from his signature and submits his opinion in writing. A refusal of a member to sign the record is recorded by the committee and attached to the Protocol. (Article 32)

- [4.2.7] Ensure that the Protocol is stamped with the seal of the precinct committee.

- [4.3] Immediately upon completing the count and when the Protocol has been signed, pack the counted and registered Majoritarian ballots and seal the packs with the stamp of the precinct.

- [4.4] Repeat these procedures for counting the Proportional Ballots.

- [4.5] Repeat these procedures for counting the Referendum Ballots.

- [4.5.1] In the case of the Referendum Ballot, the votes AGAINST the referendum are also counted. The number of votes AGAINST are also recorded on the protocol.

5. **INVALID BALLOTS** (Article 33)

An invalid ballot is a ballot which cannot be included in the counting of votes.

- [5.1] Inspect each ballot and determine whether the vote can be counted or not counted based on the

rules appearing on the chart.

- [5.2] In the event committee members disagree as to whether a ballot is valid or invalid, a decision is taken by a vote.
- [5.3] Count the number of ballots which are determined to be invalid and enter the number on the Protocol. (Article 32)

**RULES FOR COUNTING BALLOTS
OR DECLARING THEM INVALID**

CONDITION OR MANNER IN WHICH BALLOT IS MARKED	VALID COUNT	INVALID DO NOT COUNT
ALL BALLOTS		
Ballot does not conform to approved specimen		x
Ballot does not bear the stamp of the precinct		x
Ballot does not bear the signatures of the selected members of the committee		x
Ballot bears the official signatures or the stamp but not both		
Ballot bears one or more, but not all of the signatures of selected members of the committee		
Ballot is crumpled or torn		
Ballot is not marked at all		x
Ballot bears hand written words, names or symbols in addition to or in place the signatures of authorized officials		x
REFERENDUM BALLOT		
Both responses are marked		x
Voter has placed an "X" or check mark next to a choice but has made no other markings		
Voter has drawn a circle around a choice but has made no other markings		
MAJORITARIAN BALLOT		
Voter has written another name on the ballot		x
Voter has left more than one name exposed		x

**RULES FOR COUNTING BALLOTS
OR DECLARING THEM INVALID**

MAJORITARIAN BALLOT CONTINUED		
Voter has circled or otherwise made a mark by one name but has made no other markings		
Voter has marked every name on the ballot		x
Voter has marked out all names but left the name of one political party exposed		
PROPORTIONAL BALLOT		
Voter has left the name of more than one political public organization or bloc exposed		x
Voter has written name of another political public organization and marked out all pre-printed names on the ballot		
Voter has marked out the names of all political public organizations but left exposed the names of candidates associated with one organization		

6. **TRANSPORT OF BALLOTS AND MATERIALS TO THE DISTRICT ELECTION COMMITTEE (Article 34)**

[6.1] As soon as the counting of all ballots has been finished and the protocols have been completed, signed and stamped, all materials are to be packaged and immediately delivered to the District Election Committee. Those items which are to be delivered include:

[6.1.1] Separately packaged counted and registered ballots for each type.

K. What happens to the unused and spoiled ballots? Are they packaged separately and also returned to the District Election Committee? What happens to the remaining coupons from the Certificates of the used Certificate of the Right to Vote Forms?

[6.1.2] Stamped records and protocols for each type of ballot, including any written objections or opinions submitted by members of the committee, or observers if any have been submitted.

[6.1.3] Registry of the Committee.

[6.1.4] Sealed box containing the coupons of the Certificates of the Right to Vote.

[6.1.5] Voter List and any supplemental lists.

[6.1.6] Any other materials requested by the District Election Committee.

VIII. EMERGENCY CIRCUMSTANCES

Be prepared in advance to respond to the rare emergency which might occur.

Discuss emergency procedures in advance assign responsibilities to specific members.

Maintain a list of important phone numbers which might be useful in the event of a emergency.

Police Officers _____

District Election Committee _____

Central Election Committee _____

- [1] Should there be a disruption of activity because of disorderly conduct by a person in the polling place that you cannot control on your own, contact appropriate security officers for assistance.
- [2] In the event there is a power outage during the counting of ballots take necessary steps to secure the ballots and maintain order.
 - [2.1] Light candles or a lantern as quickly as possible.
 - [2.2] Ask everyone present to remain where they are until sufficient light can be restored.
 - [2.3] Resume normal activity as soon as it is reasonable to do so.
 - [2.4] If power is not restored and it becomes impossible for you to continue, contact your District Election Commission and ask for instructions.
 - [2.5] Take all steps necessary to secure the ballots, protocols and other election materials to ensure they are adequately safeguarded.

**PART III. COMMENTS AND EXPLANATIONS
REGARDING SUGGESTIONS POSED IN THE
SAMPLE GUIDE BOOK FOR PRECINCT ELECTION OFFICIALS**

Throughout the Sample Guide Book brief comments were specially noted in shaded boxes. These sections serve to illustrate examples of key questions which should be considered in formalizing procedures for future elections. What follows are brief discussions of these issues with explanations as to why they were singled out for special attention.

SHADED BOXES:

A. VERIFICATION OF THE VOTER LISTS

Through meetings with various precinct officials IFES was led to believe that preparation of the Voter Lists at the District level was a new practice. They indicated that in the past, the Precinct Official prepared the list through a door to door canvass of the residences within their precinct. Even if lists continue to be prepared at the district level, it may be a good idea to reestablish the role of the Precinct Official to confirm the accuracy of the voter list through their former practice.

First, Articles 15 and 19 provide the authority of the precinct officials to make the list available for public scrutiny, and to make corrections in the list as necessary. Secondly, a door to door canvas would allow for corrections through new information which might not be readily available to officials of self-administration offices. For example, residence records may accurately reflect the family living in a certain place. However, these records may not accurately reflect those members of the family who may have moved away. A door-to-door canvas would allow Precinct Officials to act appropriately on this kind of information. It would also allow Precinct Officials to know about voters who will need to vote at home and allow them to prepare the supplemental voter lists.

B. HANDLING OF BALLOTS VOTED IN ADVANCE

Article 3 of the Law on Referendum allows persons who will be away from the polls on election day to vote in advance. Their voted ballots are maintained in sealed envelopes until election day, at which time the envelopes are to be placed in the ballot box. The law, however, provides only very vague guidance as to when this activity should be accomplished. In fact there is an implication that they are dropped in the ballot box during the voting.

It is recommended that in the future, this procedure be accomplished before voting begins. This would allow the election committee to count and verify the number of voters who have already

signed the voter list in advance, before election day voters begin to add their names. The number of advance signatures could be compared to the number of envelopes and the information could be announced to the observers who are present. Such openness would alleviate potential complaints or allegations, in addition to assisting election officials to verify their accountability.

C. CERTIFICATES OF THE RIGHT TO VOTE

This instruction is highlighted to illustrate a difficulty which should be easy to overcome in future elections. Under Article 31, the registration official is supposed to sign the Certificate of the Right to vote when as it is given to the voter. In addition, there is a requirement that the official issuing the ballot is also to sign the Certificate. Presumably, both sides of the form are to have duplicate information. However, the form prepared for the 5 July 1995 elections provides space for only one official signature on each side. This instruction was written to allow the form to suffice for that election, even though neither side would show the two official signatures required.

It will be important that the Central Election Committee review each form used in the elections to ensure that it is well matched and suited to accommodate the requirements in the new law.

(The various protocols used for summarizing the results of the election also fail to provide space to record some of the accountability information which should be made part of the permanent record. These instances are also highlighted in the text of the sample guidebook.)

D. OFFICIAL SIGNATURES AND PRECINCT SEAL ON THE BALLOTS

Article 30, and 33 require that the ballots be signed by authorized officials who authenticate the ballots by their signatures. The ballots are also to be stamped with the official seal of the precinct. However, the law is not clear as to when this should be done. Nor does the law give guidance as to whether all ballots are to be signed and stamped, or only those which are actually issued to voters.

This is one of the more critical issues which would be deliberated by the Central Election Committee because the signatures of the officials and the seal are the only measures being used which ensure the safety and security of the ballots.

Many officials with whom IFES met indicated that they would be signing and stamping the ballots in advance. By signing the ballot papers in advance the level of security that the signature is intended to provide is defeated. Once the ballots are signed and stamped, they ALL become authenticated ballots. The signature and stamp might certainly differentiate an official ballot from one that is forged. However, done in advance, they would not necessarily distinguish one which was officially and properly ISSUED to a voter, from one that was not.

Under the law, any ballot found in the ballot box that does not have the signatures or the stamp would be rejected. But if all ballots are signed and stamped in advance, any ballot found in the box would have to be counted, even if it had been deposited in the box fraudulently.

Even if the signatures and the stamp were affixed on a small number of ballots on election day as issuing officials began to run low at their work station, the security measure would be greatly improved.

It is recommended that the Commission try to develop other ways to provide extra security measures in the way the ballots are printed. Ideally, it would be helpful if the ballots for each district were sequentially numbered from 1 to the maximum number of voters within the District. This would allow the District Committee to keep a log of the range of sequence numbers of the ballots they distribute to each polling place. It would also help them in distribution because they could rely on the sequence numbers rather than having to count out the exact numbers of ballots to be sent to each polling station. A copy of the distribution log from each District could be submitted to the Central Election Committee. This method would make it more difficult for misuse of ballot to occur because of the greater degree of accountability involved in knowing exactly which ballots are sent to which polling site. The signatures and the stamp would then no longer be necessary, although the addition of the precinct stamp affixed at the time of issuance to a voter could add an extra safety measure.

Similar sequential numbering could be imprinted on the Referendum Ballots as well. For these ballots, the District number could precede the sequence numbers for ease of distribution.

Existing facilities and resources may not have made this option feasible. However, other techniques should be possible as standard procedures for the preparation of ballots for any election.

- a. Two or three members of the Central Election Committee could be assigned to devise a secret symbol which is to be printed on all official ballots. It would be their responsibility to maintain confidentiality among only themselves as to what the symbol will be. An option could be possible for them to select a different symbol to be assigned to each District. At the last minute, when the ballots are actually ready to be printed, they would provide the symbol(s) to the printers who would also be held accountable for the confidentiality about the symbol. Any ballot found that did not include this symbol would be rejected or invalidated. The ballot printing facilities should also be provided extra security until ballots are ready for distribution.
- c. It would also be helpful if ballot papers could be padded or packaged in standardized quantities by the printing facility itself. The Committees could pre-determine the standard quantity in each package. Usually this quantity is from 50 to 250. Standardized packaging simplifies distribution. Officials then would only need to count out the number of packages to go to each site and to count the individual partial packs to meet the exact number of voters to be served at each site. In any circumstances District Committees

should maintain a log of the number of ballots sent to each polling station. Polling site committee should be required to confirm receipt of the exact number sent to them.

E. RETAINING THE SECOND PART OF THE CERTIFICATE OF THE RIGHT TO VOTE FORMS

The law offers no guidance as to what should be done with second part of the Certificate of the Right to Vote form once the coupon has been deposited into the special, sealed box. If they are to be retained by the precinct officials, then they should be used during the summarization process after the polls close. They should be counted and compared to the total number of voters who sign the voter list. The number should also be added to the protocol which should be modified to provide space for that entry. Without a specified use established for the second part of the form, it serves no function.

Whether a decision is made to retain a second portion in future elections or not, there needs to be directive established as to what action is to be taken if a discrepancy is found between the number of coupons found in the sealed box, and the number of participating voters and ballots reported by the Precinct Commissions.

Article 37 speaks to the authority of officials to declare an election partially invalid. Presumably, the language of the law is construed to limit invalidation of an election only to those cases where discrepancies are of such magnitude as to have potentially altered the outcome. For example, if a discrepancy involved a difference of 10 between the number of Certificates in the box and the total number of voted ballots, but the distance between the two candidates was 150 votes, the election could not be ruled invalid because of the error because it was insufficient to have altered the outcome.

F. VOTERS WHO NEED ASSISTANCE AT THE POLLS

It is a good idea that when an incapacitated voter has someone assist him in the voting booth, the assistant's name be written next to the voter's name on the voter list. This kind of record is helpful in identifying situations where one individual seems to be helping an unusually high number of voters. Caution may be warranted if there is a possibility that this individual is exerting undue partisan pressure on the voter.

G. VOTERS VOTING AT HOME

The text of these instructions serves to illustrate the difficulty when two different laws are being used to cover procedures for separate elections happening on the same day. The Law on Conduct of Referendum makes no reference to a Certificate of the Right to Vote form which IS required for voters in the election of deputies. The Certificates play an integral role in the processing of voters and accounting for the numbers of voters and ballots used at the polls. Questions arise as to how this process will be implemented in serving voters at home. In each case, a Certificate is already prepared for the voter from his presence on the regular voter list.

If the voter is ill and votes at home only in the Referendum, officials may suggest that no Certificate will be necessary for him because the Law on Referendum is silent on this issue. However, this decision will only increase confusion in processing, and in causing discrepancies in the number of Certificates found in the sealed box, and the number of various types of ballots cast.

In the future, it would be helpful that if two types of elections governed by different laws are held at the same time, special amendments should bring the laws into conformity so that only one set of rules applies. Consistent procedures governing all elements of the elections will help avoid confusion and improve accountability.

H. CANCELLING UNUSED AND SPOILED BALLOTS

Again, the law is silent on how this activity is to be done. (The law is also silent on how replacement ballots should be handled if a voter spoils a ballot. It is only in the procedures for after the close of the polls that spoiled ballots are even mentioned in the law.) In order to ensure "uniform implementation" required under Article _____, a decision should be made as to how this activity is to be carried out by all polling site officials.

I. COMPLETING THE PROTOCOLS

These questions are raised as additional examples where protocols may need revision to accommodate specific requirements of law and to fulfill requirements necessary to ensure that election day activity is auditable and accountable.

J. DEALING WITH BALLOTS VOTED IN ADVANCE AND AT HOME

These examples illustrate other important details which are not covered in the law but which require administrative decision to ensure that uniform procedures are followed. While the law provides for advance and at home voting, the law is silent as to how these ballots are to be accounted for. It make no mention as to whether these ballots are counted separately, or are commingled with other regular ballots. Specific instructions for their handling and counting should be developed by the Central Election Committee so that they are dealt with by all Precinct Committees in the same way, and so accounting for them can be properly regulated.

K. RETENTION AND TRANSPORT OF ELECTION MATERIALS

Article 35 only generally provides for the transport and retention of election materials to the District Committee after the Precinct results are summarized. However, the law indicates that the manner in which they are packaged and transmitted are "prescribed by the Central Election Committee." The questions raised in this section suggest some details which need attention. Since virtually all precinct records and documents pertain to the audibility of the election results it will be important that specific guidelines are detailed.

REFERENDUM OF REPUBLIC OF ARMENIA

5 July 1995

DO YOU AGREE TO ADOPT THE CONSTITUTION OF THE REPUBLIC OF ARMENIA APPROVED BY THE RA PARLIAMENT?

YES

NO

LEAVE THE ANSWER THAT YOU AGREE WITH, ERASE THE OTHER ONE.

If both answers "YES" and "NO" are crossed out, or none of them are crossed out the ballot is invalid.

= SAMPLE =

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Եթե ջնջված են միաժամանակ «այո» և «ոչ» պատասխանները, կամ երկուսն էլ ջնջված չեն, քվեաթերթիկը համարվում է անվավեր:

BALLOT
for
**THE CANDIDATES FOR DEPUTIES TO THE NATIONAL ASSEMBLY OF
REPUBLIC OF ARMENIA BY A PROPORTIONAL SYSTEM**

5 July 1995

##	Name of the Public-Political Organization or Coalition	First Three Names of the List
1.	National Democratic Union	Manukian Vazgen Sadoyan Arshak Vardanian Davit
2.	Union of National Self-Determination	Hairikian Paruir Zakarian Aramazd Zeinalvandian Nerses
3.	National Statehood	Shahinian Samvel Grigorian Grigor Saghatelian Armen
4.	Arakeliutun (Mission)	Papoyan Artiush Grigorian Vardevan Begdjanian Gagik
5.	Democratic Organization	Katsakhian Petros Petrosian Vardan Darbinian Albert
6.	"Kamk" (Will) Union, public-political Organization, and Armenian Dashtaktutun Party	Hekimian Hovhannes Vardanian Galust Kosakian Vasili
7.	Agrarian Democratic Party of Armenia	Dilanian Telman Zargarian Hovhannes Margarian Levon
8.	Scientific-Industrial and Civil Union of Armenia	Ghazarian Raffael Zolyan Souren Manucharian Ashot

9.	Democratic Party of Armenia	Sargissian Aram Khodjabekian Vladimir Hovsepian Armen
10.	Communist Party of Armenia	Badalian Sergei Darbinian Vladimir Hakopian Leonid
11.	Liberal-Democratic Party of Armenia	Mirzakhian Rouben Petrosian Raffik Dovlatian Frunzik
12.	Hanrapetutun (Republic) All-Armenian National Movement Republican Party of Armenia Christian-Democratic Union of Armenia Social-Democratic Hnchak Party Union of Intelligentsia of Armenia Liberal-Democratic Party	Araktsian Babken Lazarian Ter-Husik Sargissian Vazgen
13.	Shamiram	Sarukhanian Gayane Sargissian Nadezhda Torosian Anahit

Leave only one public-political organization or their coalition that you support and cross out the name of the rest public-political organizations or their coalitions.

The ballots supporting more than one public-political organization or their coalition , as well containing additional notes are invalid.



July 6, 1995

FROM: The Chairman of the Central Electoral Committee for Deputy Elections of the Republic of Armenia's National Assembly

TO: The International Foundation for Electoral Systems,
to Ms. Linda Edgeworth personally

The CEC of the National Assembly of the Republic of Armenia is pleased to be able to express its appreciation to Ms. L. Edgeworth, Mr. Scott and IFES group.

We are happy to host 180 international observers on the occasion of the referendum of Armenia's first Draft Constitution as well as the elections to the National Assembly of the Republic. Also, we are pleased to cooperate with a number of internationally acknowledged organizations and individuals, including yourselves.

Your presence during these days has been of great assistance to us. We would also like to express you our special thanks for providing us with your council as well as moral and material support. In particular, we want to mention the stationary materials and manuals such as "Guidance on the Implementation of the Election Law", which you generously presented to us. The latter is a wonderful manual prepared by Ms Edgeworth. It is true that it was not published due to the limited time, however, as a helpful means of education, it will serve its purposes in our future activities.

Thanks again and best regards to Ms. Edgeworth, Mr. Scott, and the whole IFES group.

We are looking forward to our future cooperation.

Sincerely yours,

Robert Amirian
Chairman

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CENTRAL ELECTION COMMISSION
REPUBLIC OF ARMENIA

Yerevan, Republic of Armenia
July 7, 1995

Ms. Linda Edgeworth
International Foundation of Electoral Systems
Yerevan, Armenia

Dear Ms. Edgeworth

Please, allow me to take this opportunity and in the name of the Central Election Commission thank you for the support and advice you have given us in the pre-election period.

The pamphlet prepared by your Foundation contains some very valuable observations. Unfortunately, the lack of time did not allow the Central Election Commission to be able to use your advice more productively, especially because of two reasons:

- 1) The terminology used in your recommendations differs from the one used by us, and any attempts to correspond the two will require considerable amount of time.
- 2) The adjustments required by your provisions that need to be made to our laws would also require much time and effort.

However, I hope that we shall continue to cooperate. Specifically, we would like to request a list of proposals by the International Foundation of Electoral Systems which would enumerate the ways in which the appropriate Armenian organs could receive technical assistance for later elections.

Sincerely,



Gagik Jhangiryan
Vice Chairman of CEC

INTERNATIONAL FOUNDATION FOR ELECTORAL SYSTEMS

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